Carceral Dis/Continuities: Masculinities, Male Same-Sex Desire, Discipline, and Rape in South African Prisons

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Prison, as place is a micro-cosm of the normative regulation and discipline of gendered and sexual bodies. The discipline and surveillance of men and same sex desire involves the re/production and circulation of discourses of heterosexuality and hegemonic masculinities, in particular. Heterosexual masculinity is circulated as the primary form of male sexual practice, even in an all-male environment such as prison. Not necessarily because it is but rather because the maintenance of hegemonic masculinity requires it. In this paper I explore the disruption of regulatory boundaries of the body that clearly define heterosexual in opposition to homosexual and examine the function of prison as carceral space in the constitution of masculinity and male, same sex desire. It will examine the sexual practices and performances of incarcerated sex offenders in three South Africa prisons and it is based on focus groups and individual interviews which were the basis of a larger research project.

Hegemonic masculinity identifies an imagined ‘real man’ as a social construct that signifies essential elements of successful masculinity such as sexuality(hetero), strength (read dominance) and risk-taking that is the standard for all men irrespective of geographical location, class, race, etc. (Connell, 1995, Morrell, 2001). Hegemonic masculinity assumes its privileged status, because willingly or unwillingly these elements of successful masculinity are acquired and achieved through everyday performances of gender and sexuality. Hegemonic masculinity is not fixed, but rather negotiated through time/place; hence it constantly needs to be proven. This paper begins to unpack the construction and constitution of hegemonic masculinities. It focuses on the production of prison masculinities, and regulation of male social and sexual bodies, relations and practices as a means of constituting, incorporating or resisting hegemonic and marginalized masculinities.

The prison as carceral space is constituted through social and collective bodies and is articulated through heteronormative practices of gender, race, class, sexuality and age as it intersects with prison policies and legislation. Theorists such as Foucault (1977) and Mendieta (2004) propose that the primary function of the prison is discipline, punishment and the regulatory system of surveillance, hence a carceral space. Alternative to prison existing as only and always a carceral space, the prison is also represented as a correctional facility governed by principles of human rights, and justice. Within a human rights framework, the legislation that guides and defines corrections/prisons such as the South African Department of Corrections Act 111 of 1998 defines prison as a part of the correctional system which has as its purpose “to contribute to maintaining and protecting a just, peaceful and safe society by – (a) enforcing sentences of the courts in the manner prescribed by this Act; (b) detaining all inmates in safe custody whilst ensuring their human dignity; and (c) promoting the social responsibility and human development of all sentenced offenders. Prison while defined as protecting the larger social body is also positioned to uphold the human dignity of prisoners as far as possible. But what is meant by human dignity within a system of incarceration? I will examine the ‘what constitutes human dignity’ in relation to sexual rights, sexual
identities and hegemonic masculinities in prisons.

The prison/correctional system is based on the idea of limited human rights and, globally, in most countries, sexual rights are severely restricted. Sex in South African prisons is mainly prohibited. Prohibition signifies the invisible, and the silenced but not necessarily the erased. There have always been certain prohibitions against sex in most societies, incest in different degrees is the most obvious and common example. In some countries such as Brazil and Spain sex is allowed in prison, in the form of conjugal visits for heterosexual, married couples. Sex is also indirectly addressed through HIV and AIDS policy and programs. Within South Africa, the Department of Correction Act 111 of 1998 does not acknowledge the existence of sex within prisons. There are no stipulations for conjugal visits or no protections against rape and sexual violence, specifically, although prisoners are protected against assault more generally. In discussions with the prisoners, there is an HIV testing and an educational program that prisoners are encouraged to attend.

