



Commission for Gender Equality
A society free from gender oppression and inequality

Commission for Gender Equality Policy Dialogues Report 2022/23

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2022/23**

Part A:

Illegal Initiation Schools Dialogue:

“Illegal Initiation Schools in South Africa: Assessing Risks to Boys and Young Men”

Part B:

Elections Policy Dialogue:

“Gains Made, Gains Lost: Gender Representation in the 2021 Local Government Elections”

Post Policy Dialogue Report

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Abbreviations and acronyms

ANC	African National Congress
ACDP	African Christian Democratic Party
ATM	African Transformation Movement
APP	Annual Performance Plans
CGE	Commission for Gender Equality
COPE	Congress of the People
DA	Democratic Alliance
DAFF	Department of Agriculture, Forestry and Fisheries
DALRRD	Department of Agriculture, Rural Development and Land Reform
DFFE	Department of Forestry, Fisheries and the Environment
EC	Eastern Cape
EFF	Economic Freedom Fighters
FF+	Freedom Front Plus
FS	Free State
GU	Gender Units
GP	Gauteng Province
HR	Human Resources
IEC	Independent Electoral Commission
IFP	Inkatha Freedom Party
LG	Local Government
LM	Limpopo
OTP	Office of the Premier
SAPS	South African Police Services
UDM	United Democratic Movement

PART A

1.1 Introduction

The Commission for Gender Equality (CGE), in line with its mandate, hosted a Policy Dialogue on 29 September 2022 at the Hatfield Hotel, Pretoria. The Policy Dialogue was a hybrid event with physical guests at the venue and other stakeholders attending virtually through MS Teams. The purpose of the Policy Dialogue was to discuss the issues drawn from the CGE's research findings in the report titled *Illegal Initiation Schools in South Africa: Assessing Risks to Boys and Young Men*.

Prior to hosting the Policy Dialogue, the research team developed a Policy Brief which was based on the issues drawn from the CGE's research report. The Policy Brief extrapolated factors that led to the emergence, persistence, and prevalence of illegal initiation schools in South Africa. The study was undertaken in four provinces – Eastern Cape, Free State, Limpopo, and Gauteng. These are known as the provinces with the highest prevalence of illegal initiation schools in the country. The study was motivated by widespread reports by various media houses over the past few years about incidents of young men being subjected to harsh conditions leading to some losing their lives after enrolling in illegal initiation schools. As experienced by some of the initiates, a series of events led to the violation of their gender rights (i.e., their health and reproduction rights), as well as their basic human rights and security.

Given the sensitivity of the matter, deaths of initiates, and the gross violation of human rights, the CGE hosted a Policy Dialogue to engage relevant stakeholders and policymakers on the issue and to explore possible long-term remedial strategies. The Policy Dialogue was held to discuss policy solutions with the stakeholders by engaging, raising issues, sharing perspectives, finding common ground, and reaching an agreement. The policy solutions were achieved during the stakeholder engagement.

1.2 Background

The CGE, in line with its mandate, conducted the study on illegal initiation schools. The study sought to examine and understand the factors that lead to the emergence and persistence of these illegal schools, their accompanying practices and the role or purpose they serve in the communities where they are found. The study also explored what constitutes a legitimate school and what differentiates these from illegal circumcision schools in terms of the law, their operations, and practices. The main aim of the study was to explore the causal factors that lead to the establishment and persistence of illegal initiation schools. Understanding these causal factors may lead to developing measures that can be put in place to remedy the situation by preventing deaths and protecting the victims.

Furthermore, the intention was to establish the root causes for the high number of deaths during the initiation seasons across the four targeted provinces. The study sought to present policy recommendations for remedial mechanisms to prevent the loss of lives during the initiation seasons.

1.3 Key findings of the report

Several key issues emerged from the findings discussed in the report of the study. The findings relate to the prevalence and location of initiation practices in the four selected provinces. Findings were clustered around the five key thematic areas.

