



Reconsidering South Africa's narrow, feminised approach to Gender-Based Violence

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ABSTRACT

South Africa's official approach to gender-based violence remains narrowly framed and clearly gendered, with an almost exclusive focus on violence against women and girls. Consequently, the experiences of male victims are largely overlooked, resulting in a limited and one-sided understanding of the phenomenon. This contribution seeks to examine gender-based violence as experienced by men in South Africa to expose the complex reality of the phenomenon and inform and influence public policy, public discourse and further research. Given the limited knowledge about the types and prevalence of gender-based violence that affects men, this submission attempts to address this gap in the existing body of knowledge. Several scholars have called for a broader conceptualisation of gender-based violence that acknowledges the diverse experiences of individuals, irrespective of gender or sexual orientation. Through a review of the relevant literature, this contribution engages an emerging but limited body of empirical and qualitative research. The literature supports the finding that men are also victims of gender-based violence, albeit to a lesser extent than women. In addition, reference is made to South Africa's gender-neutral legal framework governing gender-based violence to support the argument that men should be included in national discourse and policy responses to gender-based violence. This inclusion would not only enhance service delivery for male survivors of gender-based violence but would also encourage further research in this area. More broadly, it would contribute to the recognition of gender-based violence as a wider human rights concern rather than an issue affecting only women.

Keywords: South Africa, Gender-based Violence, Feminised, Men.

INTRODUCTION

The term "gender-based violence" can be understood to include all forms of violence perpetrated against a person because of their gender.¹ When considered in this gender-neutral, broad sense, gender-based violence could include violence against both women and men. However, in South Africa, the term has been used since the mid-1990s to describe violence against women, highlighting the harm that women

¹ Kamban Naidoo and Michelle Karels, "Hate Crimes against Black Lesbian South Africans: Where Race, Sexual Orientation and Gender Collide (Part I)," *Obiter* 33, no. 2 (2012): 236–59; Andrew Enaifoghe et al., "The Prevalence of Gender-Based Violence against Women in South Africa: A Call for Action," *African Journal of Gender, Society & Development* 10, no. 1 (2021): 117.

face because of their gendered position within various social contexts.² In accordance with contemporary international perspectives, gender-based violence in South Africa is interpreted through a gendered lens. It is closely related to the expected and socially sanctioned roles and status of women, which are rooted in cultural values, norms, beliefs, and institutional frameworks. These cultural and institutional foundations have directly or indirectly contributed to the continuation of violence against women and girls.³ Gender-based violence can refer to acts of violence perpetrated against a wife within a marriage or a customary union, or against a woman subjected to forced labour. Consequently, gender-based violence includes domestic violence, intimate partner violence, and the trafficking of women into forced labour.⁴ It also includes the rape of women by non-partners, or “stranger rape”, and femicide. South Africa’s exclusive focus on violence against women and girls has resulted in a limited and one-sided understanding of the phenomenon of gender-based violence. The experiences of male victims are largely overlooked, which limits knowledge of the types and prevalence of gender-based violence affecting men. The author’s intention is not to diminish or underestimate the gravity of gender-based violence against women in South Africa. However, an emergent body of South African research indicates that men also experience gender-based violence, albeit not to the same extent as women and girls. Internationally, researchers are also expanding the scope of gender-based violence scholarship to include male victims and female perpetrators.⁵ South Africa’s feminised and one-sided understanding of the broader phenomenon of gender-based violence constrains knowledge regarding the forms and prevalence of gender-based violence affecting men. This contribution seeks to address this knowledge gap.

This submission begins with a brief explanation of the knowledge gap it seeks to address, outlines the purpose of the study and the methodology employed. It then provides a broad overview of gender-based violence in South Africa. Subsequently, the submission examines gender-based violence as experienced by men. In doing so, it refers to South Africa’s gender-neutral legal framework that addresses gender-based violence and uses this as a basis to argue that violence against men should also be recognised as part of the larger phenomenon. The article concludes with several recommendations.

The purpose of this study is to demonstrate that South Africa’s feminised framing of gender-based violence obscures the complex realities of the phenomenon. It further aims to contribute to, inform, and influence public policy, public discourse and research on gender-based violence.

METHODOLOGY

This literature review was based on academic journal articles, print media articles, and applicable legislation, all of which were accessed online and sourced using the Google Scholar search engine. The review focused on the literature on gender-based violence against men, with particular attention paid to the prevalence, causes, perceptions, psychological effects, reporting impediments, and support mechanisms available to male survivors.

To ensure the relevance and quality of the reviewed material, specific inclusion and exclusion criteria were applied. The inclusion criteria consisted of peer-reviewed, academic journal articles, government publications, policy documents, legislation, and credible print and online media reports, published in English. Sources were selected if they focused on gender-based violence against men, male victimisation, and domestic violence involving male survivors. Recent literature published within the last ten years was prioritised to ensure that the review reflected current debates, policies, and emerging trends. However, older seminal works were included where they provided important theoretical and contextual insights.