If sex is invisible, yet it is happening, how are gendered norms produced and represented to make sex invisible within prison. What mechanism of discipline and punishment gets used to regulate this invisibility? I examine the in/visibility of sexual and sexually violent performances and practices in prison and the regulatory boundaries of the body in the production of hegemonic masculinities. The hetero/homosexual binary based on a naturalized gendered body is clearly disrupted in an all-male bodied prison. What is the significance of the ‘disruption’? Butler (2009) states that “there is no gender without this reproduction of norms that risks undoing or redoing the norm in unexpected ways, thus opening up the possibility of a remaking of gendered reality along new lines” (i). My argument in this paper, is that this repetition and disruption produces alternative sexualities and sexual practices, thereby challenging the constitution of hegemonic masculinities yet simultaneously re-inscribing it.

Methods

This paper is based on doctoral research conducted with seventy-two, incarcerated, sex offenders in three South African prisons. Feminist, qualitative research using a prison ethnographic framework is the overarching methodological approach used in this research study. Central in locating prison ethnographies is an understanding of the prison as a heterotopic space. It is the recognition that the men inside prison, inmates (guilty of committing sexual offences) have multiple identities and are connected to the larger social body, to families and communities outside of prison. They are also husbands, fathers, uncles, neighbours, workers, etc., they are also human.

The men identified as Xhosa, Zulu, Pedi, Sotho and across old, apartheid ‘racial’ groupings of black, coloured, Indian and white1. The men ranged in age between 18-70 and identified as belonging to different racial and cultural groups. Specific research methods utilising focus groups and individual interviews were conducted. The recruitment of participants was assisted by social workers within the respective prisons. This meant that in some instances I drew on existing treatment/psycho-social educational groups that were being facilitated by the social worker and at other times, being a part of a group within prison was completely a new experience for the inmates. The focus groups were useful because it allowed participants to share their opinions and to confront and challenge each other’s views and perceptions as is evident in the findings below. The individual interviews were a place for greater reflection for the respondents. Ethical approval was provided by the Institutional Review Board (IRB). Data analysis was completed through discourse and thematic analysis. Below I present the findings and discussion according to themes that arose from the research.

Regulating Male Same Sex Desire

1 These are terms used in reference to historical, Apartheid categories and are used to provide information of the social context of the participants. I do not believe in a racial, either biological or social essence.
Consenting sex: the in/visible

In/visibility of queer sexualities is a constant tension for queer sexual identities both in and outside prison. Globally and locally, same sex desire has historically been ‘in the closet’. It has been denied, disallowed, silenced and disciplined. In recent years there has been much media and political attention on same sex desire in Africa. It has often been represented as ‘UnAfrican’ and a Western import (Epprecht). Contesting popular perceptions, South African black, gay male activists (Achmat, 1994; Nikoli, 1994) publicly identify as gay and describe the denial of their sexual practices, choices and expression within their families and within the broader society. Similarly, Dlamini, (1984); Niehaus (2002), has ‘outed’ male same-sex desire and has argued that male, same-sex desire existed in mine and prison compounds in South Africa during and before Apartheid. Dlamini (1984) describes incidents of same sex relationships between political prisoners on Robben Island during Apartheid2.

It has been argued that in prisons and mine compounds ‘same-sex’ relationships’ is defined as ‘situational’ or contingent sexuality. While sometimes this might be the circumstances, it is not always, only situational. The following extracts demonstrate a range of definitions of same-sex relationships. One of the participants, Michael3 openly acknowledges his relationship with, ‘a gay’.

Michael: I got gays to...I got my gay....because I can’t stand it, because I am doing lots of years, 30 years....I know I can’t stand...I must get one, my friend...long time...

Niehaus (2002) states that, “Yet informants told me of convicts who had developed “a taste for men” whilst in jail, and pleaded with their “boy wives” to stay with them after they were released.” Similarly, the men in the interviews confirmed the extension of the relationships beyond the prison walls.

Interviewer: Gay men?

Salie: Some of them come to visit...some of them live outside, what I know about Bellville’s prison. I see here comes the captain with the transport .. excuse me...look here...who is whose Moffie4...they now legally married in court ...

Interviewer: Not just inside

Salie: I know a few of the number also. Who gets visit from the Moffies...I know Moffies who come to visit them here...

