

# **An exploratory study of sex and rape behind bars in a South African prison**

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## **Abstract**

This study explores male inmates' perceptions of sex and rape in a South African correctional centre (prison). In South Africa, consensual sex between inmates is prohibited by the Department of Correctional Services (DCS) and inmates are therefore reluctant to report on such activities. Furthermore, the prison code of silence and the shame from being the victim of a prison rape make this an exceptionally challenging topic to research. Despite these challenges, 100 face-to-face interviews were conducted with male inmates (children, juveniles and adults) who were either awaiting trial or already sentenced for a criminal offence. The main focus was on their general viewpoints of consensual sex between men and prison rape victimization. The current study was an exploratory study and because of the size of the sample this study cannot be generalised. It does, however, offer valuable insight into the prison subculture's unwritten rules about sex and rape.

## Introduction

For the duration of the criminal justice process, an inmate may be at risk of sexual victimization in the police holding cells (jails), in the police vehicle to and from the correctional centre (prison), and in the correctional centre itself. The focus of this contribution will be on the sexual victimization of men whilst incarcerated at a correctional centre, as it is often described as a high risk setting for male-on-male sexual assault and rape (Wyatt, 2006). Interest in male prisoner rape stems from the authors' extensive work with male offenders, through the offering of life skills programs. The first author meets weekly with male offenders and discussions often focus on conditions inside prisons, including male rape. Also, the second author, with the assistance of post graduate students, performs different empowerment projects in different prisons. In a country ranked first in Africa and ninth in the world regarding the inmate population (with approximately 160 000 inmates in South African prisons) there remains a dearth of scholarly work on the male rape of inmates, and none on the sexual exploitation of female inmates. Gear (2002; 2005; 2007) and Booyens (2009) only recently began specifically focusing on the phenomenon of male rape in South African prisons. Previously, reference was made to prison rape in discussion documents about prison gangs, prison overcrowding and HIV/Aids. In 2007, the last government funded research on prison rape was done by the Judicial Inspectorate for Correctional Services, the watchdog over the treatment of offenders and conditions inside prisons. In South Africa, it is difficult to determine the incidence and prevalence rates of male rape in prison, as sexual assault and rape are classified as *general assault* by the South African Department of Correctional Services (DCS), and researchers are dependent on inmate accounts regarding the nature and extent of the problem.

Despite the random reporting of assault and rape in correctional facilities, the general populace of South Africa remain ill-informed about these crimes. It could be because the majority of law abiding South Africans may not be concerned with what happens once a person has been arrested, ultimately convicted of a crime and incarcerated. Compounding this problem is the tendency of correctional authorities who neglects to report on the sexual violations that take place in their institutions once an individual has been incarcerated. Furthermore, the informal prison code of silence prohibits inmates to speak about these types of crimes (Capers, 2011; Johnson, 2002; Lehrer, 2001). Despite this “secrecy” and tendency of non-reporting surrounding sexual offences being committed inside correctional centres, the existence of these offences can no longer be ignored by DCS due to the impact of the crime on the victim which includes the risk of contracting HIV/Aids and STI’s as well as the psychosocial effects of the criminal incident. In this contribution, the authors explore the meaning of sex and rape in the South African prison subculture.

### **International Overview of Prison Rape in Male Correctional Facilities**

Most of the early research on sexual assault and rape in corrections were conducted in the US (Fishman, 1934; Scacco, 1975; Lockwood, 1980; Wooden & Parker, 1982; Rideau & Sinclair, 1982; Tewksbury, 1989). It is, however, not the scope of this paper to refer to all of these research projects, instead some of the recent key studies will be highlighted in this contribution. In 2004, the Stop Prisoner Rape organization was the first to conduct research on sexual assault in Immigration Detention Centres around the US. The focus of the research is on the considerable reported cases of the sexual abuse of detainees, the lack of policies to address this issue and immigration officials’ refusal to allow for the independent monitoring of the

conditions and treatment of detainees. Fleisher and Krienert (2006) focused their study on the culture of prison inmate sexual violence, and not so much on the prevalence of prison rape. Interviews were conducted with 564 male and female inmates in 30 prisons in 10 States. An important finding of Fleisher and Krienert's study was the use of prison rape folklore to create fear and anxiety among inexperienced first time offenders. According to Fleisher and Krienert, these prison "stories" are enough to increase an inmate's awareness about the dangers of sexual assaults in prison. In 2007, the Bureau of Justice Statistics (BJS) completed a National Inmate Survey of 146 State and Federal prisons. This was the first study to use an Audio Computer-Assisted Self Interview in which inmates completed an online questionnaire. It was found that 4.5% of the respondents experienced sexual victimization in a twelve-month period. Of these 2.1% was inmate-on-inmate and 2.9% staff-on-inmate victimization incidents.

