



Myths
and
Common Concerns
about Sex and Sexual
Violence in Men's Prisons

By Sasha Gear

Centre for the Study of Violence and Reconciliation

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Although written from a South African perspective, these issues are highly pertinent to other contexts as well.

Myths

MYTHS

FACTS

People are in prison for punishment. Inmates need to feel scared to learn that crime does not pay. If a person gets abused in prison, it's his own fault for getting into prison in the first place.

People are in prison **as** punishment, not **for** punishment. Being in prison is punishment in itself and inmates are entitled to all their rights other than those necessitated by their incarceration.

Sodomy is a criminal offence

Sodomy simply refers to anal sex. It is not an offence and is practised by millions of heterosexual and homosexual people.

There has been confusion about this however, because before 1998 South African law did make sodomy an offence when practiced by homosexuals. Anal and oral sex between homosexuals used to be illegal. These laws were scrapped in 1998 following the new South Africa's commitment not to practise discrimination on the basis of sexual orientation.

Like other forms of sex, sodomy becomes an offence only when it is forced.

It is important that we start to distinguish between sodomy as consensual sex and anal rape.

If we give inmates condoms, won't we be condoning sex? Giving out condoms will promote sex in prison.

Existing evidence tells us that making condoms available does not lead to increases in sexual activity.

Studies in the USA showed that with condom provision, sexual activity did not increase among teens who were already having sex, nor amongst youth who'd never had sex. It did however increase condom use amongst those who were having sex¹.

Similarly, a World Health Organisation review of sexual education found that access to counseling and contraceptive services did not lead to earlier or increased sexual activity².

Giving information to minimise harm and providing people with the means to keep themselves safe (like condoms and information) does not increase sexual activity. Rather, conversations about difficult issues can help people to think about the issue and to make better decisions (Themba HIV-AIDS³).

Masturbation is sinful and dangerous.

Masturbation is a natural thing that should not make you feel guilty.

It will not make you blind, deaf or insane. It will not make hair grow on your hands, stop you from having babies in the future, or stop God from loving you (Themba HIV AIDS³).

1 Massachusetts study cited in "Condoms don't encourage teens" 2005/07/11. Health 24.com.

2 Nodine, E. 2006, "Harm Reduction: Policies in Public Health", http://www.cwru.edu/med/epidbio/mph439/Harm_Reduction_Policies.htm

3 Themba HIV/AIDS is a Johannesburg - based organisation using interactive methods to enable dialogue and influence behaviour change to prevent the spread of HIV and AIDS.

MYTHS

FACTS

Gay men commit rape (or are more likely to commit rape) against men.

Most people who rape other men consider themselves heterosexual and are involved in heterosexual relationships.

Gay men won't mind being raped so much because they're used to having sex with men.

Rape is not about sex. It is an act of violence. Being raped is a terrible and fear-filled experience for whoever it happens to.

Sometimes rape is a form of gay bashing.

Some male prisoners act like women so they obviously don't mind having sex.

The way in which a person behaves cannot mean that they want to be raped. No one wants to be raped.

While certain behaviour may seem unusual or strange to you, for others it will be an expression of their self. They are as entitled as anyone else to their dignity and to your respect.

If a boy or man gets raped then he is not a man anymore. He has been changed to be more like a woman.

No one can take away the gender of someone else.

However lots of people wrongly believe that men who've been forced to have sex have been turned into women. This is because there are strong messages in society that tell us that rape can't happen to men, and that it only afflicts women.

A man who has been raped is still a man, and needs to be supported and acknowledged for the traumatic experience he has been through.

He should never be made to feel that he's lost his manhood. Rather he should be congratulated for the courage and strength he's shown in having survived the experience.

In prison, if an inmate is given things (like food, drugs, cigarettes) by the person who forces him to have sex, then it is not really rape. Actually he likes it because he's getting things in return.

Many prisoners are given things by other inmates and are then raped.