These extracts confirm the work of Niehaus (2002) and Gear (2007) and indicate that same sex relationships occur both inside and outside the prison. As stated earlier, same sex relationships between men are often declared un-African, hence the denial and silence about same sex desire and relationships. The silence functions as prohibition which prescribes religious or cultural, moral discourses. The denial signifies non-existence. The participants identified the fluidity of these identities and categories of sex as existing inside and outside. Same sex relationships between men are then also a matter of choice and an exercise of agency.

Same sex desire is constituted through heterosexual framing in prison thereby reinscribing hegemonic masculinities. The agency of black men and the pleasures of desire are denied through this framing and it is assumed that men return to having relationships with women only when they leave prison or the mine. This denial result in a projection and a performance of homophobia in the prison environment.

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2 Dlamini (1985) states that, “We are still shocked by a case of sodomy between two political prisoners of peasant origin. They are both from the rural areas... when we interviewed the first man, the wyfie he told us that there was nothing wrong in what they had done. He said it was not for the first time they did it. He had been having an affair with his husband for the last five years while working in the mines in Johannesburg. He further said that they were not the only one who had done it in the mines; there were many who he knew who were now here in the island. He later added that they did not do it like the criminal convicts; in the mines it is done in the thighs” (131)...

3 Michael is a 30 year old man, and identifies as Venda ethnically.

4 Moffie is used to refer to gay men or cross dressers, the word was originally used to refer to coloured gay men
Some of the respondents try to explain their homophobia:

Raymond: Guys in prison those are not gay. They don’t think much about it...it is just about satisfying a need...my point is...you can go and satisfy yourself...why go and lower yourself and have sex with another man...No..

Fred: That’s just lust...Just for sex...Cos why to satisfy himself......for a man yes.....a man with another man....that is mos not right...it is just lust.....because that is wrong...because a man is not made...he’s anus is not made for penetration...a woman is made...she carries what she must carry....the way she is created...we are not created like that...we will not behave like that with each other

These homophobic statements reiterate the naturalization of heterosexuality which theorists (Gear, 2007; Niehaus, 2002) have argued structure sexual relationships within prisons and have highlighted the discourse (language, roles) which represents a fixed, static heterosexuality. Research has indicated that heteronormative performances are enacted through the role of ‘husband’ and ‘wife’. The role of the man or the mannetjie as the provider, providing, food, clothes, cleaning objects yet they have ignored the economic aspect inherent in these relationships. The commodities that are exchanged are linked to broader heterosexual-economic relationships outside of prison where the role of ‘provider’ is performed through practices of provision’ and ‘protection’. Same sex desire in prison is situated within the broader socio-economic context of prison as well as the racialised communities the prisoners come from. Continuities are present in the links between inside and outside, when we examine the sexual economy in prison.

Maintaining the dominant ‘sexual’ economies: A Favour given is a Favour owed
The sexual economy structures sexual relationships through a cost-benefit exchange, often material and financial exchange. Sexual exchange is often embedded in moral discourse of culture and religion and through space/time configurations. Sexual relationships in Africa have had exchange as part of bridalthread practices such as rituals of lobola but within Western traditions it is usually critiqued and argued that women are reduced to objects within this exchange. Even though radical feminist theories have theorized that ‘compulsory heterosexuality’ exists within a broader sexual political-economy and hence, institutions such as marriage is defined through exchange and labour, sexual exchange for financial gain is very seldom perceived beyond the negative consequences associated with economic exploitation. In communities where social capital is scarce, transactional sex or gift-giving has been theorized as the ‘sexual relationships’ of choice for young women in Africa Transactional sex or sexual networking for social or material, financial capital is becoming a popular means of economic survival for both women and men (Kaufman and Stavros , 2004).