² Nonhlanhla Mkhize et al., *The Country We Want to Live in: Hate Crimes and Homophobia in the Lives of Black Lesbian South Africans* (HsRC Press, 2010); Boikhutso Maubane-Moitsheki and Malose Langa, “Alternative and Positive Masculinities in South African Men’s Talk about Their Experience of Gender-Based Violence,” *South African Review of Sociology* 55, no. 1 (2025): 21–40.

³ Nancy Felipe Russo, “Gender-Based Violence: Concepts, Methods, and Findings,” *Annals of the New York Academy of Science* 1087, (2006): 178–205.

⁴ Mkhize et al., *The Country We Want to Live in: Hate Crimes and Homophobia in the Lives of Black Lesbian South Africans*.

⁵ Peretz Tal and Chris Vidmar, “Men, Masculinities and Gender-Based Violence: The Broadening Scope of Recent Research,” *Sociology Compass* 15, no. 3 (2021): 1–18; Meredith Loken and Jamie J Hagen, “Queering Gender-Based Violence Scholarship: An Integrated Research Agenda,” *International Studies Review* 24, no. 4 (2022): viac050.

The exclusion criteria eliminated sources that lacked academic credibility or were not directly related to gender-based violence against men. Non-scholarly sources without methodological detail were excluded from the review. Moreover, studies published in languages other than English were not considered due to translation limitations.

The literature selection process involved screening titles, abstracts, and keywords to determine their relevance to the research topic. Articles in full text were reviewed to assess their value to the objectives of the review.

By synthesising current research on gender-based violence against men, which is an often neglected and under-researched area, this study can contribute to more informed policies and interventions aimed at preventing gender-based violence against men and improve support measures for male survivors.

DISCUSSION

Gender-Based Violence in South Africa: A Broad Overview

It has been argued that the current international approach to gender-based violence as a matter that affects only women and girls can be traced back to the 1995 United Nations Conference on Women in Beijing, China, which took place at a time when violence against women had become an international priority.⁶ The definition of gender-based violence adopted at this conference defines the phenomenon as follows:

“Any act that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.”

Apart from highlighting the physical, sexual, and psychological harm inflicted on women, and the threats of such harm, the most important contribution of this definition is its recognition that gender-based violence occurs not only in public settings but also within private spaces, including the family home. The definition notably omits any reference to the gender of the perpetrators, even though subsequent discourse has unfailingly framed gender-based violence in clearly gendered terms. The framing of gender-based violence in binary terms, as a phenomenon which regards men as the perpetrators and women as the victims, can be attributed to the women’s movement and feminist literature, which acknowledges women as the perpetrators of gender-based violence only when they act in self-defence to end protracted abuse.⁷ This narrow, gendered, and feminist approach to gender-based violence resonates with the theory of hegemonic masculinity, which describes how men maintain dominance over women in patriarchal societies.⁸ The theory of hegemonic masculinity has been used to explain why men rape, murder and assault women.⁹ South African society is often characterised as patriarchal, where men are expected to be strong, resilient, dominant, and aggressive, and the heads of families.¹⁰

In its official agenda and policies, the South African government has adopted a limited, gender-specific framework to address gender-based violence. In 2020, for instance, the South African government introduced the National Strategic Plan on Gender-Based Violence and Femicide (GBV-F), which is a comprehensive framework to address and oppose all forms of violence against women.¹¹ This

⁶ Russo, “Gender-Based Violence: Concepts, Methods, and Findings.”

⁷ Maubane-Moitsheki and Langa, “Alternative and Positive Masculinities in South African Men’s Talk about Their Experience of Gender-Based Violence”; Anni Hesselink and Pearl Dastile, “A Criminological Assessment on South African Women Who Murdered Their Intimate Male Partners,” *Journal of Psychology in Africa* 25, no. 4 (2015): 335–44.

⁸ Robert W Connell and James W Messerschmidt, “Hegemonic Masculinity: Rethinking the Concept,” *Gender & Society* 19, no. 6 (2005): 829–59; Peretz Tal and Vidmar, “Men, Masculinities and Gender-Based Violence: The Broadening Scope of Recent Research.”

⁹ Connell & Messerschmidt, ‘Hegemonic Masculinity’, 833.

¹⁰ Noluthando Mqakelana, “The Hidden Side of Domestic Violence: Abused Men in Intimate Heterosexual Relationships,” *New Voices in Psychology* 11, no. 1 (2015): 62–79; D. Thobejane Tsoaledi, V. Ntshengedzi Luthanda, and V. Lobelo Mogorosi, “Gender-Based Violence against Men: A Muted Reality,” *Southern African Journal for Folklore Studies* 28, no. 1 (2018): 1–15; Deborah Ngobeni and Tumelo Sekgobela, “The Destructive Effects of Gender-Based Violence against Men in South Africa: Stigmatizing the Victim,” *International Journal of Business Ecosystem & Strategy* (2687-2293) 7, no. 1 (2025): 173–79.

