



**THE PERPETUAL MOTION MACHINE:  
NATIONAL CO-ORDINATING STRUCTURES AND STRATEGIES  
ADDRESSING GENDER-BASED VIOLENCE IN SOUTH AFRICA**

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**Abstract**

Violence, and the ways it is gendered, have long constituted a serious problem in South Africa. In 2000, Cabinet set up the first coordinating structure tasked with developing a plan to combat this violence, and, since 2011, there has been an expanding apparatus of structures, institutions and processes around GBV. They have, however, been founded in a set of generic – even formulaic – prescriptions that ignore the current state of the South African state. As such, the many plans and structures that constitute the machinery to address GBV are characterised by hasty, ad hoc institutional design, unaccountability and wasted endeavour. Contrasting with these managerial processes, are the anger and grief experienced by the many individuals whose lives are affected by GBV. While this has manifested in the proliferation of popular protest by women’s organisations and other formations demanding action from the state, it has not resulted in a disruption to the myriad processes and institutions that constitute the governance machinery surrounding GBV. Struggles between women within the sector have instead resulted in a politics of bad blood which, while not the sum total of the sector’s politics, works in ways that are powerfully divisive. When coupled with the dysfunction of the GBV segments of the state, it has provided some of the conditions which lead to the failure of the plans and structures intended to address GBV. The result is a perpetual motion machine, caught in the all-absorbing messiness of its repeated and multiple power struggles.

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## Acronyms

NAP	365 Day National Action Plan to End Gender Violence
CGE	Commission for Gender Equality
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
DPME	Department of Planning, Monitoring and Evaluation
DSD	Department of Social Development
DWCPD	Department of Women, Children and People with Disabilities
DWYPD	Department of Women, Youth and People with Disabilities
GCIS	Government Communication and Information Service
IDMT	Inter-Departmental Management Team
ISC	Interim Steering Committee
NCGBV	National Council on Gender-based Violence
NGM	National gender machinery
NSP	National Strategic Plan
NSPGBVF	National Council on Gender-based Violence
SOCA	Sexual Offences and Community Affairs
SABCOHA	Sexual Offences and Community Affairs
SANAC	South African National AIDS Council
#TTS	#TheTotalShutdown
UN	United Nations
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
UNFPA	United Nations Population Fund

## **THE PERPETUAL MOTION MACHINE: NATIONAL CO-ORDINATING STRUCTURES AND STRATEGIES ADDRESSING GENDER-BASED VIOLENCE IN SOUTH AFRICA**

### **Introduction**

In 2011 the United Nations Committee on the Elimination of Discrimination against Women recommended that South Africa develop a national plan of action to address gender-based violence in the country. Some months later the Department of Women, Children and People with Disabilities presented an idea for a 'National Council on Gender-Based Violence' to Cabinet. And so was born not the finely-honed armature of defined strategy and precision tactics but a world of debris and fragments. From these a kind of perpetual motion machine has been assembled, one whose parts decompose even as they are simultaneously absorbed into fresh, stuttering processes of alignment and combination. These dynamics craft a shifting composite of components, processes, and accompanying politics whose unity and purpose is grounded in the lives of individual women – absent, lost, hurt. But while the machine's target is given as men's violence, its goal is the governance of violence, or the management, coordination, supervision and authorisation of activity, informed by the logics of failure, crisis and competition. In this way, the governance machine is made a method of arranging multiple relations of power, from those subordinating women to men, to those between women themselves.

The first part of this paper situates the rise of the machine in South Africa within the larger goals of the United Nations, and then examines how, between 2011 and early 2021, its ever-expanding parts were mis/aligned, related, broken off and reassembled. In the process, an ever-expanding ensemble of sector bureaucracies, supranational entities, corporations, women's organisations, communities, academic and research institutions, donors, traditional leaders, mayors and the like<sup>1</sup> have been brought within the co-ordination and supervision of the governance machine.

The second part of this paper focuses on the powerful affective politics providing the machine with weight and direction. One source of this is the anger, both insurgent and anguished, that provides the impetus for protest. A second source derives from the struggles between women, in the name of other women, and the ways these sour into resentment, hostility and fear to invoke a politics of bad blood. While these politics are hardly the sum total of the sector's politics, they work in ways that are powerfully divisive which, when coupled with the dysfunction of the state, provide some of the conditions which lead to the failure of these plans and structures. This paper suggests that some of these divisions are associated with the brokering within the economy that has come to be generated around gendered forms of violence.

These arguments are developed through the conceptual lens of a 'machine'. Below is a description of how 'machine' is being conceptualised in this paper and what this implies for the study's methods.

## **Method**

When used within the context of national gender machinery, or the apparatus of the state, ‘machine’ assumes a particular meaning, one that is also all too human. In this instance machine refers to a combination of persons acting together for a common end, along with the agencies they use. As combinations, machines are not wholes whose unity is destroyed by the removal or recombination of their elements. Rather, they are mutable totalities – a sum of parts which possess no necessary or intrinsic relationship to each other and whose appearance of unity derives from their purpose (Nail, 2017). What connects these various elements are the networks of agents engaged in processes of replacement, substitution and composition which provide the machine with its dynamism – and its instability. The plans and structures considered in this paper are thus not the actual machine but its two most visible components and nexus of organisation.

Certain methodological commitments flow from conceptualising the plans and structures intended to address gendered forms of violence as constituent elements of a ‘machine. The first is to pay attention to events and to trace how these have anchored multiple processes of composition and arrangement. Key anchor points were the launch in 2012 of the National Council on Gender-Based Violence (NCGBV); the appearance in 2013 of the *South African Integrated Programme of Action Addressing Violence Against Women and Children (2013 – 2018)*, and the Presidential Summit against Gender-Based Violence and Femicide of 2018. The second is to assemble an archive around these events, drawing from reports, parliamentary records, correspondence, online media articles and blogs, Facebook posts and video streams. This archive is highly dispersed, its many pieces collated and connected through retracing and unpicking the various lines connecting events, people and processes, and tracking across nodes of connection that run in multiple directions. This tracing, relating, aligning and assembling together also became the method of analysis.

The machine assembled here is complex, consisting of many lines, nodes and possibilities which this account cannot exhaust. It therefore does not track the ongoing discursive construction of gendered forms of violence, not least of which is the movement away from violence against women and children to gender-based violence (GBV). Nor does it track, allied to this, when and how women and children, as well as lesbian, gay, bisexual, transgender, queer and intersex communities are related by policy. This paper also does not examine the kinds of subjects and subjectivities constituted through these processes (although these are surely hinted at). Doing justice to these themes and practices would warrant a separate paper. Instead, this paper, as part of a broader project examining the evolution of the post-1994 democratic state, follows up on an earlier contribution tracing the emergence of the National Gender Machinery (NGM) (Vetten, 2013), contained in the book, *Essays on the Evolution of the Post-Apartheid State* (MISTRA, 2013). This paper picks up where that story ended. However, where the context for the 2013 contribution was the transition to democracy, in this paper the long shadow of state capture and the hollowing out of the institutions of the state provide the backdrop. Some of the weaknesses discussed in the current paper must be understood in the context of these trends.