1. Issues relating to the prevalence and location of initiation practices in the four selected provinces.
2. Factors contributing to the prevalence of initiation schools.
3. Methods of recruitment and operation.
4. Problems arising from illegal initiation schools.
5. Official interventions and responses to deal with these problems.

In terms of the prevalence of illegal initiation schools, it seems that no authoritative information, including reliable statistics, can be gathered on these illegal initiation schools. Findings revealed that many of these illegal operations are carried out secretly to avoid detection, given the legal consequences for those involved. As a result, law enforcement agencies cannot gather sufficient and reliable information on the occurrences, patterns, and scale of the prevalence of illegal initiation schools in the four provinces selected for this study. It also emerged from the findings that illegal initiation schools were not based in permanent locations and structures and are thus highly mobile. This makes their activities and operations difficult to subject to oversight and monitoring by local municipalities and other departments, whose mandates encompass the provision of vital services for the health, welfare and safety of boys and young men enrolled in these operations.

In some provinces, such as Gauteng and the Free State, there were clearly identifiable locations and residential areas in specific municipalities where such illegal initiation schools were likely to operate. The specific geographic locations and prevalence patterns were unclear in the Eastern Cape and Limpopo.

The study also revealed that push and pull factors contributed significantly to the rise of these illegal initiation schools in South Africa. Both push and pull factors are crucial in driving young men towards illegal rather than legal initiation schools and subjecting them to the attendant risks to their health, social welfare, and safety.

Push factors are those conditions and circumstances compelling the initiates (often against their will) to subject themselves to the practices of both legal, and more importantly, illegal initiation schools. Peer pressure and lack of resources are some of the push factors that came up during interviews.

Pull factors are those factors that are attractive and positively associated with the act of initiation and circumcision, therefore encouraging the initiates (and their legal guardians) to view this process favourably. In terms of pull factors, common circumstances were identified in the four provinces as accounting boys for and young men voluntarily subjecting themselves to initiation and circumcision practices. Pull factors include respect for the cultural practice by both the caregivers and their children, the idea of transitioning from boyhood to manhood, and the promise of the benefits of being an adult (such as the ability to take a wife and be given adult responsibilities). As an initiated man, they avoid the constant humiliation, disrespect, and name-calling that accompanies the uninitiated.

Research shows that in terms of recruitment of initiates, illegal initiation schools do not necessarily follow standardised approved methods of recruitment and operation. Instead, many utilise crude and brutal methods, such as kidnappings or abductions by organised gangs and syndicates. This was the case in all four provinces, where organised youth gangs

reportedly operated as recruiters in local communities and schools. Organised criminal syndicates also kidnapped or abducted boys and young men, taking them from one province to another. This was especially true between Gauteng and the Free State.

Illegal initiation schools appear to be largely motivated by profitmaking, which inevitably fuels the kidnappings or abductions, later followed by extortionate ransom demands by criminal syndicates. Illegal schools, therefore, do not abide by existing formal, legally sanctioned procedures for recruiting prospective initiates. Much of their activities are conducted secretly, thus rendering them likely to violate the rights of the initiates, such as their human, sexual, reproductive, and health rights.

1.4 Dialogue discussions

The Policy Dialogue was attended primarily online by various stakeholders, which included the South African Police Services (SAPS), SAPS Gauteng, Department of Home Affairs Research Division, Western Cape Premier's Office, Department of Agriculture, Land Reform and Rural Development (DALRRD), CGE staff members, Botswana Commission of Gender, and the Department of Forestry, Fisheries and the Environment (DFFE). However, online participation was scanty, contributing to some of the discussion issues being thin. Moreover, some key stakeholders, such as the National House of Traditional Leaders (NHTL), did not attend and this negatively affected the Policy Dialogue and narrowed the discussion.

1.5 Key issues emanating from the discussions

There were several points raised following the presentation of the findings:

1.5.1 Traditions

The role of older persons who understand the practice of initiation should be kept in the process, and knowledge should be mined from their expertise. Contributors covered this as a way to ensure that correct and accurate information about the cultural practices is preserved, shared, and implemented appropriately to avoid some of the negative outcomes of the practice regarding health.