¹¹ Youth and Persons with Disabilities Department of Women, “National Strategic Plan on Gender-Based Violence & Femicide,” 2020.

strategic plan seeks to provide a coordinated response to gender-based violence and femicide, regardless of the age, location, disability, sexual orientation, gender identity, gender expression, or nationality of the victim.¹²

The South African government also passed the National Council on Gender-Based Violence and Femicide Act,¹³ which came into effect on 15 November 2024.¹⁴ This Act creates a National Council on Gender-Based Violence and Femicide tasked with leading and coordinating a multi-sectoral strategy to address gender-based violence and femicide, ensuring strategic leadership and accountability.¹⁵ This Council will report to the President through the Minister in the Presidency for Women, Youth and Persons with Disabilities.¹⁶ The explicit reference to “femicide” in the title, “National Council on Gender-Based Violence and Femicide,” implies that the South African government’s focus will be only on violence against women.

In 2022, the Human Sciences Research Council (HSRC) conducted South Africa’s first national study on gender-based violence. This study revealed that nearly 24 percent of the over 5,000 women participants had experienced physical or sexual violence from an intimate partner in their lifetimes.¹⁷ The study also revealed that 27 percent of the participants had experienced lifetime physical or sexual abuse by a non-partner.¹⁸ While it sheds light on gender-based violence in South Africa, the study refers to men only as perpetrators of gender-based violence, but not as victims.

A recent media article has revealed that over a four-year period from 2020 to 2024, more than 198,000 South African women were victimised in acts of domestic violence by their present or former intimate partners and husbands.¹⁹ Crime statistics available from the South African Police Service for the period July to September 2025 reveal 10154 reported rapes.²⁰ Although the number of reported rapes appears to be high, it is important to acknowledge that a significant number of such incidents remain unreported and are therefore not reflected in the statistics. Therefore, it is possible that this figure is not a true representation of the reported rapes in South Africa for the given period. Moreover, since rape is a gender-neutral statutory crime in South African criminal law, it is unclear how many women were raped, and how many men, if any, were raped.²¹

Despite the data that illustrate that gender-based violence is a serious problem experienced by women in South Africa, the writer is submitting that a more complete picture of the phenomenon can be obtained if gender-based violence against men is considered.

Gender Based Violence against men in South Africa

In this submission, the term “men” refers to adult individuals who are biologically male and who were assigned the male gender at birth.²² This includes those men who identify as heterosexual, homosexual, or bisexual, as well as those who do not identify as homosexual or bisexual but who nevertheless engage in intimate relations with men and are commonly described as “men who have sex with men” (MSM). Homosexual men, bisexual men, and MSM can be included within the broader category of lesbian, gay, bisexual, transgender, queer, and intersex individuals, collectively referred to as the LGBTQI+ community in South Africa.

¹² Department of Women, “National Strategic Plan on Gender-Based Violence & Femicide.”

¹³ National Council on Gender-Based Violence and Femicide Act 9 of 2024.

¹⁴ Tara Roos, “National GBVF Council Set for 2026 Launch after Extended Delay,” *Times Live*, 2025.

¹⁵ The National Council on Gender-Based Violence and Femicide will be formally established in April 2026 according to Roos ‘National GBVF council set for 2026 launch after extended delay’.

¹⁶ ‘National Strategic Plan on Gender-Based Violence & Femicide 2020-2030’.

¹⁷ Human Sciences Research Council, “The First South African National Gender-Based Violence Study,” 2022, <https://hsrc.ac.za/media-pack-first-south-african-national-gender-based-violence-study-2022/>.

¹⁸ The First South African National Gender-Based Violence Study, 2022.’

¹⁹ Mashamaite Modiegi, “198,176 Women Targeted by Intimate Partners in Past Four Years, MPs Hear,” *Times Live*, 2025.

²⁰ South African Police Service, “SAPS Crime Statistics 2025-2026 Second Quarter,” 2025, <https://www.saps.gov.za/serbices/crimestats.php>.

²¹ Kallie Snyman, *Snyman’s Criminal Law* (Durban: LexisNexis, 2020).