## **SECTION ONE: ASSEMBLING THE PERPETUAL MOTION MACHINE, ITS PARTS AND PROCESSES**

The United Nations’ (UN) conventions, resolutions, handbooks and meetings significantly influence the governance of violence in South Africa. However South Africa and the UN were entangled well

before these. In 1946 the government of India requested that the Union of South Africa's discriminatory treatment of Indians be placed on the agenda of the General Assembly's very first session. The introduction of the policy of apartheid on the election of the National Party to government in 1948 only necessitated the UN's further critical scrutiny. In 1974 the UN General Assembly suspended the country from participation in UN activities, subsequently proclaiming the year beginning on 21 March 1978 as International Anti-Apartheid Year. The position of black women in South Africa did not go unnoticed either, with the 1975 *Report of the World Conference of the International Women's Year* including a section specifically focused on the position of women in South Africa, Namibia and Zimbabwe (then Southern Rhodesia) (UN, 1975). South Africa's readmission to the UN came in 1994 on the transition to democracy, with South Africa ratifying the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) in 1995.

CEDAW's General Recommendation No. 19 had brought violence against women within the ambit of the Convention in 1992 by defining it as a form of sex discrimination and setting out measures for states to consider when addressing violence against women. Many of these measures appeared in more refined and detailed form in the 2006 UN Secretary-General's in-depth study into all forms of violence against women, including the proposal that governments institute plans of action against violence and regularly monitor and update these in consultation with NGOs and women's structures (UN, 2006a: 106). The study's recommendations were then consolidated within the resolution issued in December 2006, *Intensification of efforts to eliminate all forms of violence against women* (UN, 2006b). National plans of action were considered sufficiently important by Secretary-General Ban Ki-Moon to be made one of five outcomes to be achieved by all countries by 2015 as part of the UNiTE campaign launched in 2008 (UN Women, 2012).

In support of this goal, UN Women convened an expert group meeting on national action plans in 2010 (UN Women, 2010). Discussions at the meeting were consolidated into a handbook of recommendations around the development, content and implementation of such plans (UN Women, 2012). Various country experts identified robust gender machinery with a strong influence in government as key to the success of plans, along with strong political leadership, oversight and engagement to ensure resourcing, prioritisation and support of the plan (UN Women, 2010).

Handbooks of this kind are essentially instruction manuals – practical guides to the art of assembling an apparatus of governance. Offering confident prescriptions, rather than comprehensive diagnosis, they show how to fit their solutions to problems assumed in advance – thus limiting exploration of problems, as well as the consideration of alternative possible solutions. Moreover, they hold the potential for a particular kind of deception: isomorphic mimicry, which Andrews, Pritchett and Woolcock (2017: 31) explain as the conflation of form with function or where 'looks like' substitutes for 'does'. As the next section illustrates, South Africa's plans and structures are particularly susceptible to such mimicry; they materialise commitment, are its observable evidence – and result in little that is effective.

### ***National plans 1.0: In the beginning***

In 2000, the Cabinet of South Africa instructed that a national coordinating structure be established to address the problem of violence against women. This was the Inter-Departmental Management

Team (IDMT) comprising the Department of Social Development (DSD), the Department of Justice and Constitutional Development (DoJCD), the South African Police Services (SAPS) and the Department of Health, with the team spearheaded by the Sexual Offences and Community Affairs (SOCA) Unit of the National Prosecuting Authority (IDMT, 2002). The IDMT remained in existence until 2011 when it was dissolved to make way for the NCGBV. Two plans were developed during its 11-year lifespan: an anti-rape strategy (never made public) and the *365 Day National Action Plan to End Gender Violence* (hereafter referred to as the National Action Plan (NAP)) (NAP, 2007). The latter was the outcome of a conference organised in 2006 by the SOCA Unit, the United Nations Children's Fund (UNICEF) and Gender Links. The NAP was launched the following year on 8 March 2007, making South Africa one of the first countries to heed the UN Secretary-General's call (NAP, 2007).

This period of comparative parsimony of new measures and institutional additions ended in 2011 when South Africa appeared before the UN's Committee on the Elimination of Discrimination Against Women to present the country report on its progress towards implementing CEDAW. Among the Committee's concluding observations was a recommendation to review the NAP and adopt comprehensive measures to address violence against women (Committee on the Elimination of Discrimination Against Women, 2011). So began the proliferation of plans and structures in ways that were sometimes antagonistic to each other.

Table 3 summarises only those initiatives that sought, and still seek, to create national intersectoral plans and structures exclusively focused on GBV; it does not capture the full abundance and profusion of these. One such exclusion is the 2016 *White Paper on Safety and Security* drafted by the Civilian Secretariat for Police (Civilian Secretariat for Police, 2016). A second are the 55 different government structures (and perhaps more) identified in 2016 as coordinating some aspect of addressing violence against both women and children at national and provincial level, with the bulk of these focused on women (KPMG, 2016).

**Table 3: The establishment and abandonment of intersectoral plans and structures addressing GBV 2000 – 2021**

Year	Structure	Associated Plan	Lead institution	Status by mid-2021
2000	Interdepartmental Management Team	Anti-rape strategy	Sexual Offences and Community Affairs Unit	Never made public
2006		National Action Plan		Terminated in 2013
2011	National Council on Gender-based Violence (NCGBV)	National Action Plan	Department of Women, Children and People with Disabilities (DWCPD)	Dissolved in 2014
2012	Inter-Ministerial Committee (IMC) 1.0	Root cause analysis	Department of Social Development (DSD)	Completed in 2016
2013		Integrated Programme of Action	DSD	Set aside in 2017 for revision
2013	NCGBV	National Strategic Plan (NSP)	DWCPD/NCGBV	Abandoned in 2014
2014	NSP GBV Campaign	Shadow NSP	NGOs	Launched in 2017
2015	IMC 1.0	Diagnostic Review; Improvement Plan	Department of Planning, Monitoring and Evaluation	Review completed in 2016; Improvement Plan abandoned in 2018
2018		Revised Programme of Action	DSD	Provincial and national consultations undertaken throughout 2018; plan abandoned in 2019
2018	#TheTotalShutdown	24 Demands	#TheTotalShutdown	Some subsequently included in NSP GBVF
2019	Interim Steering Committee (ISC)	Emergency Response Action Plan	The Presidency and civil society	Concluded in March 2020
2020		National Strategic Plan on Gender-based Violence and Femicide (NSP GBVF)		Handed over to Presidency in 2020
2020	Multi-sectoral fund created by private sector and other donors	Emergency Response Action Plan/ NSP GBVF	South African Business Coalition on HIV and AIDS	Agreement signed; appears to have been abandoned
2020	IMC 2.0	NSP GBVF	Department of Women, Youth and People with Disabilities (DWYPD)	Still in place
2020	GBVF Board	NSP GBVF	DWYPD	Nominations received; not yet established
2020	NSP GBVF Collaboration	NSP GBVF	DWYPD/Rapid Results Initiative	Ongoing
2021	GBVF Secretariat	NSP GBVF	DWYPD	Four-person structure established by mid-2021
2021	GBVF Response Fund1	NSP GBVF	International Women's Forum South Africa	Call for proposals issued in July 2021

Source: Compilation and analysis based on author's research undertaken for this paper.

The remainder of this section on the ‘perpetual motion machine’ puts narrative flesh on the bones of Table 3. It traces how this particular governance machine was set in motion and how its momentum was sustained through ongoing processes of addition and subtraction, contraction and expansion.

### ***National plans 2.0 – the NCGBV and the NSP<sup>2</sup>***

On 26 October 2011 the National Council on Gender-based Violence was presented to Cabinet, who duly noted its establishment as a measure to address GBV before moving on to other matters (Government Communication and Information Service (GCIS), 2011). The events of April 2012 were to prompt a far stronger reaction from Cabinet.