1.5.2 Factors leading to Illegal Initiation schools

Another issue that emerged during the discussions was devising strategies for curbing further mushrooming of the illegal initiation schools. The illegal initiation schools taint the sacred customary and traditional practice that has been sustained over time in the history of the African continent. The discussion pointed to putting in place monitoring and evaluation systems to guide the regulation of the initiation school in line with the relevant prescripts. Deterrent measures would therefore be employed to eliminate the practice of illegal initiation schools across all the provinces.

The ever-growing unemployment rate was also covered in the discussions. The financial difficulties faced by families contribute to the emergence of illegal initiation schools as the schools apparently cost relatively less. It is, however, noted that in some instances, families do not have the means to release initiates from schools. Sometimes this leads to violence being perpetrated against the initiates as a bargaining strategy by the illegal initiation schools.

The relationship between the health system of the country and the illegal schools arose during the discussions. The issue of being circumcised at a hospital, clinic, or doctor prior to going to the initiation school was raised as a mechanism to avoid some of the challenges faced by initiates at illegal schools. At initiation schools, the surgery takes place outside and this is still considered important as a cultural experience. This discussion covered the intersection of the health system and the cultural collision.

1.5.3 Role of SAPS in curbing the scourge of illegal initiation schools

The visibility of SAPS in the research areas was discussed as a point of concern. It was equally discussed that there seemed to be a disconnect between the community and members of the SAPS. In other instances, the police seemed to work with owners of these illegal initiation schools, hindering progress in monitoring and dealing with the escalating issue of illegal initiation schools.

However, it was equally noted by a member of SAPS that in other areas, SAPS plays a significant role in curbing the scourge by working with the community in identifying and raiding illegal initiation schools.

1.6 Lessons learned

1.6.1 Legislation

The legislation to guide the processes of the initiation of schools has been enacted and is welcomed. As with many South African problems with comprehensive legislation, the issue is how it is implemented.

While there is also legislation in line with addressing the issues, the consequences of breaking the law do not serve as a strong deterrent for the perpetrators. Contributors outlined that sentences for perpetrators are short, and prosecutions are rare.

1.7 Recommendations

The following were recommendations made in response to the Policy Dialogue:

- There is a need for a well-coordinated relationship between the NHTL, traditional healers, local government, the Department of Health, and the SAPS as key stakeholders in the fight against the scourge of illegal initiation schools.
- Awareness should be raised, especially on issues relating to the health of young initiates prior to their acceptance in initiation schools.
- The NHTL and the SAPS should work hand in hand with leaders at legal initiation schools to address the issue of illegal schools, thus preserving cultural practices regarding initiations.

PART B

1.8 Introduction

In line with its mandate, the Commission for Gender Equality (CGE) hosted a Policy Dialogue on 6 December 2022, at the Parktonian Hotel, Braamfontein, Johannesburg. This was done to create a conversation and engage political parties and stakeholders regarding an analysis of women's representation in the 2021 local government elections in South Africa. The Policy Dialogue further aimed to disseminate the findings of the *Gains Made, Gains Lost* report. The report presents the findings of monitoring the local government elections held in November 2021. The findings revealed the representation of women across all processes of electioneering, among other issues. The study targeted the seven leading political parties in terms of numerical representation in the National Assembly: African National Congress (ANC), Democratic Alliance (DA), Economic Freedom Fighters (EFF), Inkatha Freedom Party (IFP), Freedom Front Plus (VF Plus), and the African Christian Democratic Party (ACDP).

The Policy Dialogue created a platform for political parties to reflect and converse on the 'gains made and the gains lost' in a literal sense due to eminent factors that affected the outcomes of the 2021 local government elections.

1.9 Background

The 2021 elections report was the third of a series compiled by the CGE on local government elections and women's political representation in South Africa. The CGE compiled the first report on the 2011 local government¹ elections and the second on the 2016 local government elections. The Commission conducted the study in line with its Constitutional mandate to promote respect for gender equality and the protection, attainment, and development of gender equality.