While the majority of research on sexual assault in prison has been derived from U.S.-based samples, this form of violence is a global phenomenon and has led to select empirical inquiry in other countries. For example, a few studies about sexual assault in Australian correctional institutions. The most significant study was conducted in 1995 by Heilpern, involving 183 male inmates between the ages of 18 to 25 years of age. Of these inmates, 11 indicated that they were rarely sexually assaulted, 17 reported that they were occasionally assaulted and 14 said that they were assaulted weekly and two were sexually assaulted daily. Overall, 44 of the inmates indicated that they had been sexually assaulted while in prison. This was one of the few studies that also included female inmates and their experience of sexual assault (Denborough, 2005). In 1997, an inmate health survey involving 530 inmates in New South Wales reported that 5% of the inmates engaged in consensual

sex and that 2% reported forced sex (Dolan, Lowe & Shearer, 2004). The most recent study was conducted in 2000 focusing on the sexual exploitation of transgendered inmates in prisons and detention centres across Australia. The study concluded that transgendered people are at a significantly higher risk of facing sexual assault because they are seen as weak, vulnerable and easy targets by the general male prison population (Worley, Worley & Mullings, 2010).

Regarding Middle Eastern corrections, Einat (2012) interviewed 151 adult maximum and medium inmates in relation to rape and sex in Israeli prisons. Einat found that sexual harassment and rapes rarely takes place in Israeli prisons and that consensual relationships between male inmates are rare. Together with child rapists and those convicted for incest, same-sex sexual aggressors in prison are regarded as disgraceful and are condemned by the general prison population. This could be attributed to the general non-acceptance of same sex relationships in this part of the world.

### **Background to Male Rape in South African Correctional Facilities**

Unlike the Prison Rape Elimination Act (PREA) of 2003 that recognize male rape in US prisons as an existing problem, South Africa does not have specific legislation to deal with prison rape. However, male inmates may report a sexual assault or rape according to the acts described in the Criminal Law (Sexual Offences and Related Matters) Amendment Act (32 of 2007). Sexual assault in the context of corrections implies the **contact** between the genital organs or anus of one person with any part of the body of another person, including the mouth; **contact** between the genital organs, anus or mouth of one person with an object; verbal sexual threats, and masturbation of one person by another person. According to the Act

rape is described as “any person who intentionally and unlawfully commits an act of sexual penetration with another person without such person’s consent.” The gender neutral concept of “person” is used and a man can now be a victim of rape in South Africa. Sexual penetration includes the insertion of an object or the genitalia of one person into the anus, mouth or genitalia of another person. For the first time, forced fellatio (oral sex) is also considered rape, an act which is often practiced among inmates. According to South African legislation, a person has not consented to sex if he is intimidated, forced or threatened in any way, through violence or threats of violence; compelled by someone who abuses their power and authority; unconscious; under the influence of alcohol or drugs; and a person with a mental disability.

### **Standing of Sex and Rape in the Prison Subculture**

As early as 1982, Cotton and Groth proposed that rape in a correctional centre, as in free society, is in most cases not about sex, but to hurt, humiliate, dominate, control and degrade the victim. This view is further supported by Man and Cronan (2002) who stated that in most incidences of male prison sexual relationships, mutual attraction or affection does not drive the relationship but rather coerced acts of dominance, intimidation and terror. Sivakumaran (2005) states that the sexual assault of a male by another male is an expression of dominance and control and that the act itself is about exerting power and not sexual gratification. These understandings of coerced sexual relationships as being about power and control in prison are clearly backed by a perpetrator of male-on-male rape in a South African prison who said the following: “The first time I forced a ‘private’ to have sex with me I felt relieved. I got what I wanted and what I’ve been waiting for so long.

After that there was nothing to stop me. I had sex with 'privates' all the time. Whenever they refused, I would get violent and beat them up or stab them, just to get my way. I got my power and control back and I was feared by all...I penetrated all of them and it made me feel like God. I was in control of another human being. It felt as if I had a kind of power that no man can take away from me" (Albertse, 2007, p. 59). Contrary to this supposition of power and dominance, Fleisher and Krienert (2006) found that rapists in prison are afforded no power, no respect, and no influence. This finding is supported by the view of Almond, McManus and Ward (2014), namely that males who rape other males are not a homogeneous group and therefore more research is needed in South African corrections. More on-going research will probably determine the actual status of the prison rapist within the prison subculture and whether prison rape is indeed about dominance and power or to discharge sexual tension and ultimately sexual gratification.

Coerced sex in corrections is not referred to as rape by the offenders, but rather known as "turning out" a person. This is a non-sexual description of an act of conquest and de-masculation of the victim (O'Donnell, 2004; Wyatt, 2006). In South African prisons, inmates refer to rape as sodomy, a **consensual** sexual act between males that has been legalised in that country; therefore it is not regarded as a crime. In doing so, inmates effectively deny the illegal nature of coercive sex between male inmates.