In late March 2012 a group of young South African men filmed themselves raping a young woman of 17 with an intellectual disability (Germaner, 2012). The video circulated on social media for some weeks before being reported to the police on 17 April. The case made headlines globally (Mabuse, 2012; McLean, 2012) and Cabinet condemned ‘the barbaric act’ in ‘the strongest possible terms’ (GCIS, 2012a). *The Star* newspaper ran a front-page editorial entitled ‘SA’s disgrace: Our barbaric monsters’ and asked how a nation that had produced individuals such as Tambo, Luthuli, Mandela and De Klerk could also raise such monsters (McLean, 2012). Cabinet was no less gripped by the question and two weeks later, on 3 May, both condemned the matter again and established an Inter-Ministerial Committee (IMC) chaired by the DSD (GCIS, 2012b) to investigate the root causes of violence towards women and children (Dlamini, 8 May 2013).

In theory, the IMC’s purpose was narrow and specific and not in competition with the objectives determined for the NCGBV, which included providing strategic guidance and political leadership around GBV; strengthening the coherence of current strategies; adopting multi-sectoral approaches; securing the resources required to enable the NCGBV to meet its mandate; and monitoring and evaluating the implementation of all interventions (Commission for Gender Equality [CGE], 2013a). Taking inspiration from the South African National AIDS Council (SANAC), the NCGBV membership included government departments and agencies (including at provincial level), representatives of various civil society sectors, faith-based organisations, trade unions and traditional leadership structures. The IMC was added to this mix and also given the power to appoint chairpersons to a number of committees – including the chairperson of the NCGBV itself (CGE, 2013a). Within months, conflicts and power struggles had emerged between the NCGBV and the IMC.

Other difficulties faced the NCGBV.

The NCGBV was inaugurated on 10 December 2012, with then Deputy President Kgalema Motlanthe appointed its chair (CGE, 2013a). It struggled to establish itself. The IDMT had abruptly ceased functioning in 2011 in anticipation of the NCGBV’s establishment and it left the NCGBV with little more to inherit than a plan that had already expired at the end of 2011 (CGE, 2013a) and one, moreover, that had not been a marked success (CGE, 2013b). According to the Commission for Gender Equality (CGE) (2013b) the NAP was a state-only affair, with organisations excluded from the NAP’s ongoing planning and implementation. But within the arena of the state the IDMT lacked institutional authority and had proven both unable to co-ordinate departments’ implementation of the plan, as well as unsuccessful in persuading departments to integrate the NAP into their annual plans and budgets.

This did not mean that government departments failed to implement programmes, policies, laws and actions around violence against women; they simply did not consult or involve the IDMT in their activities (CGE, 2013b). Indeed, many of the activities completed by departments were already in progress at the time of the NAP's formulation and would have been accomplished anyway (Nduna and Nene, 2014).

Weak institutional authority was no less characteristic of the NCGBV. Government departments not only sent junior staff to meetings, but also did not ensure consistency in representation (Southern Hemisphere, 2015). The unexplained withdrawal from the NCGBV by the Deputy President soon after its inception weakened the NCGBV further still (Southern Hemisphere, 2015). However, this was not all.

The NCGBV was launched in name only – a clear example of a shell masquerading as a council. The CGE (2013a) observed that the NCGBV possessed neither a budget nor functional systems and procedures, and was designed in nebulous terms – three different organograms outlined its structure. Not unsurprisingly, members of the NCGBV did not share a common understanding of its role and purpose, nor its relationship to the DWCPD. While civil society representatives and some government officials considered the NCGBV to be an autonomous entity that decided its own strategic direction and implemented its own programmes with funds sourced independently of government, other officials saw it as an appendage of the DWCPD, to which it was also accountable (CGE, 2013a). These concerns with institutional autonomy were one source of conflict between the NCGBV's civil society representatives and the DWCPD. A second was the NCGBV's available budget and funding, which became a source of suspicion. On this basis, the CGE assessed the NCGBV's first year to be dogged by 'petty squabbles' and power struggles, not only between the various representatives on the NCGBV, but also between the Council and the IMC (CGE, 2013a).

The most visible indication of this was the IMC's decision to develop, independently of the NCGBV, its own *South African Integrated Programme of Action Addressing Violence Against Women and Children (2013 – 2018)* (PoA) and then to present it to Cabinet in September 2013 (DSD, 2014). (Unusually, this was not noted by the Cabinet statement issued for this meeting.) According to members of the NCGBV, the development of such a programme was not part of the IMC's mandate but the responsibility of the NCGBV (Southern Hemisphere, 2015). The PoA had also not been made subject to consultation outside of government, with only a UNICEF technical team appearing to exert some external influence over its drafting (Southern Hemisphere, 2015).

UNICEF's involvement in the PoA was one indication of how donors enabled the competition between the NCGBV and IMC through the Safer South Africa Programme on Violence Against Women and Children ('Safer South Africa').

#### *The bureaucracy and the costs of competition*

Safer South Africa was introduced by UNICEF, the United Nations Population Fund (UNFPA), Save the Children South Africa and the British government's Department for International Development (DFID) in 2012 (Southern Hemisphere, 2015). Armed with approximately R60 million (or \$5,629,186) to spend exclusively on interventions thought to prevent violence over a three-year period, two of the

programme’s four outputs were directly relevant to the NCGBV and the IMC’s activities: strengthened national institutions and strategies to prevent violence against women and children; and strengthened surveillance, monitoring and evaluation systems for evidence-based prevention of violence against women and children (Ntaiyiya, Mac Roibin and Ogweng, 2012). As neither the IMC nor the NCGBV was an independent legal entity, funds towards their activities were channelled through the DSD and DWCPD, respectively.

Significant revisions to the DWCPD’s work plan, as well as delays in signing this off, seem to have resulted in the funds towards the NCGBV’s activities only becoming available in July 2013. With help from UNICEF and UNFPA, a job description was developed for a chief executive officer, appointed in November 2013 (Southern Hemisphere, 2015). The right-hand column of Table 5 summarises the different sets of activities ultimately enabled by this funding, as well as their cost (where this is available). The left-hand column summarises the work of the IMC, largely driven through the DSD, with some of these activities initially being the DWCPD’s responsibility. In some instances, the two different streams of activities could have been complementary (such as the retrospective review of the NAP and the diagnostic review of the current state of the state’s response). In others, they were a clear duplication, such as the PoA and aborted NSP.