The prison economy runs on a sexual economy where at times ‘transactional sex’ and at other times, sexual violence/rape is an indicator of sexual and gendered performance and practices. Transactional sex in prison transcends static notions of masculinity and femininity yet also reinforces hierarchies of gender and masculinities in particular. In prison, building social and personal relationships is built on ‘gaining’ something. Participants felt that in some cases, sex between men in prison was due to ‘desperation’ and thus commodities were exchanged for sexual favours. Similar findings are detailed by Africa Watch Project on Prisons in South Africa (1994). The participants discuss sex for gain in the excerpts below:

Fred: Many of them do it to gain something ...most of the people that have sex, do not have families...their families have written them off, many of them have many things necessary, things that they need....now they all do those things ...to buy the things that they
need...material things...for example...soap to wash ...

Participant: some of them it’s because of desperation, they are smoking, they smoke cigarettes, some smoke dagga, they want to ... but they have got not money and those ones that have got money, they take advantage of those that have no money.

Gear (2007), states that, “The line between coercion and consent can be particularly blurred in prison...largely because of the commodification of sex in that context (where it is exchanged for any number of necessities or luxuries)” (218). In the sexual violence literature, exchange of goods for sex has been theorized as a form of sexual grooming. Sexual relationships that involve money are confusing for victims. Within these relationships coercion then replaces direct force and hence confusion about the acts of sexual exchange and sexual violation is common. Coercion is usually achieved through psychological manipulation to gain compliance and victims often feel complicit in any sexual acts that follows, yet simultaneously feel that they had no choice.

Fred: ....it starts with those small things example...I’m sure you must have heard...you must eat a lot in prison...you get people who eat a lot....who like to eat...now what I do....I know I am hungry...but I want to give my food....he is with the intention I care for him, I love him...my motive is not pure... so what I do....I will come back and use that things to get what I want...now for a few months he already ate my food, he wore my takkies, there in the cupboard there is soap, you want to spray and I gave him Vaseline...and the key to my cupboard....and then he thinks this is a good guy...but my motive..

William: There is pay back later

Interviewer: Having sex with a man...

Fred: If they did once with you. And I come to...then I will use that...You must stop it the first time...otherwords you will never get rid of it, then you become like a wyfie, the wife..

Interviewer: so they pay them.

Dumisani: yes, but even if it’s not something big, it’s to say I am paying you because I want to sleep with you, because you are short of toiletries, sugar, roll on, he will give you but know that they want something in return.

Interviewer: Right, a favour given is a favour owed.

Peter: as they say there is nothing for nothing

A tension of confusion and uncertainty is created through compliance as a mechanism of coercion. Compliance then results in silence since the victim feels guilty about participating. Silence (and secrecy) functions as a form of surveillance in gaining control of bodies in in/visible spaces. Foucault (1978) states that, “The logic of power exerted on sex is the paradoxical logic of the injunction (command) of non-existence, non-manifestation and silence” (109). Since sex is prohibited, sexual favours and exchanges then do not exist and therefore the compliance, coercion and sexual violence do not exist either.

Surveillance

Coercion and Violence

The utility of creating categories of uncertainty works well within carceral spaces to prevent explicit forms of regulation and control. Surveillance happens between prison inmates themselves, with themselves and each other. Surveillance then does not require naming. The in/ability to name the acts of sex as consensual or coerced, influences a number of perceptions of masculinity, violence and sex. The uncertainty in
naming is demonstrated in the extracts below:

Interviewer: The whole thing male on male sex...is not only about gay men it is also about straight men...that rape men, what do you call it...rape or sex...not you necessarily...but within the prison...

William: Eehh, eh, eh...

Group laughs....Hahahaha

Richard: we don't have a name...most of the men actually want it...there are those who get raped but there are those who want it... It is game...Of course you protected...you fed, you clothed, and you get dagga...