Related to this is the belief that inmates who have been raped in corrections are not deemed "victims" *per se*. The perception is based on the notion that a "real man" cannot be forced to do anything he does not want to do. Thus, a "real man" cannot be sexually assaulted and raped, and if a man is "turned out" he is regarded as being weak and not worthy of respect from those who are "men" (i.e. penetrators).

Consequently this apparent “weakness” both invites and justifies sexual exploitation and rape (O’Donnell, 2004; Trammell, 2011).

The offender may force the victim to participate in a series of different sex acts. For example, inter-femoral sex involves inserting the penis between the thighs and simulating the normal sexual movement. In South African correctional centres, inter-femoral sex is known as “thigh sex,” “the new road,” “eating the leg,” “dried fruits,” and “serope” (a concept that is derived from one of the African languages in South Africa). Oral sex and forced masturbation is also performed regularly within the confines of a correctional facility. The victims may also be anally penetrated. In South African correctional centres this is known as “do it in the eye,” “the old road,” “chocolate box” and doing a “boiler” or putting it “inside the boiler” (Booyens, 2009; Gear & Ngubeni, 2002).

Gang involvement is another major dimension of male rape in corrections, and in South Africa, the number gangs play a predominant role. These are a collection of gangs identified by a specific number namely the 23’s and 24’s (collectively known as the Airforce gang), 25’s (Big 5), 26’s, 27’s and 28’s. The number gangs originated more than 100 years ago outside of the prison system and consisted of a group of outlaws that committed crimes around Johannesburg during the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. Many of these outlaws were incarcerated and soon gangs were established in almost every prison in South Africa. Inside prison, the number gangs are characterised by very specific codes of conduct, objectives for their existence and very structured hierarchies (Gear & Ngubeni, 2002; Steinberg, 2004). For example, the objective of the Airforce gang is to escape from prison, while the Big 5 works closely with correctional officials to maximize their privileges. The 28-gang is most frequently associated with sex, as the objective of this gang is to



take and provide “concubines” or wives (Albertse, 2007; Gear, 2005). Although the sexual victimization of another inmate is not the main objective of the Big 5, this prison gang will occasionally also punish guilty parties in a sexually aggressive manner. The Big 5 gang usually subjects the guilty party to a “funky mama” activity. This implies that the victims are gang raped as punishment.

### **The Relationship between the Offender and the Victim**

Various relationships may develop between men during their period of incarceration, and can manifest in one of the following ways. The first type of relationship can be described as a “marriage.” Within this “marital relationship” one is either a “husband” or a “wife” (Trammell, 2011). Other terms used by South African offenders to refer to a “husband” are “big man” or “boss.” A “wife” (“wyfie”/“wyfietjie”) is also known as a “small boy,” “young man,” “madam,” “girlfriend,” or “concubine.” The “husbands” are the men and they are superior to their “wives.” A vital aspect of this type of relationship is that the man must provide financially for his “wife.” The husband is allowed to have many “wives” as long as he is able to support them all. A “husband” must therefore provide luxuries such as cigarettes, food, dagga (marihuana), and other essential goods. Since he is “paying” for services, he is allowed to move around in the designated prison areas while the “wives” activities are usually restricted, and they tend to stay in the cell. Usually, the “wives” must do the domestic chores such as cleaning the cell and washing their “husbands” clothes. The main function of a “wife” is, however, to fulfil the man’s sexual needs. The “husband” **always** penetrates the “wife” or requests that oral sex be performed on him (Booyens, 2009; Gear, 2005; Trammell, 2011). Some men enter into a “marital” relationship for protection in order to avoid continual sexual victimization by different

perpetrators. In order to escape being abused by many men, the victim chooses to “pair off” with one partner who can protect him against sexual abuse from others. Since these inmates are “voluntarily” exchanging sex for protection, many correctional officials fail to see the hidden coercion that lies within this relationship (Harvey, 2002; Trammell, 2011). Others enter into a “marriage” because of mutual attraction and the sexual relationship between the inmates is consensual.

“Uchincha ipondo” (a concept that is derived from one of the African languages in South Africa) is another type of sexual relationship that may develop in a correctional centre and simply means to “change or exchange a pound.” In this type of relationship, sex is exchanged for sex and not for goods or protection, since the exchanging of goods or protection constitutes a “marriage.” There are no clear roles in this relationship and neither partner is considered superior (male) or inferior (female). Partners will take turns to penetrate and be penetrated. This practice tends to be associated with juvenile offenders since they often become other inmate’s “wives.” In addition, they would also like to fulfil their sexual needs by sometimes penetrating someone else. Because of their situation, many inmates are also experimenting with male-on-male sex for the first time. These loose sexual relationships are usually not accepted by the gangs and could be punished. For this reason, individuals who engage in “uchincha ipondo” tend to keep their activities secret. However, if they get caught, they will most probably be punished by a gang. In most cases, the punishment for “uchincha ipondo” is physical assault. The guilty parties may even be forced to have sex with the gang member that caught them. The practice of “uchincha ipondo” is regarded as a homosexual relationship, whereas a “marriage” is viewed in the same vein as a heterosexual relationship because there are clear gender roles as the “woman” role is artificially “created” and

the “wife” is convinced or forced to act accordingly (Gear & Ngubeni, 2002; Gear, 2007).