The CGE is also obligated to ensure that government and other policy actors comply with and implement existing policy, legislative, and other frameworks to promote gender equality and transformation in line with the country's constitutional commitments and global/international obligations.²

The Policy Dialogue created an opportunity for political parties and other key stakeholders to converse about the gains and challenges that led to the decline of women's representation during the 2021 local government elections. Representatives attended the event from political parties, such as ATM, ACDP, DA, VF Plus, and IFP. Other participants included representatives from the Human Sciences Research Council, Independent Electoral Commission, Department of Higher Education and Training, some Chapter 9 institutions, UNICEF, members of civil society organisations, CGE officials, and other stakeholders.

The CGE's 2016 elections report pointed out that during the past two decades, the country had experienced a steady rise in the representation of women in politics and government across the three spheres (local, provincial, and national). However, the outcomes of the CGE 2021 local government elections deviated as they revealed a reversal of the steady growth experienced consistently over a decade due to the comparatively significant decline of women's representation. The study also revealed that some political parties were committed

¹ GGE (2011), *Gender and the Elections: Local Government Elections Report 2011*.

²The Constitution of the Republic of South Africa, Act 108 of 1996 (as amended).

to employing the zebra stripes policy and the voluntary 50/50 gender quota system, while others were not.

The Policy Dialogue was the CGE's strategic commitment to elevating the conversation to individual political parties and to recommending and advocating for gender mainstreaming and commitment to women's quotas in the strategic planning of parties for the journey leading to the 2024 national elections and beyond.

1.10 Key Issues emanating from discussions

The following issues emerged from the dialogue:

1.10.1 Profiled barriers to women's political participation

Issues were profiled as barriers that inhibited women from being represented in the ranks of political parties and from participating meaningfully in their parties. Such barriers include cultural barriers whereby traditional attitudes regarding women in decision-making roles still take precedence in the nomination of women in the leadership of political parties. Hence, despite all initiatives, changing mindsets is difficult. Traditional beliefs have a bearing on influencing these attitudes toward gender equality and are often seen as an important factor in analysing women's entry into elected office.

Another barrier identified was gender stereotypes that discourage women from wanting to participate in politics. Gender stereotypes exist due to patriarchal teachings about women's positions and societal roles, including reproductive and care work responsibilities. Voter bias influenced by patriarchal norms influenced voters to vote for men instead of women, leading to women performing poorly. Key party role-players also select candidates and prefer to promote men rather than women candidates as a votes-maximising strategy. This was expressed as a crucial issue that hampers the increased representation of women in political leadership. A need for awareness raising and sensitisation on gender equality in society and within political parties was expressed.

Self-reinforcement due to gendered group dynamics is another barrier. This stems from the idea that women in male-majority teams appear significantly less likely to put their name forward as team leaders than women in female-majority teams, given that they anticipate lower support from team members.

Another barrier that was mentioned was gender-insensitive electoral policies. This was due to the 50/50 gender representation provisioned for in the SADC Protocol on Gender and Development, which is not legislated in South Africa. Gender mainstreaming policies and practices are currently implemented voluntarily. Political parties with voluntary 50/50 gender quotas and zebra stripes practices in the country are ANC and EFF.

The VF Plus expressed their will to comply with promoting gender equality in their leadership structures. The party has a policy that provides that when a member is nominated at the ward level, they are automatically eligible to be on the Party Representatives List. The VF Plus claimed that women do not come forward for nominations. The party representatives said women could not be forced to come forward, as it would violate their Constitutional rights. VF Plus indicated that they would invite more women to join their party and contest elections.

Poor resourcing, especially budgetary constraints, also emerged as one of the barriers, especially for the smaller parties. This challenge hampered their ability to produce detailed manifestos that promote gender equality. Hence, their manifestos were smaller and lacked detail.