Example Scenario 1: *The person who raped them may tell them that it's pay-back for what they were given. But often the victim did not know that they'd be expected to pay back. They've been tricked. And therefore they've been raped. The perpetrator has severely abused his position of power.*

Example Scenario 2: *In other situations, some inmates might know that the person who gives them something will want to have sex with them. But even if they know this, they are often not choosing freely to have sex with the person in exchange for what they're getting. Frequently, for example, the things that they want will be basic necessities like their meal, or a blanket, or protection from other forms of violence. Or the things they're getting may be the result of an addiction to a substance. In these situations the inmate is being coerced into having sex in order to survive or feed an addiction.*

There are other situations where the choice to exchange sex for something else will be much freer. We term this kind of sex "transactional sex". For example, many sex workers choose to have sex for money. The difference with transactional sex is that the person selling sex can decide who they want to sell it to, and when, and for what price. Nobody is forcing them. (Sometimes though, the issues are more blurred: a person maybe forced by circumstances)

Aren't we promoting sexual violence if we allow prisoners to have consensual sex in prison?

Consensual sex and sexual violence are two different things and need to be treated separately.

Would you argue that people having consensual sex outside prison promotes sexual violence outside?

The UN, WHO and UNAIDS recommend that we "recognize that consensual sexual activity occurs in prisons, and ensure that consensual activity is not penalized as this will discourage prisoners accessing condoms".⁴

4 UN Office on Drugs and Crime, 2006, 'HIV/AIDS Prevention, Care, Treatment and Support in Prison Settings', Vienna, p19 http://www.afro.who.int/aids/publications/prison_framework.pdf

MYTHS

FACTS

Sex between inmates is not allowed in prison

It is very important to distinguish sex that is consensual from sexual violence.

Often people talk about it as all part of the same thing which it is not. Sex is when people have sex together that they have both agreed to have. Sexual violence happens when someone is forced into a sexual situation against their will.

Sexual violence is not allowed in prison (just like outside) but there is no prison policy that makes it an offence for inmates to have consensual sex with each other.

There is however a lot of confusion about this. in the Department of Correctional Services (DCS): if you are confused, you are not alone.

Common Concerns

COMMON CONCERN

FACTS

In the juvenile correctional facilities we're dealing with youth. We can't condone them having sex!

Even if we don't agree that young people should be having sex, we cannot stop it by not condoning it. In fact, if we don't acknowledge it, then we are putting the youth in additional danger by refusing them information and services which they could use to keep themselves safe and make more informed and mature decisions.

Their bodies are not something we (as correctional staff, people working in prisons, or anyone else) have, or should have control over. Their right to bodily integrity and dignity (and to make choices about what they do with their bodies) is not something they give up when they're incarcerated.

The only way to stop sexual violence in prison is to medicate male inmates so that they do not have sexual urges anymore.

It would be a violation of human rights to medicate inmates in this way.

It is true that some inmates experience their sexual urges as a burden in prison and want them to be taken away. However this burden is powerfully influenced by certain myths or thinking errors about sexuality. Examples of these myths include that:

- when a man gets an erection, he must have sex to relieve it – otherwise he will lose some of his power. (NOT TRUE!)
- masturbation is dangerous, dirty, wrong etc. (NOT TRUE!)

If inmates (and others) believe these things, then it is not surprising that feelings of sexual arousal in prison pose great difficulty.

If inmates are given better information and we are able to correct misunderstandings, then we could transform their experiences of sexuality. They would not feel 'controlled' by their sexuality, but rather IN control of their sexuality.

Do you have other questions about these issues?

Please let us know.

Sasha Gear
E-mail: sgear@csvr.org.za
Tel: +27 11 403 5650
Fax: +27 11 388 0819

CENTRE FOR THE STUDY OF VIOLENCE AND RECONCILIATION

JOHANNESBURG OFFICE

4th Floor, Braamfontein Centre,
23 Jorissen Street, Braamfontein,
Johannesburg, South Africa

P O Box 30778, Braamfontein,
Johannesburg, 2017

Tel: +27 (11) 403 5650

Fax: +27 (11) 339 6785

e-mail: info@csvr.org.za

CAPE TOWN OFFICE:

501 Premier Centre,
451 Main Road,
Observatory, 7925

Tel: +27 (21) 447-3661

Fax: +27 (21) 447-5356

e-mail: info@csvr.org.za

www.csvr.org.za

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