Men also engage in a short-term sexual relationship similar to the relationship between a prostitute and a client. In many cases, the inmate who serves a “prostitute” role in prison is stigmatised less than a man who is raped. The reason for this is that the prostitute sells his body in exchange for commodities instead of being forced into sexual acts with another man. The latter implies subordination and lesser status because they are submissive and generally the “wife” is deemed far less important than a “husband.” However, the apparent “willingness” of the so-called prostitute is debatable as some prostitutes are actually victims of prison rape. Because of this initial forced victimization, they realise the potential of sex and instead of becoming repetitive rape victims start to negotiate commodities in exchange for their bodies/sex. This is commonly known as survival sex (Booyens, 2009; Eigenberg, 2000; Trammell, 2011).

Some South African inmates are unable to escape rape and domination by others. They also cannot usurp the prostitute role. These victims may become the “property” of other men. These men usually assume a slave role and may be “rented out” for sex, sold or auctioned off to other inmates by their master, representing the financial benefits of traditional slavery. The prisoner(s) who “own” these men tell them what to wear, how to dress and which other inmates they are allowed to talk to (Capers, 2011; Human Rights Watch, 2001).

The abovementioned conceptual landscape suggests that, regardless of the nature of the sexual relationship, within South African prisons, one party will always be sexually exploited to gratify another’s need to dominate and control or in exchange for protection, money, commodities (e.g. cigarettes) and even friendship. It

also appears that some sexual relationships in a correctional centre seem to be consensual in nature. However, the boundaries between consensual sex and forced sex (rape) are not always clearly distinguishable in a South African prison. The question that arises from this is: How consensual is a relationship when one has sex in order to survive in a correctional facility? (Albertse, 2007; Booyens, 2009; Wyatt, 2006).

### **The “ideal” target**

Perpetrators of male-on-male rape tend to target new inmates because they are unaccustomed to the prison subculture and therefore vulnerable to intimidation and domination by more experienced long term inmates (Gear & Ngubeni, 2002). Hensley, Koscheski and Tewksbury (2005) found in their study that bisexual and homosexual inmates have a higher risk of becoming the victims of a prison rape. Furthermore, young and youthful-looking men are at particular risk of rape, and are usually younger than the perpetrator (Perez, Gover, Tennyson & Santos, 2010; Trammell, 2011). This is one of the reasons why it is stipulated in the South African Correctional Services Act (Act 111 of 1998) that juveniles are to be separated from older offenders. In addition, the Constitution of the Republic of South Africa, 1996 stipulates that those under the age of 18 years must be detained separately from adults. It is also stated in the White Paper on Corrections in South Africa (2005) that DCS should address the vulnerability of children and youth in their curriculum during the training of all correctional officials. It is highlighted that children and youth are especially vulnerable to pressure, force and abuse from older offenders. Regardless of these legal provisions, young inmates and targeted adult inmates still fall prey to sexual assault and rape from other men in corrections (Booyens, 2009).

## **Method and data**

### **Recruitment**

The research was conducted in a correctional centre in the capital of South Africa, Pretoria. This particular correctional facility mainly function as a remand centre for male remand detainees, but a small number of sentenced juvenile and adult male offenders are also housed in this centre. This remand centre is unique in that apart from the adult inmates, it houses children (ages 13 – 18 years), juveniles (18 – 21 years) and youth (21 -25 years) awaiting trial. The children in this facility committed violent and sexual offences and, because of the nature of these offences, they cannot be released under the supervision of a parent(s) or guardian(s) (Booyens, Beukman & Bezuidenhout, 2008). The sample of research participants included the following five categories: children, juveniles (juveniles and youth were classified as one category for the purpose of the research), and adults awaiting trial as well as juvenile and adult sentenced offenders (Booyens, 2009). As per ethical protocol, the researchers only gained access to the correctional facility once the Ethics Committees of the Faculty of Humanities (University of Pretoria) and the Department of Correctional Services granted permission. After the participants signed an informed consent form, a total of one hundred (100) structured interviews were conducted – 20 interviews per inmate category. As this prison is largely a remand centre the number of inmates fluctuates daily, nevertheless on average about 4 500 inmates are detained in this centre. Approximately 2,2% of this prisoner population were interviewed. The aim of the study was exploratory in nature and although the results from this non-random sample cannot be generalised, it gives an indication of the nature and extent of sexual practices between male inmates in this correctional centre. Additionally, in view of the fact that the authors are regularly

engaging in different endeavours in different prisons, the findings of the current study at the relevant prison are commonly verified during work sessions, workshops, and community engagement projects at other prisons.