²² In other words, reference to men is to adult males who are 18 years or older

Heterosexual men

There is a paucity of early data and research focusing on male victims of gender-based violence in South Africa. However, for just over a decade, there has been a greater focus on the male victims of gender-based violence.²³

In an early qualitative study investigating gender-based violence against heterosexual men in South Africa, Barkhuizen conducted interviews with four male survivors of domestic violence.²⁴ The findings revealed that all the participants experienced verbal abuse and threats of violence. Additionally, two men had experienced physical violence, while another two men reported being coerced into sexual activity by their female partners. The men revealed experiencing severe mental and physical consequences due to abuse, including depression, stress, diminished self-esteem, insomnia, erectile dysfunction, and weight gain.²⁵ Furthermore, three of the survivors indicated that they remained in these distressing relationships for the sake of their children.²⁶

A subsequent study on domestic violence, drawing on in-depth interviews with five heterosexual men in the Johannesburg area, found that all the participants had experienced physical abuse, verbal abuse, weapon-related threats, and public humiliation by their female partners.²⁷ The men expressed feelings of shame, guilt, humiliation, and embarrassment. All efforts to report the abuse to the police were met with derision and disregarded.²⁸

A later study conducted amongst ten heterosexual married men, aged between 32 and 56 years in the Limpopo province, revealed that all the participants were assaulted by their wives.²⁹ However, the men did not regard these assaults as abuse, preferring to blame themselves and not report the incidents to the police since they did not want to be mocked.³⁰ The men expressed feelings of shame, fear, and helplessness.³¹

A qualitative study focusing on 25 heterosexual Black African male survivors of domestic violence conducted in Johannesburg from 2018 to 2019 found that all the men had been physically abused by their intimate partners or wives.³² Some of the survivors reported being subjected to verbal abuse and humiliation, economic abuse in the form of excessive financial demands and being forced to have sex with their partners.³³ The men self-blamed, felt powerless, and questioned their manhood, but remained in their abusive relationships.³⁴

In the most recent study that examined domestic violence against heterosexual men in Gauteng province, the eight male survivors reported experiencing physical abuse, including assault with a weapon, being stabbed with objects, as well as verbal abuse characterised by harassment, insults and emotional abuse.³⁵ While none of the men retaliated against their abuse, a few attempted to report the abuse to the police, but their efforts were met with ridicule and dismissal.³⁶ The men expressed feelings of fear, pain and hopelessness.

The studies mentioned above are geographically limited and based on small samples. However, they illustrate that some South African heterosexual males in intimate relationships and marriages are susceptible to physical, emotional, sexual, and financial abuse by their female partners or spouses. The dismissive attitude of the police toward the men who attempted to report their abuse is indicative of

²³ Kgatle Mankwana Othilia et al., "‘It Is Shameful’: Experiences of Physically Abused Men by Their Female Partners in a Rural Community of South Africa," *Gender and Behaviour* 19, no. 2 (2021): 17927–30.

²⁴ Merlyn Barkhuizen, "‘Cowboys Don’t Cry...’-the Male Victim of Domestic Violence," *Acta Criminologica: African Journal of Criminology & Victimology* 28, no. 2 (2015): 47–61.

²⁵ Barkhuizen, "‘Cowboys Don’t Cry...’-the Male Victim of Domestic Violence, 50."

²⁶ Barkhuizen, "‘Cowboys Don’t Cry...’-the Male Victim of Domestic Violence, 50."

²⁷ Mqakelana, "The Hidden Side of Domestic Violence," 71-72.

²⁸ Mqakelana, "The Hidden Side of Domestic Violence," 74-75.

²⁹ Kgatle, Abeonego, Mafaa & Manganyi, "It is Shameful," 17927.

³⁰ Kgatle, Abeonego, Mafaa & Manganyi, "It is Shameful," 17928-17929.

³¹ Kgatle, Abeonego, Mafaa & Manganyi, "It is Shameful," 17929.

³² Emmanuel Rowlands, "Hegemonic Masculinity and Male Powerlessness: A Reflection on African Men’s Experience of Intimate Partner Violence," *South African Review of Sociology* 52, no. 1 (2022): 24–39.

³³ Rowlands, "Hegemonic Masculinity," 29.

³⁴ Rowlands, "Hegemonic Masculinity," 30-31.

³⁵ Maubane-Moitsheki and Langa, "Alternative and Positive Masculinities," 26-30.

³⁶ Maubane-Moitsheki and Langa, "Alternative and Positive Masculinities," 31.

secondary victimisation and a perpetuation of the feminist stereotype that men cannot be abused.³⁷ As regards the men who did not report their abuse, this could be explained by the prevalent belief in patriarchal societies that men should minimise domestic violence when it is perpetrated by a woman and never exhibit vulnerability.³⁸ It is probable that the men who did not report their abuse experiences also refrained from seeking medical assistance or counselling. This is a matter of concern, as it has been suggested that the symptoms of depression and trauma experienced by men in such circumstances may be exacerbated when they do not disclose the abuse or pursue appropriate support.³⁹ The accounts of some of the men who were forced into having sexual relations with their intimate partners and wives indicate a lack of consent on the part of the men and the likelihood that these men were raped. However, according to the theory of hegemonic masculinity, in patriarchal societies, rape is regarded as a crime perpetrated by men against women. Thus, it is incompatible with masculinity for a man to report a rape committed by a woman.⁴⁰ Although the theory of hegemonic masculinity provides a useful framework for understanding why men perpetrate violent crimes against women in patriarchal societies such as South Africa, it does not adequately account for instances in which women exhibit violence toward their male partners. According to one source, some female perpetrators of domestic violence engage in such behaviour for dominance and control.⁴¹

