

# Where sex and rape mean the same thing

Anene Booysen's case is anything but clear-cut to her home town

CARLOS AMATO  
in Swellendam

"If a girl walks around the corner with a guy, what does it mean? Sex," said Pieter Kana outside the Swellendam Circuit Court on Thursday.

Minutes before, he had heard his nephew Johannes Kana confess to raping and assaulting Anene Booysen.

"But if he had sex with her, who killed her?" asked Pieter. "That's what we want to know."

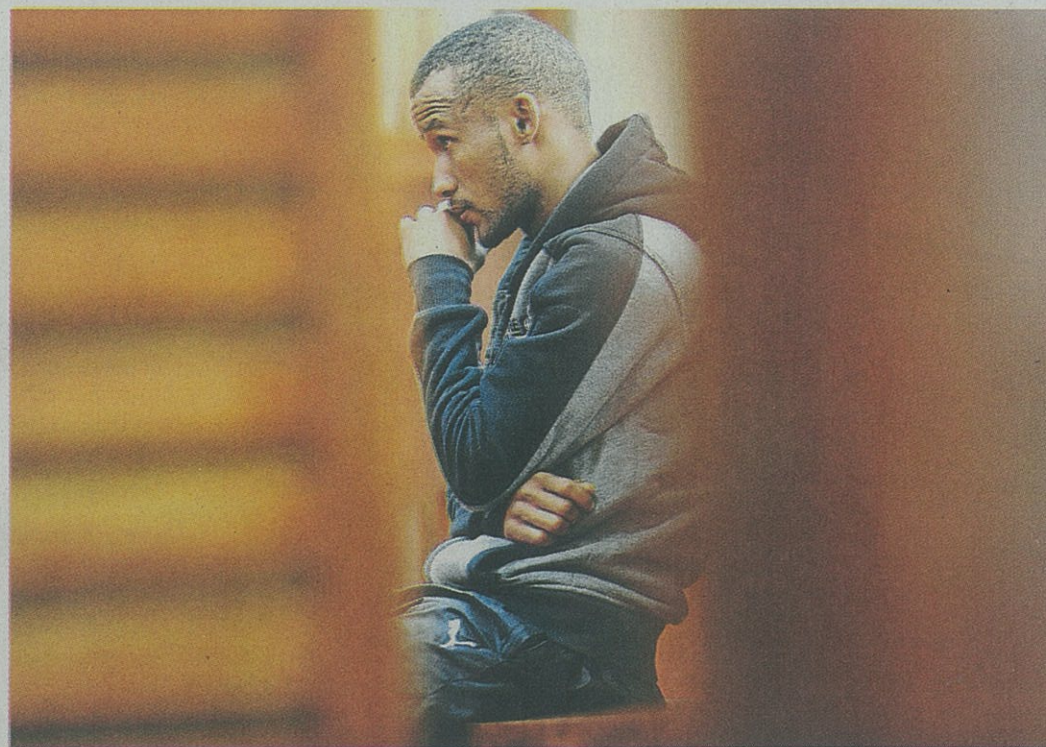
Johannes, who stands accused of Anene's murder, said in his confession that, following a night of heavy drinking, he kicked and punched the 17-year-old in a Bredasdorp construction site after they kissed and she pushed him away.

He then raped her, he said, and fled the scene. He denies that he killed her by disembowelling her.

The defendant's uncle is not the only resident of Bredasdorp who uses the words "rape" and "sex" interchangeably when discussing the case. And he is far from alone in believing that Johannes Kana is not Anene's murderer.

On Wednesday, during a site inspection by Judge Patricia Goliath, the 21-year-old Kana was brought to the patch of ground where Anene was found. He received a disturbingly gentle welcome from the 100-odd residents who gathered to watch. There were no accusations and no insults.

Standing shackled in the lee



THE ACCUSED: Johannes Kana in the Swellendam Circuit Court

Pictures: SHELLEY CHRISTIANS

of a police van, flanked by two policemen, the diminutive Kana stood shamelessly, even proudly. He smiled often, acknowledging his friends' greetings. One of a posse of rough-looking local youths called out: "You're famous, dog!"

Half a dozen workers at an abattoir across the street perched atop poles to gawp at the spectacle while a truckload of sheep shuffled to their death below.

As Kana was bundled into the police van after the site inspection, women gathered around and declared their support, say-

ing they would pray for him. The strange absence of visible anger at the scene suggested a town desensitised to its long storm of sexual violence — and perhaps deeply fearful of out-laws. In the "Black Sunday" massacre of November 1999, 21

residents murdered four Terribles gangsters in Bredasdorp, thus ending a long reign of drug-related violence. The Terribles left town, but the power and threat of prison gangs is still keenly felt.

And many in Kleinbegin, Anene's neighbourhood, claim that even Kana's confession of rape and assault is false — that he was compelled by the real villains (or his accomplices) to take the fall.