Transactional sex, gift-giving and coercive sex becomes blurred not only by the victims but also by the prisoners who are 'watching'. Coerced sex where men are the victims is not perceived as sexual violence and assault. Perceptions of rape are, that women are the victims and that men are the perpetrators and that men are invincible (read strong and always able to protect and defend them). Male rape survivors often express difficulty in articulating their sexual violations as rape. Popular perceptions of rape is that it is understood as forced sex and does not necessarily include acts of sexual coercion through gifts, money or food exchanges. The belief is that men cannot be coerced. Coercion or manipulation only reflects women's subordinate 'strength and intelligence' and hence not the characteristic trait of men. Gear identifies the blurred definitions, understanding and practices of rape and male same sex practices within prison and states that “This helps to explain dominant responses to male rape: male rape evokes notions of both femininity and homosexuality”. Coercion and consent is once again confused. The focus group members debate ‘what’ counts as consent which is tied into the definitions of masculinity, femininity and vulnerability. The extract below describes the sexual relations between members of the 26 gang.

Kenny: ...I didn’t realize what was going on in our cell....This one lightie and this one big ou...all 26’s putting up this flag 26...the beds are now all in a line....the bunk beds, these guys are sleeping in the bottom section....the bunks are against the wall...so they put towels, so you can’t see...so now what happens, this guy is a big guy...a small build like this guy, the other guy...so what he do he won't jump off the bed...he just go there and indulge with the fat lightie....he will go to the fat lightie...and indulge...so one day...there is an argument, something of the fat lightie got stolen, so this other guy reckon...it is the same guy...he took a hose and so he cracked this guy on the head, the same guy who was sodomising him....and so they called the members, and the members separated them...so the guy reckon to the big guy...he is tired of being a small boy

Interviewer: So is that non-consensual. Is that rape....or is it just sex...

Kenny: This guy is agreeing to allow this guy to come off the bed...cos look there is how many in a cell...over 30...so he knows

Andile: They come and sit here, they confuse you, they won’t say they gonna do this to you...after you agreed, then they do things to you....it is like rape, when it is outside....they kill the other ouens...it's force...

Rodney: You see what you want to see...me I tell you....that thing is entirely up to you...you have pants on, you have a sleepshort on, you have a underpants.....if you take your pants off for another man....My point is there is no-one pulling your shorts, no-one is ripping it off, he is

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5 Lightie refers to a younger male.
6 Ouen refers to guys.
taking those three things off himself, which means he likes what he is doing…

Gear (2007) states that, “Because vulnerability is constructed within dominant notions of gender as a fundamental facet of femininity, and sexual contact with another man (even unwanted) is associated with homosexuality, same-sex male rape becomes directly linked to both of ‘masculinity’s’ others: femininity through vulnerability, and homosexuality through same-sex contact.” (214). This expression of manhood and vulnerability takes place within the contexts of ‘prison’ and gangs, which both have hypermasculinity as central to its definitional character. Because men are being men (heterosexual), they cannot possibly be raped or engaging in same sex relationships, hence the circulation of hetermasculinity discourse acts as a form of surveillance of men. These discourse help keep men, 'in their place'. Gang masculinity is often an expression of hypermasculinity, which is intolerant of ‘weakness’ either physically, emotionally and psychologically.

Discipline, Rape and the Vulnerability of Men

Prison Gangs

Historically gangs have fulfilled a number of differing functions in the form of social and criminal activities. Gangs as a form of marginalized collective have often been defined through the sub-culture of masculinity, violence and territory. Geographic boundaries separate men who are ‘in’ and men who are ‘out’. Violence gets used to ritualize this division. Gear, (2007), states that “Violence in prison – most of which goes unrecorded – is ritualized and is fundamental in establishing inmate identities and hierarchies” (208).The gangs in prison hold authority and power; and rule through fear. The number gangs are one of the oldest gang formations to exist within South African prisons. Dlamini (1984) describes the purpose of each gang, he states that:

the 28s are regarded as the senior gang and are distinguished primarily by their organized system of ‘wyfies’ or coerced homosexual partners; the 26s are associated with cunning, obtaining money and other goods by means of fraud and theft; the 27s protect and enforce the codes of the 28s and 26s are symbolized by blood (45).