Apart from the studies that dealt with gender-based violence experienced by heterosexual men in intimate relationships and marriages, some studies have focused on mariticide or the killing of men by their spouses and intimate partners. A 2025 study focused on 15 South African women in prison who had killed their husbands or male intimate partners.⁴² The study found that the women were between 22 and 62 years old, and that 10 of them (or more than 60% of the sample) had hired a third party to kill their partners.⁴³ The women were motivated, *inter alia*, by self-defence, jealousy, financial gain and revenge. Despite the varied motives, 14 of the women (or 93% of the sample) had been physically, verbally or emotionally abused by their husbands or partners.⁴⁴ This finding echoes the feminist view that attributes violence by women against men to self-defence or to end a cycle of abuse.

A 2021 retrospective study on homicide based on post-mortem and police reports from 8 of South Africa's 9 provinces revealed that out of the 379 men who were killed by women, 226 men (or 60% of the victims) were killed by their intimate partners.⁴⁵ A parallel study for the same period found that 1089 women were killed by their male intimate partners.⁴⁶ These studies suggest that while South African women face a higher risk of being killed by male intimate partners, a small percentage of men are also murdered by their female intimate partners. However, the motives for these homicides were not clearly established in this study.

The discussion so far has addressed heterosexual men as victims of domestic violence, intimate partner violence, and mariticide. However, numerous sources have underscored the vulnerability to violence of homosexual men, bisexual men, and MSM in South Africa.

³⁷ Sabeline Tshoane et al., "Domestic Violence Against Men: Unmuting the Reality of a Forgotten Gender," *Cogent Social Sciences* 10, no. 1 (2024): 1–14.

³⁸ Tsoaledi, Luthanda, and Mogorosi, "Gender-Based Violence against Men: A Muted Reality"; Tshoane et al., "Domestic Violence Against Men: Unmuting the Reality of a Forgotten Gender"; Ngobeni and Sekgobela, "The Destructive Effects of Gender-Based Violence against Men in South Africa: Stigmatizing the Victim."

³⁹ Tshoane et al., "Domestic Violence Against Men: Unmuting the Reality of a Forgotten Gender."

⁴⁰ Sindile Ngubane-Mokiwa and Sinenhlanhla Chisale, "Male Rape or Consensual Sex: Hidden Hegemonic Masculinities by Zulu-Speaking Men with Disabilities," *Ubuntu*, *Journal of Conflict and Social Transformation* 8, no. 2 (2019): 107-124.; Xolani. Thusi and Victor Mlambo, "South Africa's Gender-Based Violence: An Exploration of a Single-Sided Account," *Eureka, Social Sciences and Humanities* 2 (2023): 73–80.

⁴¹ Mqakelana, "The Hidden Side of Domestic Violence," 64.

⁴² Hesselink & Dastile, "A criminological assessment," 335.

⁴³ Hesselink & Dastile, "A criminological assessment," 336-337.

⁴⁴ Hesselink & Dastile, "A criminological assessment," 338-340.

⁴⁵ Richard Matzopoulos et al., "Who Is Killing South African Men? A Retrospective Descriptive Study of Forensic and Police Investigations into Male Homicide," *BMJ Global Health* 9, no. 4 (2024): e014912.

⁴⁶ Matzopoulos et al., "Who Is Killing South African Men? A Retrospective Descriptive Study of Forensic and Police Investigations into Male Homicide."

Homosexual Men, Bisexual Men and MSM

Several international and South African scholars have argued that the concept of gender-based violence should be broadened to include violence directed at individuals because of their gender identity and sexual orientation, since these are integral components of gender.⁴⁷ Violence against individuals motivated by their sexual orientation and gender identity⁴⁸ is often overlooked within gender-based violence research.⁴⁹ Since gender-based violence in South Africa is viewed through a gendered feminist lens, the prevailing narrative is heteronormative and ignores the lived realities of sexual minorities, including gay men, bisexual men, and MSM.⁵⁰ Violence against gay men, bisexual men, and MSM is typically examined in the context of hate crimes. Hate crimes refer to crimes motivated by a perpetrator's prejudice or bias against a personal characteristic of the victim, such as race, sexual orientation, or gender identity.⁵¹

Naidu and Mkhize have highlighted the similarities between violence in heterosexual and homosexual intimate relationships but argue that the homophobia prevalent in South African society often leads to the denial of violence in same-sex relationships since these relationships are perceived as unhealthy, unstable, and unworthy of concern.⁵² However, several empirical and qualitative studies have provided valuable insights into the violence experienced by gay men, bisexual men, and MSM in South Africa.