The discussion also revealed that the COVID-19 pandemic was one of the key barriers that affected the outcome of the 2021 local government elections. All the parties demonstrated that the electioneering process was abnormal as the IEC refused to postpone the election date and announced a date that did not give the political parties time to conduct their campaigns. The process that normally takes three months was now planned and executed within three weeks. The political parties collectively expressed that the decision to continue with the elections was abrupt and abnormal. Therefore, all-party processes, including lists, were rushed and could not be put through the usual rigorous scrutiny.

1.10.2 Representation of women in party leadership structures

Another thematic area that emerged was the representation of women in various structures of election processes. As the issue of 50/50 representation is not legislated, the political parties employ various strategies in their list formation processes.

The discussion revealed that the larger parties, such as the ANC and EFF, are leading parties that adhere to the 50/50 quota system. Smaller parties like VF Plus, IFP, and ACDP struggle with fewer women joining the party and registering as candidates for nomination. Despite having a much lower membership of women who register to be nominated, VF Plus has a policy that provides that members nominated at the ward level are automatically eligible to be represented on the Party Representatives List. On the other hand, the IFP highlighted that the party leadership does not have control over the nominations at the ward level as it rests with the community members themselves. The representative indicated they only have control of the Party Representatives List after robust scrutiny of the lists from the branches by an established committee with that mandate within the party structures. It is, however, noteworthy that these processes did not happen during the 2021 local government elections.

The IFP indicated that their quota is 40/40/20, with 40% women, 40% youth, and 20% men. The low percentage of men is because men are the majority of the 40% of youth. On the other hand, VF Plus has 30% women members, but claimed that many do not apply for nominations. The party received 14% of nominations (only youth and not gender disaggregated).

The ACDP asserted that even though they have a lesser number of women, the party prioritises women for opportunities in leadership positions.

All the parties regretted the regressed performance regarding the representation of women during the 2021 local government elections. It was, however, noted that despite the regression, South Africa is currently number three (after Rwanda and Namibia) in Africa and number 20 in the world in terms of gender parity. The country regressed from 18th in the world due to other countries progressing, not because of regression on the part of the country, as one may think. This was achieved without a legislated quota and is considered a positive achievement. The parties plan to do much better in the upcoming national elections in 2024.

The Independent Electoral Commission (IEC) highlighted the importance of mainstreaming gender in the electioneering processes. As a result, the IEC wishes to provide gender-disaggregated information to respond to the CGE processes. It was indicated that the system is currently based on the ID system, which always makes it difficult for CGE to obtain the relevant data while monitoring elections.

1.11 Lessons learned

- The issue of inclusivity was raised, as the discussion was primarily focused on the gender binary rather than all genders. Requests were made for the CGE to investigate and include the experiences of the LGBTQIA+ group in future research projects.
- It is important to look beyond the numbers and look into issues of substantive gender equality in political leadership.
- The political parties should adopt policies that facilitate women's participation (e.g. harassment policies) and the quota system to achieve the targeted substantive gender equality mandated by South Africa's progressive Constitution and international standards.

1.12 Recommendations

- There is an urgent need for training and sensitisation of political parties on prioritising women and other gender minority groups across their leadership structures.
- Women's wings should advocate for measures to promote women's electoral candidacies and lobby party leaders to ensure that women candidates are given high positions on the lists. Women's wings should seek funding for training and workshops for women's candidates and activists and conduct civic education and voter outreach. Women's wings should always ensure that candidate selection procedures are updated where measures to address gender inequality are taken to ensure compliance with political party policies.
- Political parties must collect, monitor, and disseminate statistics and facts about women's political participation and representation. This can enable activists and advocates both inside and outside political parties to analyse the position of women in decision-making and to define problems, devise appropriate strategies, and seek political support for proposed solutions.
- Best practices of other countries should be explored to include motivated and qualified women in leadership positions. Party members should be sensitised about the importance of opening a supportive space for women among their members, leadership, and internal structures.
- Measures should be implemented to ensure that political parties adhere to national and international prescripts that promote gender equality.

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