**Table 5: Summary overview and cost of IMC and NCGBV activities funded by Safer South Africa**

Inter-Ministerial Committee and DSD	National Council on Gender-Based Violence
<p><b><i>CAD Guideline for Social and Behavioural Change to Prevent Violence Against Women and Children</i></b></p> <p>Initially the responsibility of the NCGBV but subsequently taken over by the IMC and developed by a UNICEF consultant (Southern Hemisphere, 2015).</p> <p>Cost: R228 000 (DSD, 2014).<sup>3</sup></p> <p>Status: Guideline completed but does not appear to have been put into effect.</p>	<p><b><i>Vikela Mzansi campaign</i></b></p> <p>A campaign to unite government departments, civil society organisations, donors, the business and faith-based sectors, and youth representatives around the creation of a national movement ensuring the protection and safety of children, women, people with disabilities and lesbian, gay, bisexual, transgender and intersex individuals. Also intended to promote and publicise the NCGBV, with the Minister of Women, Children and People with Disabilities acting as the campaign’s patron.</p> <p>Cost: Included within the estimated R5 million spent on the development of the NCGBV. (See endnote 5).</p> <p>Status: Was not implemented.</p>
<p><b><i>Surveillance system around violence against women and children</i></b></p> <p>Initially the responsibility of the DWCPD (Ntaiyiya, Mac Roibin and Ogweng, 2012) but subsequently completed under the DSD’s guidance.</p> <p>Cost: R807 207 (DSD, 2015).<sup>4</sup></p> <p>Status: System was designed but does not appear to have been put into effect.</p>	<p><b><i>Development of the NCGBV</i></b></p> <p>Appointment and remuneration of a CEO and administrator to the Council, as well as coordination costs for the Council. Also included an organisational capacity assessment intended to support the NCGBV’s ability to deliver on its undertakings, under the guidance of the chief executive officer.</p> <p>Cost: Included within the estimated R5 million spent on the development of the NCGBV.<sup>5</sup></p>

	Status: Allowed for employment of chief executive officer before NCGBV suspended. Capacity assessment not undertaken.
<p><b>Technical support for the drafting of the Integrated Programme of Action</b></p> <p>Cost: R239 885 (DSD, 2015).<sup>6</sup></p> <p>Status: Document drafted but put into effect (see later discussion).</p>	<p><b>Review of the 2006 National Action Plan</b></p> <p>Cost: See endnote 5.</p> <p>Status: Document completed in 2014 (Nduna and Nene, 2014).</p>
<p><b>Towards a More Comprehensive Understanding of the Direct and Indirect Determinants of Violence Against Women and Children in South Africa with a View to Enhancing Violence Prevention</b></p> <p>The compilation of this report represented the fulfilment of the IMC's mandate to investigate the root causes of violence (physical, sexual and emotional) against women and children in South Africa. (Safety and Violence Initiative, 2016)</p> <p>Cost: R1.4 million (DSD, 2015).<sup>7</sup></p> <p>Status: Document completed in 2016. No indication of its use.</p>	<p><b>Know your Epidemic – Know your Response</b></p> <p>Described as the first national effort to compile, synthesise and analyse data on the scale, determinants, consequences and responses to violence against women in South Africa (Health and Development Africa, 2013)</p> <p>Cost: R965 000 (DWCPD, 2014)<sup>8</sup></p> <p>Status: Document completed in 2013. No indication of its use.</p>
<p><b>Report on Diagnostic Review of the State Response to Violence against Women and Children.</b></p> <p>The review was commissioned by DPME from KPMG.</p> <p>Cost: Unknown.</p> <p>Status: Document completed in 2016 and used as the basis for Improvement Plan (discussed below).</p>	<p><b>Development of a National Strategic Plan to end Violence Against Women and Children</b></p> <p>Included both the development of a GBV Prevention and Rapid Response Strategy, along with an action plan on the prevention of GBV, including its localisation at community level. This was in addition to the development of the NSP.</p> <p>Cost: R600 000 (see endnote 4).</p> <p>Status: Only a literature review was completed.</p>
Source: Compilation and analysis based on author's research undertaken for this paper	

There is much to suggest that the NCGBV enjoyed little political legitimacy. Indeed, one of those interviewed by the CGE (2013a) suggested that the IMC operated as a parallel structure with Cabinet's knowledge and perhaps even tacit support. The 2014 national elections dispensed with the Minister while the DWCPD was broken up, with its programmes dealing with children and people with disabilities incorporated into DSD and a new Ministry of Women established in the office of the President. The restructuring of the DWCPD led to the NCGBV being suspended in May, with the chief executive officer resigning at the end of that month. In February 2015, the new Minister of Women, Susan Shabangu, informed the portfolio committee for Women in the Presidency that the NCGBV had been put on hold due to concerns with the process leading to its establishment. While policy guidelines or a framework typically preceded the introduction of such initiatives, this had not been the case for the NCGBV, said the Minister. No analysis of existing mechanisms had been undertaken to see if a

council was warranted. Members of the committee appeared to agree with the Minister's decision, stating that they had warned the DWCPD that 'it [*the Council*] was a skeleton with no vision, no resources and no Programme of Action' (Parliamentary Monitoring Group, 24 February 2015).

And yet the NCGBV had been given resources. On the basis of Table 5 it may be conservatively and crudely estimated that between 2012 and 2015 Safer South Africa had bet at least R9 million on the DWCPD, the NCGBV and the IMC and their associated plans and activities. There was no winner. Only the DPME's diagnostic review was ultimately to have some effect; the remaining projects were reduced to mere words on paper where there should have been action and change. The evaluation of Safer South Africa, for example, considered aspects of the expenditure on the NCGBV to represent 'A very real efficiency cost in terms of wasted time and resources' (Southern Hemisphere, 2015: 174).

### ***National plans 3.0 - The Programme of Action***

Perhaps in the attempt to thwart a rival, the IMC had rushed its PoA to Cabinet in September 2013. But it was almost a year before it finalised the document in August 2014, with this delay attributed to the need to accommodate changes to departments following the May elections (DSD, 2014). A year later (and two years after Cabinet had approved its contents), the PoA had neither been costed nor discussed with civil society groupings or provincial and district level government officials (Southern Hemisphere, 2015). In fact, it was to take another two years before work began again on the PoA, prompted by recommendations contained in DPME's *Report on Diagnostic Review of the State Response to Violence against Women and Children* (KPMG, 2016) and the subsequent improvement plan for government departments (DPME, 2017).

The DPME's diagnostic review and improvement plan were unique for the way in which they recognised how the governance of violence could not be abstracted from the bureaucratic norms, mundane routines and practices of the state. Multiple illustrations are possible. Acts, policies and plans were typically not costed and thus inadequately financed. Different departments developed different plans for addressing violence in isolation from each other which led to competition, rather than cooperation; this was facilitated by the way individual departments sought to claim success – and needed to do so in terms of government-wide performance systems (KPMG, 2016). The weaknesses of the NCGBV's structure was replicated across many of the other 55 coordinating structures identified by the diagnostic review, which were found to be lacking in purpose and attended by people many of whom who did not understand why they had been sent to the meeting, nor what was expected of them (KPMG, 2016: 86).

The diagnostic review concluded with six recommendations, including the revision and re-launch of the PoA: establishing an oversight body to provide leadership to the sector and coordinate the implementation of national strategies; strengthening data collection, analysis and interpretation relation to GBV; encouraging programme evaluations capable of increasing an understanding of what is effective in addressing GBV; and identifying the set of services core to supporting those affected by GBV and costing these (KPMG, 2016: 161-163). The DPME accordingly set three goals for its subsequent Improvement Plan: providing better policy and programme direction to the sector; strengthening accountability; and improving monitoring and evaluation, with multiple actions proposed in support of each goal (DPME, 2017).

UNICEF appointed a consultant in February 2018 to support the goal of strengthening policy and programming in the sector. The consultant was to undertake nine provincial and two national consultations aimed at revising the PoA, to supplement these with further evidence-based recommendations, and to cost the final PoA. In relation to the development of a national coordinating committee (which also addressed one of the reasons for discontinuation of the NCGBV), the DPME proposed reviewing existing coordination structures (such as SANAC) to understand their workings and policy architecture and how these could inform a structure for the sector. In addition, the Improvement Plan explored how the powers of the CGE, the South African Commission for Human Rights, and parliamentary structures could be used to develop an oversight mechanism. These two exercises represent the only instance in which an effort was made to research and consider the strengths and weaknesses of existing structures in order to derive effective institutional arrangements for the coordination of activities addressing GBV.