Sex is definitive of the most senior gang, the 28’s; hence it is argued sex in prison is tied to the prison gangs in its original constitution. Members of the 28 gang often defend the perception of sex that characterizes the gang. Steinberg’s account of the life of William Steekamp, details Williams explanation of sex in the 28’s gang. Steinberg (2004) states, “(b)ut people are not sodomised the way you read about in the newspapers. It is not true to join the 28’s you must be fucked in the arse. That is propaganda spread by our enemies. I am a 28, a proud 28. Don’t’ come here to spread rumours about us. If a member rapes somebody he is severely punished, Write that. Write the truth.” (21). Participants reflected on their perceptions of the gangs and sexuality in prison:

Barry: You mentioned it now; you get the gangs...28, 27, 26....they not gay....

Interviewer: They not gay...

Herman: if they just want to do it to you. You can’t say a word...they just going to do it...

Fred: There’s a rumour like...28’s sex people...but it is not like that....that is the main thing that always comes forward...even outside..28’s sex...rape the people and so forths, but in prison, everybody is locked up...lots of people think it is only 28...I was outside also...I was busy with the number...they were on top of me because I was a 28...the people have that mindset. The mindset that they have is the 28 talk about the sundown, according to them it...its dark...it’s at night.....now they have the mindset, they wander at night...there is a lot of comments people make...even everyone
outside...I don’t know your mindset towards the 28

Interviewer: I am learning now, I read the book, the number...so I got a little idea ...talking about the sex slave. And then I read the book...daai ding...and that book speaks...about mannetjies en wyfies...wie is die wyfie en wie is die mannetjie...

Men are disciplined by gangs as a means of control, punishment and instituting respect for the hierarchy. Men as victims of sexual assault were held responsible for their behavior which was defined as consensual, as a form of allowing sex. Some participants perceived masculinity as invincible and debated whether ‘it’ can be stopped or not. Very similarly to the discourse that says women can prevent being raped, some participants believe that men can stop ‘it’. Other participants describe the violence used to guarantee submission and explains that ‘a man who allows it to happen, is not by his full senses”. Denying that rape happens is imposing a silence on the vulnerability of men.

Adnaan: I am here for five years but I was not outside long...those things won’t happen if you don’t allow it to happen, we all as we are here ..You think that the classes rehabilitate us, that is nothing, that man learns through his own mistakes, big man we are all human our thoughts lead us. This thing is wrong, if I allow it to be done to me, I am going to refuse, okay maybe be shocked, but a man who is by his full senses will never let it happen to him...even if there is force used against him

Freddie: I can also think when I came to prison, when I walked, they also wanted to do that thing with me and I said no, luckily there was one amongst them that knew me, so I survived, and my no stayed my no...

Malcolm: 2005...I was in Maximum. I was in a meeting with the Portfolio Committee. So they spoke about the

abuse ....it’s from the courts and the prisons...it is there where abuse happens ...if you come to prison for the first time , and these are things I know about , you get to court, you are a new one, you get thrown with the older people and maybe dagga gets made, and you get asked don’t you want to carry things in , and people said no they don’t want to, then it gets kicked in and it is things that happen and that is where abuse happened

Interviewer: It is not always easy to say no...from other discussion they told me that at the court, you get throw into the gat and it is dark and you don’t always have control over, so the thing about stopping it

Nathan: I want to say, everybody’s circumstances is not the same, incidents are not the same, I was never a gang member outside, I never communicated with gangs, I just have this case, and I come to jail. I meet all these inmates who were already gangsters. They were with people who have experience from the prison system, they were educated about the prison system, if this happens you must do this, or you must do that...now it is very difficult for me to make choices I am scared I will be beaten...

