

Media Statement, 01 August 2022

Determining justice for women in South Africa

This past week in South Africa, reports of a gang rape in Krugersdorp topped every news cycle and sparked national discourse. According to News 24, “More than 80 people have now been arrested following the gang rape and robbery of eight women at a Krugersdorp mine dump on Friday. The women were part of a crew shooting a music video at the mine and several other crew members were robbed.”



One of the victims include a 19-year-old woman said to have been raped by 10 men. The accused perpetrators known as amaZamazama, a gang of undocumented foreign nationals operating illegal mining operations in South Africa.

Due to the nature of this crime, this issue is two pronged, illegal immigration and sexual violence. Too often narratives tend to seek justice for one issue over the other, when they're clearly inextricably linked, in this instance, with a common denominator - the violence subjected on women of South Africa. In centering what justice looks like for women of South Africa, both issues can be addressed, but in attempting to isolate the issues we run the risk of women's safety becoming less

and less prioritized.

We need to consider what justice looks like. To do so, we can take a look at the most recent judgement against Ntuthuko Shoba in the murder of Tshegofatso Pule and her unborn child. She would have been able to tell us what justice for women of South Africa looks like, if only Ntuthuko Shoba had followed the law instead of hiring Muzikayise Malephane to kill her. Although he has not admitted his guilt, thus failing to take accountability, acting Judge Stuart Wilson said, "It is clear that [Shoba] wanted to get rid of [Tshegofatso] and her baby. They were an inconvenience to him and his hopes to continue his relationship with someone." With this said, Wilson passed down a life sentence judgment that will see Ntuthuko Shoba spend the rest of his "natural life" in prison...unless a parole board should find him worthy of parole.

Essentially, this is to communicate that the man who brutally ordered the killing of his girlfriend and unborn child will, at some point, be eligible for parole. The same man has maintained that he's done nothing wrong and shown no remorse, meanwhile Tshegofatso's family mourn her

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loss and the loss of their grandchild for the remainder of their years with only the hope of time dulling their pain and grief.

Is this what justice looks like for women in South Africa? Now, it will take Tshegofatso Pule's family keeping track of the sentence to ensure Shoba isn't granted parole; that's if they're ever even notified, as is often the challenge in many cases.

And what of the justice for the women raped and terrorized in Krugersdorp? While the men who perpetrated these crimes will be able to access healthcare facilities and educational opportunities in prison, that's if they are sentenced, survivors are not as likely to have access to similar amenities; including lifelong counseling, if needed. Their lives have been irrevocably disrupted and whatever existing models of redress in South Africa fall short of achieving justice for these women.

Gender-based violence, particularly rape is a known and well documented method of war. It would seem as if the men in South Africa, regardless of race, nation, or creed, are waging war against women and every day that our government fails to intervene in a way that grants women their constitutional right to safety, they sanction the continuation of this terror.

Four years ago, on this day, women marched across the country to deliver 24 demands to government under #TheTotalShutdown. The first demand of their memorandum was for leadership and accountability. Four years later, South Africa falls short of the kind of leadership and accountability required to create a safe nation for women and other disadvantaged populations in this country. In addition, the first pillar of the National Strategic Plan on GBV and Femicide calls for strategic leadership and an accountability framework as a starting point for addressing this scourge. The national vision of a South Africa free of gender based violence is therefore an important starting point for all other responses to this scourge including, though not limited to, access to justice.

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