This attention to the machinery of the state and its repair was, however, technical, internal to the state and the least visible of the processes outlined here. Activities such as ‘Small Technical Working Team set up to review work that has been undertaken and implications for the revision of the PoA to inform the IMC TTT planning workshop’ or ‘Create knowledge management system inclusive of a repository of existing research and programme evaluation in the sector’ (DPME, 2017) are not spectacular – unlike protests.

The events of August 2018 were to disrupt and even bypass this work.

### ***Disruption: the 24 demands***

The genesis of #TheTotalShutdown (#TTS) marches is given as a frustrated post shared in a Facebook group in June 2018 (Benya, 2018; Khanyile, 2020). The group grew very rapidly – comprising over 100 000 women<sup>9</sup> by the time of the marches – with the goal of the marches being a total shutdown of the economy as a way of making 24 urgent demands on the state, one for each year of a democracy that had failed women. These demands were handed over to the President on 1 August 2018 at the conclusion of a successful set of marches in all nine of South Africa’s provinces. One of these demands was for a national summit where all parties could agree to a plan addressing GBV in South Africa (Department of Justice and Constitutional Development, n.d.).

#TTS presented a quandary. While the state was already engaged in consultative processes to develop a plan addressing GBV and improve other aspects of its response, dominant voices in #TTS were insisting that everything which had gone before had failed (Makwakwa, 2020) and could therefore not be considered; the solutions lay in the 24 Demands alone (Personal communication, M. Amisi, DPME). The Summit was also being positioned by activists as the first of its kind and a key and unique intervention in the struggle against violence against women – thus ignoring the various summits held since at least 2001 (van Driel, 2020b). Politically, the marchers and their demands could not be ignored, given the political dynamics at play in that period. Cyril Ramaphosa had won the Presidency of the ANC by a handful of votes in December 2017, with Jacob Zuma recalled by the ANC as the President of the country in February 2018. The 2016 local government elections had seen the ANC lose significant support and the mobilisation of various groups highly critical of Jacob Zuma and the

ANC that protected him. When the marches took place on 1 August 2018 national government elections were some seven months away and included a constituency the ANC could not afford to ignore: young black women, many of whom had been active in the university protests between 2015 and 2016. Indeed, the report on the 2018 Presidential Summit situated itself within (Department of Justice and Constitutional Development, undated)

a broader story of the journey of activism that started prior to the summit – with its roots in movements such as #FeesMustFall, where the energy and activism of young womxn at the heart of such events signifies a visible move away from a passive acceptance of the status quo, towards a collaborative and powerful ownership of the future.

Against this complex political backdrop, the consultant appointed by UNICEF completed the outstanding consultations and drafted the final PoA. The Summit was convened on 1 and 2 November 2018 and attended by 1 200 delegates (Department of Justice, 2019). The PoA was quietly abandoned in January 2019, uncosted (although it is possible that some of its elements may have found their way into the later National Strategic Plan).

### ***National plans 4.0 and 5.0 - The Interim Steering Committee***

The Summit concluded with a draft declaration (Department of Justice and Constitutional Development, undated) which was subsequently signed by the President at the launch of the Booyens Sexual Offences Court in Johannesburg on 28 March 2019, as well as the members of the Interim Steering Committee (ISC) constituted just a month earlier (Ramaphosa, 2019).

Article 3 of the Declaration created an ISC responsible for developing, within six months, a multi-sectoral co-ordinating body. In terms of Article 4 this body was then to develop a national strategy and action plan for gender-based violence and femicide (GBVF) within six months of its establishment (The Presidency, 2018). The foregrounding of femicide reflected recommendations to South Africa issued on the conclusion of the country visit in 2015 by the UN Special Rapporteur on violence against women, its causes and consequences.<sup>10</sup>

The ISC likely began meeting in February 2019 and seems to have consisted of 52 persons<sup>11</sup>: 13 from the non-governmental sector, 18 from government, 3 from research institutions, one from the CGE and 17 expert advisory panellists and partners – 9 being from a UN entity and one from the donor agency GIZ (DWYPD, 2020: 8). A Lead Technical Advisor was funded by UN Women to support the ISC's work.<sup>12</sup> To ensure that decision-making powers were shared, two co-chairs were appointed, one from civil society and the other from the state. Unusually, the latter was the special advisor on social policy to the President. While the direct involvement of the Presidency may have given the structure authority, it was not in keeping with policy determined by the 1994 Public Service Act, 1994. According to Section 12a of the 2016 'Dispensation for the Appointment and Remuneration of Persons (Special Advisers) Appointed to Executive Authorities on Ground of Policy Considerations' (DPSA, 2016):

the serving of special advisors on statutory bodies or councils (or similar bodies) for which the Executive Authority is individually or collectively accountable, would be inappropriate

since it could give rise to a direct or indirect conflict of interest or advice which could be biased or perceived to be biased.

The ISC did not design a multi-sectoral co-ordinating body within six months. Instead, at about the time this period expired it was given a new mandate – the development of an Emergency Response Action Plan (ERAP) to respond to the protests catalysed by the murder of Uyinene Mrwetyana (DWYPD, 2020). The ERAP was provided with a budget of R1.6 billion and consisted of 39 interventions, containing a total of 81 targets (CGE, 2020b) organised within five thematic areas: access to justice for victims and survivors; changing norms and behaviour through high-level prevention efforts; urgently responding to victims and survivors of GBV; strengthening the architecture coordinating and overseeing the response to GBV; and prioritising interventions that facilitate economic opportunities for women. Once again, the ISC was tasked with the development of a coordinating body (DWYPD, 2020).

With financial support from UN Women, the ERAP adopted the Rapid Results Institute's method of 100-day challenges, described as 'inspir[ing] those closest to the problem to tackle unreasonably ambitious goals while providing support to ensure innovation, collaboration, and execution required to achieve them' (RRI, undated). Attempting to meet 'unreasonably ambitious goals' is a recipe for failure – perhaps explaining why the report on the ERAP excised the word 'unreasonably' from its otherwise verbatim transcription of the Rapid Results Institute's home page (DWYPD, 2020: 13). This method may have its place in certain contexts. But pursuing the short-term and unreasonably ambitious within a context characterised by the disrupted and unstable is self-defeating – and so, auditing these indicators against their outcomes, the CGE found 17 (21.25 per cent) to have been met, 12 (15 per cent) to have been partially achieved and 51 (or 63.75 per cent) not to have been accomplished at all (2020b: 58).

One task that was completed was the ISC's proposal for a coordinating body – although this was not accepted by the Cabinet meeting of 13 December 2019. Instead, the Ministers of Police, Social Development, Justice and Constitutional Development were tasked with considering the institutional arrangements further, with the Minister of Women, Youth and Persons with Disabilities acting as the convenor of the team (GCIS, 2019). On 11 March 2020, the Minister of Public Service and Administration was added to the team – now elevated to the status of an IMC – and instructed to move expeditiously in formalising the NCGBVF.