The age group of the participants in the current study ranged from between younger than 20 years to older than 60 years. Participants identified themselves as heterosexual (85%), bisexual (10%), and homosexual (5%). The majority of the participants, namely eighty six percent (86%), were single when the interviews were conducted. This may be ascribed to the fact that two of the inmate categories were juveniles and children. African inmates made up the bulk (namely 76%) of the participants followed by Whites (15%) and Coloured (9%). No Indian/Asian inmates participated in the study. This sample is a representation of the current DCS national prison population with 79.5% of the inmate population being African, followed by White (9%), Coloured (9%) and lastly Indian/Asian (2.5%) (Jules-Macquet, 2014). The South African national population demographics for 2013 were 79.8% African, followed by Coloured (9%), White (8.7%) and Indian/Asian (2.5%) (Statistics South Africa, 2013). A possible reason for the disproportionately high number of white participants in the current study, compared to the DCS prison population and South African national population, may be a representation of the region where the study was conducted. Certain population groupings are usually more represented in certain geographical areas. More coloured people live in Cape Town, for example. The prisons in Cape Town have a higher number of coloured inmates compared to other prisons in South Africa. The geographical lay out and population representation in different geographical locales are therefore important variables in the representation of the different population groups in the prison of that relevant prison location.

Most of the participants interviewed in this study were in prison for less than two years and incarcerated for aggressive offences (64%) followed by economic offences (27%) and sexual crimes (11%). Note that some of the detainees and offenders in the current study are incarcerated for more than one offence. In South Africa, aggressive offences are considered crimes against the person such as murder, attempted murder, assault and robbery with aggravating circumstances.

Cresswell's dominant-less-dominant mixed methodology strategy was followed and the dominant qualitative data was supported by means of a descriptive quantitative analysis of the findings. The quantitative data provided numerical value to the study since elementary descriptive statistical techniques were employed, and the qualitative data provided rich information regarding the inmates' perception of sex and rape. The structured interview method was deemed appropriate as many of the respondents were either unschooled or did not complete their education. It was decided by the researchers to use this technique to ensure validity and to prevent a poor or skewed response. In this technique the interviewer becomes part of the instrument along with the interview schedule and the face-to-face interview method usually obtains supreme, high quality data. This also allows the researcher to ask more questions when needed and allows probing when necessary. Moreover, should the researcher identify discomfort in the interviewee, safer ground can be approached in order to establish the rapport equilibrium again. This technique also ensured that the researchers got the maximum response rate from the interviewees. We decided to follow this type of methodology since we wanted to get the most valuable information from this exploratory investigation. Also Lanier and Briggs (2014) insist that mixed methods have the potential to strengthen a study and it is applicable to any type of research.

## **Interviews**

When the interviews commenced, a correctional official escorted the principal researcher (first author of the article) to different sections of the correctional centre including the communal cells, single cells, reception area and the hospital section. The high noise levels inside the prison prohibited the use of an audio recorder and responses were written down verbatim on the interview schedule. Rapport needed to be established with the inmates in order to elicit true responses and active participation, and was achieved by putting the inmates at ease through conversations about off topic agendas such as general news, sporting events, interests and reference to loved ones on the outside. The initial non-topical chitchat usually made the interviewees less paranoid and established a calm relaxed interview atmosphere. Once rapport has been established, the aim of the proposed research was explained to the inmates and they were asked whether they wished to participate voluntarily. The actual interviews were carried out in an allocated office within each designated section. Therefore, the inmates did not have to volunteer in front of the others to participate in the study. They were informed that they could visit the researcher in the office throughout the day. This inconspicuous strategy were very successful as, in the end, the researcher interviewed victims of prison sexual assault and rape, offenders who committed these sex crimes in prison, and inmates who neither committed these acts nor were victims of sexual assault. Even gang and non-gang members visited the office to “talk” to the researcher. Due to the sensitive nature of the study, it was decided not to have a correctional official present during the interviews. Before the interviews commenced, the social workers at the correctional facility were also informed of the nature of the research and, whenever the need arose, specific inmates were referred to them for debriefing.