Die ‘gat’ was a significant place of abuse and violence. The ‘gat’ signified the lifestyle and prison culture and was referred to as the place of initiation. When Malcolm, identified, the place, ‘the gat’, it signified a degree of acknowledgement and acceptance that ‘this thing’ did happen. Powerless and submission if it happened in ‘the gat’ was more acceptable, because the inmate did not know what was happening. It is also the place where the gangs are described as all powerful. Steinberg (2004) quoting William Steekamp, “ja, there are those who break the rules and sodomised. eight, nine

7 Gat literally means hole and sometimes it is referred to as your anus. Here it is used to refer to the holding cell when prisoners are transferred from the police van to the courtroom. The holding cell at the court is referred to as ‘the gat’.
years is a long time to be inside, without a woman, and there are prostitutes on the inside, so a 26 might pay somebody for sex. Of, if they have no money to pay for sex, they may use force”. Participants reflect on their experiences of forced sex/rape:

Herman: there they use you...they tell us, we are franse\(^8\)...you are a bird you must do what they tell you to do...they have drugs that they want to , they give you Vaseline and they say carry...They say, turn look, then they do it and the lorry, the lorry, another nightmare...Ooooh...Malcolm: with the prison gangs, it remains yes, if you say no, it stays yes. I can keep quiet, you get kicked...it is things that happen, I am not going to hide things away...at the police stations, it is things that happen

Barry: they kick it in...

The wardens are not passive observers of the presence and existence of gangs, sex and rape within the prison system. Sometimes it is argued that they are helpless against the power of the gangs and yet at other times they are seen as accomplices in the acts of violence perpetrated within the prison. Similarly, the Africa Watch Project on Prison Life in South Africa (1994) reports that guards are bribed by prisoners and these kinds of assaults remain uninvestigated and undocumentd.

Malcolm: ...it so almost like a culture in the prison...those things won’t happen unless wardens and brothers work together...you get cases, and that is what I experienced in prison, you get cases...where the inmate throws the one inmate to the other inmate...then the inmate does his thing, he paid the warden for this and this is what happens in the prison

Ronald: .like the one I read, it was a white boy, he come to prison with his bag and clothes, now there is a bed this side, and they show the pictures. There is gangsters from the 26’s, they can do nothing...there is still other gangsters, one of the gangsters slapped the warden, with some money so that they can throw this man in this cell, the man with the other inmates so they did their thing with him and then they left this youngster naked

Interviewer: What happened with that case?

Ronald: Nothing...

Rape in prison is very seldom treated as serious. Not only don’t the prisoners take it seriously but also the prison personnel from the wardens to the prison doctors.

Prison sexualities are not only a repetition of heteronormative gendered practices, the fact that the bodies that constitute the sexual practices and performances are not ‘female’ bodies, there is no vagina, reshapes the constitution of ‘heterosexuality’ and more broadly, sexualities. As Butler (1993) argues that, “Heterosexuality is always in the process of imitating and approximating its own phatasmatic idealization of itself, and failing” (313). Contesting an imposed heterosexual framing of male, same sex relationships in prison, Achmat (1993) argues instead for same sex desire between men in prison as ‘legitimate’, same sex between men. Foucault (1978) states that, “Sex is placed by power in a binary system—either licit or illicit; permitted and forbidden” (3) and argues for polymorphous articulations of power through sexualities, knowledge’s and power. Using a Foucauldian analysis prison sexualities at times combines and at other times disperses discourses on sexualities to produce knowledge’s of truth and power, which ultimately disrupts static notions of ‘hetero’-sexuality and signifies alternative sexualities. Fluid, polymorphous sexual identities are transferable, mobile and at times draw on heterosexual discourse and

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\(^8\) Franse refers to somebody who is not a gang member.
at other times, doesn’t. Sexual networking
the process of acquiring multiple and
concurrent sexual partners for the
purposes of building social and financial
capital, has also been proposed as a form of
engaging in sexual relations beyond the
binary of heterosexual/homosexual. Sexual
networking is also a means of increasing
social capital and responding to
impoverishment within prison. A study
conducted on HIV and AIDS prevalence in
prisons in Sub-Saharan Africa clearly
demonstrates impoverishment as
characteristic of prison in Africa and South
Africa is rated as one of the countries with
the most overcrowded prisons. I argue that
sexual networking in prison is a part of the
maintenance and regulation of systems of
alliance that are regulated within carceral
spaces. Fluid and mobile sexual identities
creates spaces of agency and provides
opportunities for prisoners to negotiate the
boundaries of in-carceration.