The ISC was finally disbanded in April 2020 when it handed over not a legislative framework for a structure, but the National Strategic Plan on Gender-Based Violence and Femicide (NSPGBVF) that had been the Council's brief. In a subsequent concept note developed for a webinar scheduled for 13 June 2020, the change in focus was explained by the recognition that structure ought to support, rather than precede, strategy (DWYPD, 5 June 2020).

### ***The IMC 2.0 and the Board***

The webinar of 13 June was organised by the Department of Women, Youth and People with Disabilities (DWYPD) and intended to inform civil society of developments around the establishment

of the NCGBVF, its terms of reference and the selection criteria determining appointment to the NCGBVF (DWYPD, 5 June 2020). The documentation for the webinar had been issued on 11 June, two days beforehand, with the DWYPD proposing to close the call for nominations on 26 June. The proposals were rejected by the webinar participants (a mix of individuals and NGOs). This dismissal was due both to the rushed nature of the proposals and the fact that the Department of Justice and Constitutional Development had been mandated by the NSPGBVF to develop the legislative framework for the NCGBVF. The DWYPD beat a temporary retreat.

The Call to Action Collective had been one of the groups opposed to the DWYPD's proposed NCGBVF and had written to the Minister of Women on 4 June explaining their objections. On 15 September the Minister replied to the Collective, stating that the DWYPD was moving ahead with the establishment of a structure, which would now take the form of a Board of Trustees (Nkoana-Mashabane, 2020). The Collective pointed out that the Board appeared to consist in an organogram only and was not supported by legislation setting out its powers and functions. No budget appeared to support its work and its terms of reference were unclear – including trustees' terms of office (Maphanga, 2020). The nominations process went ahead regardless. The DWYPD reported to parliament in early 2021 that 180 nominations had been received (PMG, 16 February 2021) for the four seats allocated to civil society organisations, as well as the three single seats allocated to universities and research institutions, organised labour and organised business (DWYPD, undated).

The DWYPD had been allocated R15 million over the medium term for the establishment of the NCGBVF (National Treasury, 2020). Because legislative processes were time-consuming and the need for a formal structure urgent – not least because the DWYPD was likely to lose its funds – they had elected to register a trust deed. This was their explanation for the shift from a legislated entity to a Board of Trustees (PMG, 16 February 2021). But the finalisation of these arrangements had been delayed. First, the Master's Office had lost all the documents, necessitating their resubmission. Then the DWYPD had discovered that the approval of National Treasury was required before a trust could be registered. This was not given, trusts being a 'no go' for government due to the challenges they posed to accountability (PMG, 16 February 2021). As an alternative of sorts, a GBVF secretariat, separate from DWYPD, had been approved by the Department of Public Service Administration and National Treasury. Its purpose was to undertake research; monitor and evaluate GBVF interventions; provide policies and frameworks to ensure the coordination of responses; and consult with a range of parties, including in relation to the NCGBVF's legislative framework (Personal communication, DWYPD, 17 May 2021). To prevent loss of the available funds, the DWYPD had been permitted to advertise four positions from the budget earmarked for the NCGBVF (PMG, 16 February 2021).

While the webinar of June 2020 may have delayed the DWYPD's plans for a formal structure, it did not stop them from proceeding with a second, more informal arrangement focused on implementing the NSP: the NSP Implementation Collaborative.

### *NSP Implementation Collaborative*

In July the NSP Implementation Collaborative began meeting as a set of sub-groups organised around the six pillars of the NSP (NSP Implementation Collaborative, 6 July 2020). According to the home page of the Collaborative's website, it is 'an informal and voluntary platform, open to all stakeholders

involved in GBVF response in South Africa'. Participants are invited to join one or more of the six pillars closest to their interests and to collaborate with others around the implementation of priority interventions (NSP Implementation Collaborative, undated a). But as a subsequent communique calling for opposition to the establishment of the Board of Trustees noted, the NSP had not provided for such working groups. As a consequence, they functioned in the absence of a guiding structure, funding, and accountability framework (Call to Action, 2020).

From July to October 2020 the Collaborative met between two to four times per month, with the single meetings in November and December focused on evaluating the Collaborative. Once again, and despite its signal lack of success in executing the ERAP, the Rapid Results method was being utilised, its costs covered once more by UN Women. UN Women was also providing the services of a technical expert to support the Secretariat (PMG, 16 February 2021), with each pillar of the NSP Implementation Collaborative being provided with technical support by the DWYPD, as well as by a representative of one of the UN's entities (NSP Implementation Collaborative, undated b). In addition, the United Nations Office on Drugs and Crime (UNODC) had issued a call for a consultant to develop a National GBVF Prevention Strategy<sup>13</sup> - something not envisaged by the NSP either.

#### *Private sector funds*

One of the ERAP's goals was a multi-sectoral GBVF fund supported by the private sector and other donors. On 13 December 2019, the ISC approved the appointment of the South African Business Coalition on Health and AIDS (SABCOHA) to establish and manage the account intended for the private sector's donations. The appointment was controversial on at least two grounds. The first was in relation to SABCOHA's expertise and background, for whatever the organisation's experience in managing the business sector, this was in relation to HIV and AIDS (as its name suggested) rather than GBV. Second, the process of its appointment did not seem to have followed recognised procedure (Smout, 2020a; Special Assignment, 2020). Indeed, minutes in the public domain suggest that the appointment of SABCOHA was chiefly the decision of one of the ISC's co-chairs, the President's Special Adviser Olive Shisana, who had also suggested to SABCOHA that they change their name to reflect a GBVF focus. Although a representative of the National Treasury on the ISC pointed out that standard supply chain management processes guiding procurement had not been followed (Smout, 2020a; Special Assignment, 2020), some kind of appointment was made nonetheless: in February 2020 SABCOHA accepted a donation of five BMWs on behalf of the ISC. SABCOHA then disappeared quietly. When President Ramaphosa launched GBVF Response Fund1 on 4 February 2021, to which the private sector pledged R128 million on the day (Kippie, 2021), the management of the Fund was given as the International Women's Forum South Africa (GBVF Response Fund1, undated).<sup>14</sup>

#### *Section Conclusion*

When the report on the 2018 Presidential Summit celebrated how 'existing ways of organizing and planning State-led responses to GBVF [in South Africa] have also been disrupted – with #TheTotalShutdown movement' (Department of Justice and Constitutional Development n.d: 6) they did so without appreciating the extent to which disruption and instability have become the hallmark of state-led responses to GBV. This has seen plans developed on the basis of recommendation by the UN, to profile their own structures, to improve the state response, or to fulfil a sense of historical

mission. And while some plans never took shape, still others were started and then put aside. At the same time, shells disguised as structures appeared and disappeared – or, in the case of the NCGBV, were reinvented.

In different ways, these measures exhibit precisely those dysfunctions of the state that civil society organisations protest at. The ISC was constituted in ways that do not conform with legislative prescripts. The Board is not a form of organisation recognised by government, while the Secretariat was concocted to prevent the loss of funds for a NCGBVF that never came into existence when it ought to have. The NSP Collaborative is yet another structure not provided for and, while seeming to be chiefly operational, its accountability, powers and lifespan have no definition. An inter-ministerial committee is not accountable to parliament (Chipkin and Swilling, 2018), while the ISC declared itself unaccountable to parliament (as Section Two below will show). The DWYPD accounts to parliament while the entities of the UN and other donors account to no-one. Instead, they influence the machinery of the state in two ways. The first is through funding projects and consultancies, and the second is through offering expertise, a form of knowing that makes it possible to determine the substance and direction of documents and processes.