That could well be an empty conspiracy theory. But even if Kana did commit the murder, state prosecutor Maria Marshall



SITE VISIT: Witness Chrisna Mentoor, right, and Judge Patricia Goliath at the bar where Anene Booysen and her friends were drinking before she was raped and murdered

has a massively difficult task ahead of her. Kana's confession does not tally with the two charges laid against him — rape with aggravating circumstances and murder with aggravating circumstances, which together carry a life sentence. A conviction of rape without aggravating circumstances carries a minimum sentence of 10 years — not sufficient punishment for the brutalisation of Booysen and not the sort of sentence an angry public would welcome.

Moreover, section 214 of the Criminal Procedures Act says an accused cannot be found guilty solely on the evidence of his own confession — only if other evidence supports that confession. No such evidence has been presented thus far.

Evidence heard during Kana's bail hearing suggested that the fatal injury that Booysen suffered was not inflicted at the spot where she was found — an

The odds are strong that characters in this tale have, at the very least, said less than they know

alley of muddy ground between two newly constructed RDP houses. Investigating officers said there was an improbable lack of blood at the scene, and that sand found on her body did not match the surrounding earth.

The court has not yet heard evidence from Anene's step-

mother, Corlia Olivier, or from the ambulance paramedic who tended to her en route to Worcester Hospital. Police sources suggested that both Olivier and the paramedic heard Anene say that her attackers were "Zwaaai" and five or six other men from Kleinbegin. Jonathan "Zwaaai" Davids, the first suspect arrested, was released for lack of evidence.

On Thursday Wikus Kiewiets, the paramedic who first moved Anene from the scene to Bredasdorp Hospital, told the court that although she did not name her killers to him, she nodded when asked whether she knew them.

Pieter Kana and Joshua Kana, another uncle of the accused, said several other men with the nickname "Zwaaai" lived in Bredasdorp. They questioned why they had not been arrested.

In court on Friday, Goliath expressed her surprise and frustration that none of the group of friends who drank with Kana and Booysen at Kallie's Pub volunteered information to the police in the days afterwards. They all had to be brought to the station to give statements.

One of the group of friends, Chrisna Mentoor, tearfully changed her testimony on Tuesday after initially telling police she had walked home with Kana that evening. She said she had lied to protect Kana from getting into trouble.

The odds are strong that other characters in this tale have, at the very least, said less than they know. And for now, despite Kana's confession, the truth of Anene's last night remains deep in the shadows. The trial resumes tomorrow.

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# Artist and artwork become one

THEKISO ANTHONY LEFIFI

PAINTER Mmapula Helen Sebidi will not be drawn into a discussion on Basic Education Minister Angie Motshhekg's view that the time is not right for a female ANC president.

Sebidi is a champion of women's rights, and the suffering and disruption inflicted by apartheid, especially on women in rural areas, are common themes in her work.

Her work evokes spiritual ancestors, rural African objects and the conflict between African belief systems and Western values.

The painter is one of the icons in the 21 Icons project conceived by photographer Adrian Steirn.

"Whoever likes [my work] will love it; whoever doesn't has not been given to love my work. I don't have to be

conscious of who I'm working for. I have to be happy about what I'm doing," she told the 21 Icons team.

Motshhekg on Monday said that it would be "a futile battle" to press for a female president or deputy president in the ruling party.

Sebidi refused to be drawn on the comments. She did say, however, that the government needed to invest more in the arts instead of leaving artists to rely on foreign aid. She said that no new art centres had been built in Soweto since 1994.

She is the first female black artist to have been awarded a Fulbright scholarship to travel to the US and exhibit at the Worldwide Economic Contemporary Artists' Fund Exhibition.

While touring the world, she came to realise that some of her work had

overtones of a sociopolitical nature. She also realised that far too many South Africans lived in exile.

For Sebidi's portrait, Steirn positioned her in front of her famous 1988 painting, *Tears of Africa*, a large charcoal collage on paper.

"I wanted to show her emerging from her art. I wanted to shoot her wrapped in her own creativity. And if you look at the photograph, you'll notice it's hard to work out where Helen Sebidi starts and where her artwork finishes," Steirn said.

Sebidi described the portrait as "spiritual and cleansing". The signed portrait will be auctioned at the end of the series and the proceeds will be donated to charity.

SABC3 will feature a behind-the-scenes short film of the shoot tonight at 6.57pm.



WRAPPED IN CREATIVITY: Helen Sebidi at the 21 Icons shoot Picture: GARY VAN WYK

# Elephants get the point

EXPERTS of the University of St Andrews believe elephants may use their trunks as a means of communication, in a similar way to pointing.

The ability may have evolved from the complex social system elephants inhabit, which involves recognising unspoken signals.

"What elephants share with humans is that they live in an elaborate and complex network in which support, empathy and help for others are critical for survival," said Professor Richard Byrne.

He and colleague Anna Smet studied African elephants used to give tourists rides near Victoria Falls in Zimbabwe.

The animals were trained to follow vocal commands, but

they were not accustomed to pointing.

To the researchers' surprise, they found that the elephants spontaneously got the gist of human pointing and could use it as a cue to find food.

Elephants seem to possess a natural ability to interact with humans despite not being domesticated in the same way as horses, dogs and camels.

"Elephants are cognitively much more like us than has been realised, making them able to understand our characteristic way of indicating things in the environment by pointing," Byrne said.

"This means that pointing is not a uniquely human part of the language system." — © *The Daily Telegraph, London*