A 2003 study by the non-profit organisation OUT LGBT Well-Being in collaboration with the Unisa Centre for Applied Psychology interviewed 487 lesbian women, gay men, bisexual men, and transgender individuals, of whom 55 percent were Black African men. The findings revealed that 36 percent of the men had been subjected to verbal abuse, 15 percent to physical abuse, 7.5 percent to sexual abuse, and 7.4 percent to domestic abuse.⁵³ The study also found that most of these men did not report their abuse experiences to the police because they were afraid to disclose their sexual orientation. Amongst those who did file a police report, it was discovered that the police refused to pursue the matter further.⁵⁴

A subsequent study of 521 self-identified white gay men aged 25 to 34 found that 8.9 percent had experienced physical intimate partner violence, and 4.9 percent had experienced sexual intimate partner violence.⁵⁵ Although this study did not represent the larger population of gay, bisexual, and MSM individuals in South Africa, it illustrated that a small percentage of white gay men are vulnerable to physical and sexual intimate partner violence.

A 2020 study, which focused on 109 Black African homosexual men in same-sex partnerships, revealed that rural areas and Black African townships are often hostile environments. In these settings, homosexual men are subjected to harassment and assault by members of the local community and their own family.⁵⁶ The study concluded that certain spaces in South Africa are unwelcoming to homosexual men and that these heterosexualised spaces include rural areas, townships, the family and the local community.⁵⁷

The most recent study, which examined the effects of sexual violence on 81 Black African homosexual and bisexual men aged between 20 and 38 years in three Pretoria townships, revealed that

⁴⁷ Denise Buiten and Kammila Naidoo, "Laying Claim to a Name: Towards a Sociology of 'Gender-Based Violence,'" *South African Review of Sociology* 51, no. 2 (2020): 61–68; Loken and Hagen, "Queering Gender-Based Violence Scholarship: An Integrated Research Agenda."

⁴⁸ It is conceded, however, that the South African government's 2020 National Strategic Plan on Gender-Based Violence-Femicide (GBV-F), recognises the characteristics of gender identity and sexual orientation, but only as they pertain to women who experience gender-based violence.

⁴⁹ Leburu-Masigo Goitseone, Kgadima Phuti, and Johannes Malesa Kgashane, "The Inherent Limitations of Gender-Based Violence to the Exclusion of LGBTIQ: A Guide for Social Workers," *International Journal of Criminology and Sociology* 11 (2022): 37–39.

⁵⁰ Leburu-Masigo, Kgadima & Malesa, "The Inherent Limitations of GBV," 37.

⁵¹ Naidoo & Karels, "Hate Crimes against Black Lesbian South Africans," 237-238.

⁵² Evashnee Naidoo and Nonhlanhla Mkhize, "GBV: The Lesbian and Gay Experience," *Agenda* 19, no. 66 (2005): 34–38.

⁵³ Juan Nel & Melanie Judge, "Exploring Homophobic Victimisation in Gauteng, South Africa: Issues, Impacts and Responses; *Acta Criminologica*" 21, no. 3 (2008): 19-36.

⁵⁴ Nel & Judge, "Exploring Homophobic Victimisation," 27.

⁵⁵ Rob Stephenson, Alex De Voux, and Patrick Sullivan, "Intimate Partner Violence and Sexual Risk Taking among Men Who Have Sex with Men in South Africa," *Western Journal of Emergency Medicine* 13, no. 3 (2011): 343–47.

⁵⁶ Ndumiso Ngidi et al., "Exploring Queerphobic Geographies in South Africa," *Agenda* 34, no. 2 (2020): 18-31.

⁵⁷ Ngidi et al., "Exploring Queerphobic Geographies in South Africa."

17 of the participants had experienced violence perpetrated by men. These acts included anal rape, forced oral sex, attempted rape, and physical assault.⁵⁸ The perpetrators comprised strangers, family members, and intimate partners. The primary contributing factor to the incidents of sexual violence and assault was the victim's refusal to acquiesce to sexual advances.⁵⁹ Perpetrators who were strangers were typically encountered in public spaces, including township bars and taverns.⁶⁰ The respondents reported experiencing a range of emotional and psychological responses, including anger, anxiety, self-blame, feelings of disrespect, and fear of the police.⁶¹