## **SECTION TWO POLITICS I: WHERE IS THE PROTEST?**

The establishment of the IDMT in 2000 was on government's instruction, while the justification for both the 2007 NAP, as well as the NCGBV, had been provided by UN structures and recommendations. In 2012, this began shifting, with the spur to action increasingly being provided by the potent affective charge of an individual life, rather than a recommendation by an august body. The catalyst was the gang rape of Jyoti Singh on a bus in South Delhi, India, in December 2012. Severely injured, Singh died on 29 December, igniting widespread, month-long popular protests across India. BBC journalist Andrew Harding, comparing the outrage generated by the death of 'India's Daughter' and the numbness of South Africans 'crippled by rape culture', wrote (2013):

In recent days commentators and campaigners here have looked, almost enviously, towards India, wondering what it might take to provoke a similar sense of outrage ... At a time when Indians are re-examining their society in the light of a single, horrific incident of gang rape, South Africa seems numb – unable to muster much more than a collective shrug in the face of almost unbelievably grim statistics – seemingly far worse than India's.

Six weeks later on 2 February 2013 17-year-old Anene Booysen was found dying at a construction site in Bredasdorp, Western Cape, the brutal injuries inflicted on her 'uncannily the same' (Munusamy, 2013) as those of Jyoti Singh – to the extent that '[T]heir names are now inextricably linked' (Swart, 2013). 'South Africa's daughter' (Munusamy, 2013), the victim capable of provoking a sense of outrage in South Africans, had appeared. And when the well-known South African Paralympian Oscar Pistorius killed 27-year-old Reeva Steenkamp on 14 February, Valentine's Day, the outcry intensified.

Levels of violence in South Africa were denounced as 'a national crisis' requiring a national commission of inquiry initiated by government, civil society and communities, with a mandate to create and support a Special Fund to End Violence Against Women (Sonke, 2013a), first estimated to cost R10 billion (Msimang, 2013) and subsequently adjusted to R1 billion annually (Sonke, 2013a). The ANC

Women's League stated their support for a commission of inquiry (Swart, 2013); an online petition created by Avaaz garnered over 57 000 signatures; and almost 40 organisations were reported to have rallied behind an initiative organised by the Sonke Gender Justice Network ('Sonke'), the Nelson Mandela Foundation, and the Centre for the Study of Violence and Reconciliation (Sonke, 2013b). On 27 February 2013, the date of the annual Budget Speech, 130 activists planned to hang women's clothing carrying the message 'President Zuma: Your budget can stop rape' (Sonke, 2013b).

These civil society efforts occurred within the context of a NCGBV that was not only limping and lacking in political legitimacy but also being competed with by the IMC. While these protest actions may have played a role in the IMC's decision to rush out its PoA, their effect was not immediate. Rather, it is to be seen in the GBVF Response Fund1 and the unwavering belief, shared with sections of the state, as well as the entities of the UN, that plans and structures possess the power to eradicate GBV. These plans, it has been argued, are a roadmap both aligning the country around a set of clear strategic priorities and creating an accountability mechanism for the performance of government, the private sector and civil society organizations (Stop Gender Violence: A National Campaign, 2017: 6).

### *The Stop GBV Campaign*

Sonke had been part of the NCGBV's brief life and sought to keep the project of developing a NSP alive after the NCGBV was retired by Minister Shabangu. In 2014 they convened a meeting of organisations to continue with the project of developing a NSP and initiated the NSP GBV Campaign which demanded a fully-costed, evidence-based, multi-sectoral, inclusive and comprehensive NSP to end GBV. Protests were organised around the country at the start of the annual 16 Days of Activism in 2014.<sup>15</sup> A series of 11 postcards addressed to Minister Shabangu, was developed<sup>16</sup>, each one featuring an account of someone affected by GBV. In May 2016, the campaign was broadened to focus on GBV broadly and renamed the Stop Gender Violence Campaign, with its coordination shifting away from Sonke to the Mosaic Training, Service and Healing Centre for Women. *The National Strategic Plan on Gender-Based Violence Shadow Framework* was launched on 25 October 2017 at the conference 'End it Now: Together in response to GBV and HIV' and was recognised as having contributed to the NSPGBVF (ISC, 2020: 22).

### *#MenAreTrash*

#MenAreTrash marked the growing use of social media to organise resistance to violence. Writer Rufaro Samanga (2017) dates the hashtag to conversations on social media in 2016 between women seeking to challenge emotional abuse in their relationships. Its impact was limited – until the discovery of 22-year-old Karabo Mokoena's body in a shallow grave in April 2017, burnt beyond recognition (Samanga, 2017). Mokoena had been murdered by her boy-friend Sandile Mantsoe, who had previously abused her. Her killing resulted in the hashtag going viral and provoking significant discussion (Samanga, 2017). The anger translated itself in other ways when ActionAid South Africa convened a meeting to discuss mobilising around this and other murders. The Facebook page *Sizimbokodo* was started<sup>17</sup> and a social media campaign, *The People vs Her*, organised during the annual 16 Days of Activism campaigns which concluded in 2017 (Personal communication, P. Mthethwa, 17 May 2021). While these may have been low-key campaigns, the networks they formed

and the mode of organising developed provided some of the initial scaffolding for #TheTotalShutdown (Khanyile, 2020).

### *#TheTotalShutdown*

#TheTotalShutdown's use of social media was novel, creating both a community and a constituency. For the very many women who shared their experiences via #IwillMarch, #TTS provided a valued community of support. These experiences served, in turn, to mobilise other women and create a constituency with a particular set of demands. In this way, #TTS also made political space for women who had not previously engaged around the politics of violence. These were important accomplishments. Asanda Benya, reflecting on her role in mobilising around the marches, notes that the women who initiated the call to march were initially unknown (Benya, 2018).

While #TTS marches may have resulted in a Summit and the promise of a plan and coordinating body, this plan and body were not sufficient to stop protest.

### *#AmINext?*

On 2 September 2019 a post office worker appeared in court charged with the rape and murder of 19-year-old Cape Town student, Uyinene Mrwetyana, setting off protests asking #AmINext? (IOL Staff Reporter, 2 September 2019). On 13 September hundreds of protesters gathered outside the Johannesburg Stock Exchange (JSE) for the #SandtonShutdown, the choice of name illustrating its links to #TTS. Three demands were issued: that businesses should speak out against GBV; that the criteria for companies listing on the JSE include a 2 per cent levy on profits and all listed entities to fund actions to combat GBV; and that all JSE-listed companies donate to the country's NSP on GBV (Matwadia, 2019). On 18 September, during a special sitting of parliament, the President announced the ERAP, as well as the creation of a fund (DWYPD, 2020). An idea first floated in 2013 had finally found its form.

These politics of protest had been looping and threading together, growing combinations of actions, people and structures, which coalesced in their most concrete form through the #TTS. Yet, even as #TTS was solidifying, so struggles emerged from within. At stake was who these processes represented – and by extension, who really represented women, which women were the rightful subjects of struggle, and whose interests shaped and determined the agenda.

## **SECTION THREE: POLITICS 2: BAD BLOOD AND BEYOND**

Contestation is an important and necessary component of feminist politics, for women are not a homogenous category and no one group can claim to speak on behalf of all women everywhere. The goal of this section is not to reduce these complexities to bad blood, but to highlight how practices of exclusion and inclusion can become constitutive of this governance machine.