The interviews lasted between 40 minutes and an hour. The structured interview schedule comprised of the following sections: the biographical information of the participant, offence and sentence, general views regarding prison sex and rape, the participant's own experience of sexual assault and rape while incarcerated, and gang involvement (Booyens, 2009). Specific questions relating to sex and rape included the following: inmates' knowledge about the practice of consensual sex between males, their perception about the occurrence of prison rape, awareness about STI's and HIV/Aids, whether they were ever victims of forced sexual acts such as oral sex, masturbation, inter-femoral sex and anal sex, as well as a description of the nature of the sexual act (when and where the act took place, number of offenders, the use of weapons). Questions also revolved around gang membership and whether the code of gang permits sexual acts (consensual or forced) between members.<sup>1</sup> As the interview consisted of structured questions, the researchers were able to present the same stimuli and therefore collect the same kind of data from a large number of participants. Such questions facilitates the "comparability of responses", which allows "categories of subjects to be compared on the same items" (Jupp, Davies & Francis, 2000:56). This was relevant to the study as it was the aim to compare the responses of the sentenced offenders with the remand detainees. Probing was used to obtain rich information from the inmates and deepen their responses about prison sex and rape.

### **Data analysis**

Since the mixed methodology strategy guided the research, two different methods of data analysis were used. Content analysis was used for the qualitative methodology, and the subsequent process was followed: Firstly we had to understand the meaning of each participant's response to a question, and thereafter

develop themes that include these meanings. The second step in the process was to assign codes to the main themes. This was done by hand instead of using a computer software programme. Having identified the different themes, the responses were classified according to these reoccurring themes. The themes became very clear as a saturation point regarding the themes was reached at an early stage after the interviews commenced. The last step in this process was to integrate the themes and responses in the text. For this, the verbatim responses were included to keep the “feel of the responses” (Kumar, 2005, p. 241).

Regarding the quantitative analysis, the researchers made use of the services offered by the Statistics Department of the University of Pretoria. This part of the data analysis was also made possible by the researcher administered questionnaire technique. After the data was gathered by means of the structured interview schedule, it was prepared and coded for analysis. This entailed a process of giving numerical values to the untested variables and the biographical information. The variables being measured were the extent of sexual contact between male inmates, the relationship between STI's, HIV/Aids and prison sex, extent of rape and the association between gang membership and prison rape. Hereafter, the questionnaires were sent to the Statistics Department, where a frequency distribution of the data was done. The quantitative analysis of the structured interview schedules was intended as a support to the dominant qualitative analysis and therefore only a descriptive statistical analysis was sought. We did not aim to answer specific hypotheses but to answer a research question in an explorative manner. For this reason no inferential statistical analysis was used. The descriptive data supported the qualitative findings and in some instances underlined some very important statistics related to the tested variables.

## **Findings**

The findings of the research will be discussed according to the participants' general views on sexual activities and rape behind bars.

### **General Views about Sex and Rape in the correctional centre**

With regard to the quantitative data, we wanted to explore whether men have sex whilst incarcerated and if so, the ways in which sex is performed. The majority of the participants (78%) stated that anal penetration is the most common sexual activity between men in prison. This includes both rape (one-on-one and gang rape) as well as consensual sex. A significant finding was that this type of sex was mentioned across the five inmate categories. Sixty four percent (64%) of the participants agreed that the second most preferred type of sex is inter-femoral sex. The interviewees referred to this as "between the legs" or "thigh sex;" consistent with prior research, this type of sex was most common amongst the juvenile and child inmate categories (Booyens, 2009). For lubrication, the inmates make use of what is available to them inside the prison; namely saliva, body lotion, Vaseline (petroleum jelly), yogurt or the spread (margarine/butter) that they scrape off their bread. To a lesser extent, oral sex and masturbation are also practiced between male inmates. However, the inmates noted that the type of sex (anal, inter-femoral, oral or masturbation) is often agreed upon beforehand by both parties.

The quantitative part of this section also focused on the occurrence of rape in this particular correctional facility, especially whether the participants have ever heard of others (including correctional officials and other inmates) referring to incidents of rape or saw or heard another inmate being coerced into having sex. Eighty four percent (84%) of the participants indicated that they either personally saw an inmate

being raped or heard an inmate scream for help or they heard from a secondary source that an inmate has been raped in another section of the prison. Whilst this is a small sample group this finding indicates that rape is occurring at this facility and that most of the participants may have been exposed to another inmate being raped. Although the authors acknowledge that rape lore may have influenced some of the responses, they are convinced that many others have directly witnessed or, through a secondary source, heard of a rape. This viewpoint of the authors was substantiated recently when a group of offenders attending the life skills programme and working in the hospital section of the prison told the first author of an inmate that was gang raped and are receiving medical care.

The qualitative data for this section of the interview schedule focused on the nature of consensual and coercive sexuality. Fleisher and Krienert were the first to develop a sexual behaviour continuum in which prison sex ranged from voluntary to coercive sexual acts. Warren and colleagues build on this continuum and identified three types of prison sex namely relatively frequent consensual sex, less frequent bartered sex, and relatively rare coercive sex (Morash, Jeong, Bohmert & Bush, 2012).

In this study the authors identified four types of sex, also ranging from consensual “marriage” sex to forced sex.