The studies referred to above were based on small samples of men drawn from limited rural and urban settings in South Africa. However, these studies elucidate the lived experiences of homosexual men, bisexual men and MSM who are at risk of violence within intimate partner relationships, from strangers in heterosexualised public spaces and from family members. The studies also reveal that Black African homosexual men are especially vulnerable to violence in townships and in rural areas. The findings in these studies confirm earlier research showing that violence experiences in South Africa differ across race, class, and gender.⁶² The rapes and assaults of Black African gay men, bisexual men, and MSM reveal another facet of South Africa's patriarchal society where overtly gay men are seen as violating traditional masculine norms and become targets of violence by heterosexual men who assert their dominance over them.⁶³

Men's violence against men also forms part of gender-based violence, especially when such violence is directed at marginalised and subordinate groups of men.⁶⁴ It would be trite to add that men from the LGBTQI+ community are marginalised and subordinate within South Africa's patriarchal society. The violence directed at men from the LGBTQI+ sector appears to align with the theory of hegemonic masculinity, albeit with the distinction that, in these instances, the violence is directed towards men from a marginalised sexual minority group rather than against women. The reluctance to report violence and the police's apparent lack of interest indicate that, despite legal reforms in South Africa, heterosexism persists within the police service.⁶⁵

The South African Legal Framework

South Africa has been lauded for its progressive laws, which are in accordance with its constitutional and international obligations, and which directly or indirectly address gender-based violence.⁶⁶ These laws include:

- The Domestic Violence Act addresses incidents of domestic violence in both heterosexual and same-sex relationships⁶⁷ and ensures legal protection for victims regardless of gender by enabling them to apply for protection orders.
- The Criminal Law (Sexual Offences and Related Matters) Amendment Act⁶⁸ repealed the common law offence of rape and introduced a statutory, gender-neutral crime of rape that applies

⁵⁸ Farnaz Kaighobadi et al., "Sexual Violence Experiences among Black Gay, Bisexual, and Other Men Who Have Sex with Men and Transgender Women in South African Townships: Contributing Factors and Implications for Health," *South African Journal of Psychology* 50, no. 2 (2020): 170–82.

⁵⁹ Kaighobadi et al., "Sexual Violence Experiences among Black Gay, Bisexual, and Other Men Who Have Sex with Men and Transgender Women in South African Townships: Contributing Factors and Implications for Health."

⁶⁰ Kaighobadi et al., "Sexual Violence Experiences among Black Gay, Bisexual, and Other Men Who Have Sex with Men and Transgender Women in South African Townships: Contributing Factors and Implications for Health."

⁶¹ Kaighobadi et al., "Sexual Violence Experiences among Black Gay, Bisexual, and Other Men Who Have Sex with Men and Transgender Women in South African Townships: Contributing Factors and Implications for Health."

⁶² Nel and Judge, "Exploring Homophobic Victimisation in Gauteng, South Africa: Issues, Impacts and Responses; *Acta Criminologica*."

⁶³ Thabo Msibi, "Not Crossing the Line: Masculinities and Homophobic Violence in South Africa," *Agenda* 23, no. 80 (2009): 50–54.

⁶⁴ Peretz Tal and Vidmar, "Men, Masculinities and Gender-Based Violence: The Broadening Scope of Recent Research."

⁶⁵ Yolandan Moodley and Brett Bowman, "Intimate Partner Violence as Masculine Accomplishment: Resistance to Victimhood in Accounts of Violence by Gay Men in Urban South Africa," *Psychology & Sexuality* 13, no. 3 (2022): 663–75.

⁶⁶ Tameshnie Deane, "Sexual Violence and the Limits of Laws' Powers to Alter Behaviour: The Case of South Africa," *Journal of International Women's Studies* 19, no. 2 (2018): 84–103.

⁶⁷ Act 116 of 1998.

⁶⁸ Act 32 of 2007.

to any form of non-consensual sexual penetration. The statutory crime of rape can be committed by a male or female natural person.⁶⁹

- The Protection from Harassment Act,⁷⁰ provides that any complainant, irrespective of their gender, who has been harassed, can apply for a protection order. Such harassment includes following, pursuing or accosting the complainant, and verbal and electronic harassment.
- The Prevention and Combating of Trafficking in Persons Act, describes a victim of human trafficking as any adult who has been officially recognised as such, regardless of gender.⁷¹

The South African statutory legal framework addressing gender-based violence is thus gender-neutral, as it recognises both men and women as the victims of domestic violence, harassment, rape, and human trafficking. In addition to gender-neutral statutory crimes, several common law crimes can be invoked to prosecute the perpetrators of gender-based violence. These common law crimes include, *inter alia*, murder,⁷² common assault,⁷³ and assault with the intent to do grievous bodily harm.⁷⁴ None of these common law crimes, most often associated with gender-based violence and intimate partner violence, refers to the gender of either the victim or the perpetrator.