Conclusion
Sexuality in prison is a matrix of complex
articulations of power, sex, alliances,
violence and identities. Masculinity is
articulated primarily through sexuality and
violence and therefore even in an all-male
environment; heterosexual masculinity is
circulated as the primary form of sexual
practice. Not necessarily because it is but
rather because the maintenance of
hegemonic masculinity requires it.
Disciplining men and same sex behavior
involves the circulation of discourses of
heterosexuality. In addition, the disciplining
of men requires their active participation,
which is enlisted through the regulation of
homosocial relations and collective
masculinities in socio-political groups, such
as wardens, gangs, and the state. Through
competing for and contesting real manhood,
each group claims an authority based on
perceived power while simultaneously
disciplining each other.

Masculinities in prison are as much
about place as it is about gender and
sexuality. Place re-affirms and disrupts the
fixed gender and sexual binary between
women and men; heterosexual and
homosexual. There are both ruptures and
continuities (Gear, 2005). Gendered
language and gendered roles re-affirm and
are continuous with heteronormative
alliances outside prison. Foucault (1978)
states that, “Deployment of alliance has
as one of its chief objectives to reproduce
the interplay of relations and maintains the
law that governs them” (106). Representing
sexual relations as heterosexual affirms
‘deployments of alliance’ that re-institute
hegemonic control of sexualities and bodies.
It reduces sex to the heteronormative
framing of the couple and the family, based
on gendered performances of conventional
masculinity and femininity. The deployment
of alliances needs further research in the
prison context.

Same sex desire and sexual networking
are points of rupture away from hegemonic
masculinities and creates alternative and
open spaces to practice and engender
sexualities. Butler (1993) argues that, “If
gay identities are implicated in
heterosexuality, and it is not the same as
claiming that heterosexuality is the only
cultural network in which they are
implicated (313). Same sex desire as
consensual, coerced and forced, challenges
the hegemony of heterosexuality and
creates alternative pathways for the
exploration of sexualities. There is a
considerable degree of agency in resisting
and challenging heteronormative, rigid
constructs of sexuality but these remains
invisible, partly due to institutional policies
and partly because of the limited perception
of prison as a closed space of identity
performance and practice.

The notion of restorative justice has been
used to challenge a prison system as always
and only about discipline and punishment.
Hopkins and Koss (2005) states that,

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9 Thornton, R. Sexual networks and social capital: multiple
and concurrent sexual partnerships as a rational response to
unstable social networks African Journal of AIDS Research
10 The study, “HIV and prisons in Sub-Saharan Africa:
Opportunity for Action, 2007” was commissioned by United
Nations Office on Drugs and Crime, United national, UNESCO
and the World Bank.
11 Outside terms such as men who have sex with men is
increasingly becoming the preferred political term, is this term
transferable to the ‘inside and how does this affirm or disrupt
categories of heterosexuality?
Restorative justice which recognizes prisoners as rights bearing individuals provides alternatives to incarceration as a form of justice and punishment. Restorative justice suggests an alternative approach that not only would increase the number of cases in which offenders are held accountable but also holds the promise of promoting rather than interfering with victim recovery, promoting community involvement in crime control, and providing for safe offender reintegration into the community (696).

Feminist reviews of restorative justice as an appropriate alternative method have mixed responses. Some feminists advocate for restorative justice approaches which emphasise the victims voice and the process of mediation as rights-based, reconciliatory justice, while others specify the inherent power imbalances and the possibility for victimization between victim and offender within specific restorative justice approaches (Daly and Stubbs, 2006). However there are very few alternative approaches to justice for sexual offenses, partly because various approaches to justice has still not stopped the violence.

References


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