The **first** type is consensual “marriage” sex where a relationship develops between two inmates and a domestic life is shaped inside the correctional centre. Inmates who engage in this type of sex tend to be incarcerated for a long period of time (usually longer than a year). One participant stated in this regard: “After food, give cigarettes, ganja<sup>2</sup>, make house and touch each other and kissing, use

petroleum jelly between legs, and then put it in. Others do it between the legs other in the bum – it is how you like it” (Booyens, 2009, p. 142).

Another stated that “In prison long time without sex and then your mind goes crazy and you see the boys. Create your life inside jail take a man and make him a woman, make it in a secret way” (Booyens, 2009, p. 142). The sexual relations therefore serve an emotional and affective purpose for certain inmates and since incarceration deprives a person from normal emotional and sexual relations. Sex in prison, perhaps superficially, supersedes the endorsed relationships outside prison.

The **second** type of sex that we observed in the South African prison was exchange sex whereby inmates sell their bodies in exchange for commodities that are needed to survive in prison such as cigarettes, pre-paid phone cards or extra food. The participants explained it as follows: “If he [juvenile] doesn’t have anything, if another man get stuff from the tuck shop<sup>3</sup>/dagga<sup>4</sup> do sex for these commodities” (Booyens, 2009, p. 143). “Others that don’t get visit will go to another man and say, ‘if you give me food and cigarette, I will give you sex’” (Booyens, 2009, p. 143). Sex, therefore, becomes the “bargaining chip” for luxuries and to ensure survival. Many of the participants who took part in the current study agreed that it is usually the inmates who are not visited by family or friends that turns to “prostitution.” The inmates who are not visited do not get any luxuries from the outside such as cigarettes, extra clothes, or food and are therefore more willing to engage in survival sex. Also noteworthy from this type of sex is that the sexual act between the men occurs after an agreement (and therefore consent) is reached by both parties. The mutual agreement is the important anchor in this type of sexual relationship. A participant explains this type of sex as follows: “A transaction takes place, the perpetrator promises cigarettes and dagga in exchange for sex”. Another participant said the

following: “Boy come to G section to sleep with a man – an agreement takes place – sex for dagga or cigarettes” (Booyens, 2009, p. 144-145). From this it is clear that an understanding exists and that both parties agree to the sexual interaction.

**Thirdly**, sexual trading by corrupt officials and the subsequent sexual behaviour between inmates was identified in the current study. This type of sexual transaction cannot be described as a consensual sexual transaction. The potential victim has no say in this transaction and is compelled to participate in a sexual act with another inmate. The sex transaction is facilitated by a third party who abuses his power and authority (e.g., corrupt prison official) to generate additional proceeds. Participants revealed eyewitness scenarios where juveniles were “sold” to adult detainees by correctional officials. One participant said the following: “Policeman [correctional official] brings juvenile to adults for R10,00 [±US\$1]” (Booyens, 2009, p. 148). Another inmate confirms that one can pay an official to take a young boy to the adult section and the official will go on lunch and pretends that nothing happened. The sexual trading that occurs in South Africa prisons where corrupt officials act as “pimps” for adult detainees and supply them with youthful detainees for sexual purposes came to light after an official investigation by the Jali Commission of Inquiry into corruption, maladministration, nepotism, intimidation and other improper conduct in the main Management Areas of the DCS.

**Fourth**, forced sex also occurs in this South African prison. This type of sex is perpetrated mainly by prison gangs. According to the research participants, many young first time uninformed inmates are requested by a delegated gang member to get the tattoo of the gang. The meaning of this tattoo and the request by the gang member are never clearly explained to the ignorant first-timer. They might vaguely outline their invite that gang membership means protection and a better life in prison.

However, once the tattoo has been given, it is explained to them that they must now engage in sexual acts because the true membership to the gang demands this (the privilege to display the tattoo) – it is the code of the gang. A participant explained this process as follows: “Gangs that force it, they recruit you and must first have sex with someone before you can belong to the gang” (Booyens, 2009, p. 149). Another participant stated the following: “New ones get raped by gangs. First give you number (tattoo of the gang) and then explain what you have to do” (Booyens, 2009, p. 144). Senior gang members also use sex as motivation for junior members to move up in the gang – “If you join the gang, offered sex (not forced to do sex because you belong to them). Before you get Medal (South African prison slang for moving up in the gang) you can’t refuse sex or else be assaulted and even death” (Booyens, 2009, p. 147). The victim therefore has no choice and is threatened, forced and intimidated through violence and threats of violence into a sexual relationship. It has been documented that there are severe consequences if an inmate refuses to become a member of a gang. An ex-offender who served a sentence for car theft claimed that he was given a “HIV puncture,” meaning that he had been raped by gang members who know they are HIV positive, because he did not want to join a prison gang during his incarceration (Peete, 2004:3). More research is needed in South Africa regarding the perpetrators of rape in corrections as the researchers are not convinced that it is only gang members that forces inmates into unwanted sexual acts. During informal discussions with inmates not affiliated to gangs, it was indicated to the researchers that a sexual encounter can occur at any given time if a suitable moment presents itself.