As discussed above, crimes motivated by the perpetrator's prejudice or bias against a victim's sexual orientation or gender identity are generally studied in the context of hate crimes, rather than in the context of gender-based violence. It is significant that section 1 of South Africa's recently signed Prevention and Combating of Hate Speech and Hate Crimes Act⁷⁵ specifically recognises the victim characteristics of gender identity and sexual orientation. The Prevention and Combating of Hate Speech and Hate Crimes Act could be optimally used to prosecute perpetrators who commit crimes against homosexual men, bisexual men, and MSM and where such crimes are motivated by the victims' sexual orientation or gender identity. Hate crimes motivated by sexual orientation and gender identity should therefore be included in a broader framework of gender-based violence in South Africa.

Section 9 of the South African Constitution,⁷⁶ the country's supreme law, guarantees the right to equality. The South African government's omission of men from its gender-based violence policies and programmes indicates that men do not benefit from genuine gender equality. While it is acknowledged that all rights in the Constitution can be limited, it can be argued that restricting the right to equality of South African men is unconstitutional. According to Section 36(1) of the Constitution, a right can only be lawfully limited if the limitation is included in a law of general application and if it is reasonable and justifiable in an open and democratic society that upholds human dignity, equality, and freedom. However, there exists no South African law of general application that expressly excludes men from the scope of government policies aimed at addressing gender-based violence.

RECOMMENDATIONS

Based on the discussions above, it is recommended that:

- Given South Africa's gender-neutral legal framework and constitutional guarantee of equality, it is important for the government to include male survivors of gender-based violence in its policies and programmes. This would help create more comprehensive and inclusive interventions that effectively address the specific needs of male survivors.
- More qualitative and quantitative academic research on gender-based violence, in its expanded, gender-neutral sense, is imperative. Particular attention must be paid to investigating the underlying causes of abusive behaviour exhibited by certain women towards their male intimate partners and husbands, whether such abuse be verbal, emotional, physical, sexual, or financial.

⁶⁹ Gerhard Kemp and Shelley Walker, "Criminal Law in South Africa," (*No Title*), 2018.

⁷⁰ Act 17 of 2011.

⁷¹ Snyman, *Snyman's Criminal Law*, 387.

⁷² Snyman, *Snyman's Criminal Law*.

⁷³ Kemp and Walker, "Criminal Law in South Africa, 339."

⁷⁴ Kemp and Walker, "Criminal Law in South Africa, 339."

⁷⁵ The Prevention and Combating of Hate Speech and Hate Crimes Act, 16 of 2023.

⁷⁶ Act 108 of 1996.

As has been alluded to earlier, the theory of hegemonic masculinity offers a framework for understanding how men in patriarchal societies perpetrate violence against women, and potentially also against men within the LGBTQI+ community. However, it remains unclear why, in some heterosexual intimate partnerships, women assume the role of aggressor. Further academic research is necessary to strengthen the theoretical understanding of gender-based violence. Moreover, to expand the discourse on gender-based violence in South Africa to include the experiences of men in the LGBTQI+ community, future research should also consider hate crimes motivated by sexual orientation and gender identity. Research on gender-based violence should not be limited to intimate partner violence, domestic abuse, and human trafficking.

- Service providers, particularly first responders such as the police, must receive sensitivity training to ensure that male survivors of gender-based violence, whether heterosexual or LGBTQI+, are treated with professionalism and empathy. Furthermore, the police should be equipped to refer such survivors to appropriate counselling and medical services when necessary.
- Official statistics on rape, sexual assault, murder, harassment, and other crimes related to gender-based violence should be disaggregated by gender to enable a clear understanding of the number of male and female victims. Furthermore, these statistics should specify whether the incidents occurred in the context of domestic or intimate relationships, hate crimes, or trafficking.

CONCLUSION

As outlined above, the purpose of this study was to demonstrate that South Africa's narrow, feminised approach to gender-based violence obscures the complex and multifaceted reality of the phenomenon. Drawing on a limited selection of academic and print-media articles, this submission has sought to demonstrate that men are also subjected to gender-based violence in South Africa. However, it should be noted that this submission does not constitute a complete account of the gender-based violence that men experience in South Africa. It has been observed that a significant number of men do not report their experiences of abuse to the police, and that the dismissive attitude of the police is a deterrent which discourages male survivors of gender-based violence from pursuing criminal proceedings. It is also possible that some men experience gender-based violence within institutional settings, such as the military, the police service, and religious institutions. Several South African scholars have warned that the feminisation of gender-based violence creates a distorted perspective that ignores men's vulnerability. Gender-based violence is not exclusively a women's issue but a wider human rights concern that also affects men, including both heterosexual and LGBTQI+ individuals. To gain a more comprehensive understanding of gender-based violence in South Africa, the government must reconsider its gender-based and feminist framework to address this complex phenomenon.

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