Interviews revealed that most forced sexual acts occurred at night. The major reason for the rapes occurring at night is that the prison will be understaffed,<sup>5</sup> making

the supervision of inmates challenging. Thus, at night, there is an absence of a guardian to protect inmates of becoming victims of rape. Many participants suggested that rapes occur, "When they master<sup>6</sup>" (Booyens, 2009, p. 145). After the correctional officials counted all the inmates in the centre and confirmed that no one is missing, they locked the inmates up for the night. From the responses we could deduce that forced sex usually takes place at night when the lights are off, between 22:00 and 04:30, with the most rapes between 00:00 and 01:00 (Booyens, 2009, p. 145).

The participants suggested that victims are most likely to be raped in a communal cell. A communal cell can house up to forty inmates at a time. One victim said the following: "I was raped at night in my own bed" (Booyens, 2009, p. 146). There is, however, an unwritten prison rule which stipulates that inmates who are present or who witness this act are not allowed to report this incident to correctional officials since they will most probably suffer the same fate as the victim (Booyens, 2009). Fear plays a significant role in the continuation of the sexual activities that do occur in prison. Another likely place for prison rapes to occur is in the shower area, which in South African prisons is only enclosed by a chest height wall within the communal cell. This offers the rapist some privacy and makes eye witness accounts to the sexual act difficult. From the responses of the participants, it was noted that the perpetrator often hides his identity from the victim by placing a blanket over the head of his victim. A victim of a prison gang rape said the following in this regard: "In the shower, threw blanket over my head and six perpetrators that satisfied themselves" (Booyens, 2009, p. 146). According to another participant: "Rape in the shower at night, put a sheet over their heads so you don't see them" (Booyens, 2009, p. 146). It seems that communal cells are high risk areas for rapes and sexual



assaults in South African prisons and the enclosed shower area provides suitable opportunities for the assaults.

From the foregoing text, one can deduce that certain inmates' especially first time offenders are targeted by gangs and often are recruited under false pretences. They are often forced into a sexual relationship under the pretence that gang membership ensures safety and protection. Also, some inmates become a commodity and are traded by corrupt officials in exchange for money or luxurious items (e.g. a mobile phone). Some inmates willingly exchange themselves sexually for certain goods or treats whilst others join in "marriage" to ensure sexual fulfilment.

### **Conclusion and Recommendations**

This contribution explored the reasons for consensual sex as well as forced sex between male inmates. Although male-on-male rape in corrections remains a "secret" and offenders rarely speak about it, the authors did gain valuable information regarding the nature of sex between men, the reasons for rape in the particular correctional centre and insight into victim characteristics. However, the limitations of this study are firstly that it has been conducted in a single correctional facility. Studies focusing on inmates from a single facility are more likely to reveal lower prevalence rates of sexual victimization than multisite studies that produce higher prevalence rates. Secondly face-to-face interviews also result in the underreporting of prison sexual victimization due to feelings of shame and embarrassment on the part of the male victim. Surveys and mailing procedures which guarantee anonymity may encourage honest and accurate responses (Jones & Pratt, 2008; Struckman-Johnson & Struckman-Johnson, 2006). Lastly, the majority of the participants in this study were incarcerated for an aggressive offence, and

their views and perceptions on sex and rape cannot be generalised to other offence categories.

The four types of sex that were highlighted in this study gives one enough root to repeat a study of this ilk on a macro level. It will be very informative if the findings of a macro study in South African prisons are compared to a similar study in the US or Australia. One should bore in mind that South Africa has unique challenges with regard to the different official languages, different cultures and different ethical groupings in prison. In addition corruption is rife in correctional centres which place additional gravity on the researcher to endeavour with similar studies. On the whole, this explorative study paved the way for researchers to explore this ill-informed topic and it contributes to the existing body of knowledge pertaining to sexual assault between males in prison.

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## Notes

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<sup>1</sup> Note that a significant number of the participants speak English as their second or even third language and have a mediocre command of the English language. We use some of their replies as direct quotes in this contribution. The formulation of their replies and the grammar that the participants use, were utilized verbatim, to ensure authenticity but the pedagogic quality thereof will concern some readers.

<sup>2</sup> South African prison slang for marijuana.

<sup>3</sup> Tuck shop is an informal shop located inside the prison where inmates can buy personal hygiene items such as tooth paste, soap and shampoo but also chips, sweets, tea, coffee, milk and canned foods.

<sup>4</sup> South African word for marijuana.

<sup>5</sup> Only half of the officials work at night on a so called skeleton staff.

<sup>6</sup> "Master" is a term that South African inmates use and refers to the lock-up process.