### *Marching towards the ISC*

One of the most overt and visible of these conflicts was that between #TTS and the ANC Women's League (ANCWL), as well as its Young Women's Desk. Given how the ANC was seen to have failed

women, and the ANCWL to have supported Jacob Zuma, rather than 'Kwezi', his rape accuser, in the 2005 trial, the #TTS rejected the Young Women's Desk's decision to participate in the march wearing ANC regalia. In response, the ANCWL and the Young Women's Desk organised a separate march to Luthuli House, the ANC's Johannesburg headquarters (Ntuli, 2018). The opposition to the ANCWL extended itself into the state. While the Ministry of Women might have seemed the obvious home for planning around the 2018 presidential Summit, its Minister was Bathabile Dlamini, president of the ANCWL and a vocal defender of Jacob Zuma. As a consequence, the process of planning the Summit was made the responsibility of the Department of Justice (ISC GBVF, 18 March 2020). Later, when Dlamini appeared at the #SandtonShutdown in September 2019, she was heckled by protesters and told to leave (Ho Hip and Citizen Reporter, 13 September 2019).

The Summit was itself the site of protest, picketed by the Gauteng Community Healthcare Forum and Simunye Women's Forum (Ebrahim and Moosa, 2018). This too was the outcome of divisions already in evidence by the time of the march when #TTS was criticised for its class, urban and social media bias (Benya, 2018; Reddy, 2018; van Driel, 2018b). The decision to go ahead with the marches on 1 August, despite the date coinciding with the payment of social grants, was taken as evidence of this bias (Benya, 2018). Other questions about the democracy of the #TTS movement and how leadership and decision-making became centralised at the time of the August marches (Benya, 2018) were to become even more insistent during the life of the ISC. The creation of a movement through Facebook was also to illustrate a different difficulty: the tenuousness of links forged through social media by women who did not know one another. These links soured later into rancour and hostility, generational conflicts and disputes over who was the true feminist subject (Makwakwa, 2020).

Division was also racialised. According to two members of the ISC (who had been part of the national committee for #TTS), the GBV space had been dominated by white women as the experts in the space for many years. And yet: 'We have had money pumped in by foreign donors into GBV. We have had all sorts of interventions, but they have not been able to deliver' (Doble, Mpofo and Mukomana, 2020: 18; see also Makwakwa, 2020; ISC GBVF, 18 March 2020). In the face of this failure, the assertion was that it was time for black women to lead.

These divisions made their way into the ISC.

### *The ISC*

The CGE had interviewed government officials about the NCGBV in 2014, observing them to be 'reluctant' and 'fearful' of the consequences of revealing information that appeared critical of their political principals, or placed government activities in a bad light (CGE 2014: 8). Nonetheless, interviews went ahead on condition of respondents' anonymity. In 2019, the CGE was unable to conduct any interviews with members of the ISC.

The CGE had been offered an observer's position on the original NCGBV and were offered this position again on the ISC. Not wanting to influence the processes they were studying, the CGE sought permission to observe ISC meetings as part of their research. But in February 2019 their permission to observe as researchers was revoked. The CGE subsequently sought to interview members of the ISC to understand its processes and workings. Yet, again, they recorded fear of incurring the displeasure

of powerful others – but this time from both government officials and organisations’ representatives, and to the extent that no-one would consent to be interviewed without first receiving the permission of the co-chairs (CGE, 2020: 8). Individuals who had not formed part of the ISC but who had knowledge of its processes were then approached. They too were described as ‘often fearful’ (CGE, 2020: 8). And while the CGE wrote to the co-chair of the ISC, the President’s special advisor, Professor Olive Shisana, requesting permission to undertake the interviews and research, no response was ever received from her (CGE, 2020). The Chief Executive Officer of the CGE eventually wrote to the Presidency about their difficulties (Smout, 2020b):

The issues that arose during this study [on the ISC] (especially the obstructions and lack of cooperation from the Members and the leadership of the Interim Steering Committee on GBV) were of such a serious nature that they boarded [sic] on the obstruction of the work of a Chapter 9 institution.

Shisana denied being obstructive, stating that meetings had always been open to the CGE – of which only one had ever been attended (ISC GBVF, 18 March 2020). But this sidestepped both how the CGE had sought to keep their observer status separate from their research role, as well as Shisana’s failure to reply to their correspondence.

The Institute for Security Studies was more fortunate in securing a few interviews. In total, 13 people participated in their study examining how the NSP GBVF was drafted, with individuals approached based on their membership of one of three groups: those integrally involved in processes; those on the fringes; and those deliberately excluded (such as men’s organisations) (Doble, Mpfu and Mukomana, 2020). One of the themes explored in the study dealt with membership of the ISC, specifically who was heard and who silenced. Participants with education, experience and social capital were perceived to exercise more influence, while those described as ‘politically connected’ were most influential of all. Said one participant (Doble, Mpfu and Mukomana, 2020: 4):

I often observed and watched the body language when people formed alliances and cliques and walked out of the meeting facility and engaged outside and came back and spoke [as if] they knew what they were doing and they were in the position to make a decision and then come and share it with the rest of the committee. Decisions were made and we were being informed about it afterwards, so there wasn’t a democratic process.

Fear of speaking openly emerged again, but this time also couched in the language of bullying (Doble, Mpfu and Mukomana, 2020: 19)

At some point, you know there were things that you could observe which really reflected some bullying within the structure and also some of the people sitting there not being able to call each other into order.

This fear was attributed to reluctance to ‘rock the boat’, as well as fear of incurring government’s displeasure, given organisations’ dependence on its funding. But there were also donors present in the meetings; questions about the extent to which they were advancing their particular agendas were

also raised (Doble, Mpfu and Mukomana, 2020). (This likely referred to those listed by the ERAP as development partners – GIZ and the UN entities.)

Questions about access to information emerged beyond the ISC during a colloquium on violence against women and children organised in November 2019 by the Open Society Foundation of South Africa (OSF-SA), which included a range of organisations, some representatives of the ISC, and the #TTS (OSF-SA, 2020). In the same month, a joint meeting of a range of parliamentary Portfolio Committees postponed their engagement with the ISC when the NSP GBVF was not submitted as requested (Parliament of the Republic of South Africa, 19 November 2019). The Portfolio Committee on Women, Youth and Persons with Disabilities later describing their invitation as having been met with ‘disdain’ by the ISC (Parliament, 4 March 2020). This was followed by a second press release in early March 2020 in which the Portfolio Committee on Women, Youth and People with Disabilities expressed their concern over the lack of access granted to the CGE to carry out its research (Parliament, 4 March 2020). A journalist described no less difficulty in securing information – especially in relation to SABCOHA – and reported being threatened as well as targeted on Facebook (Smout, 2020a; 2020b).

Information is a resource and form of currency. As such, it is constitutive of an economy, with its supply and distribution a way to trace networks and flows of power. Information, however, was only one currency being brokered in the economy surrounding GBV.

### **The economy of GBV and its power flows**

Crisis has provided a powerful logic for expanding the economy around GBV and made its first appearance in 2013 with the call for the Special Fund to End Violence against Women (Sonke, 2013a). In 2018, the Summit too declared GBV a national crisis, as does the NSPGBVF. Crisis was the logic that materialised the R1.6 billion allocated to the ERAP and the R128 million created by GBVF Response Fund1. The ISC saw the purpose of the multi-sectoral fund that SABCOHA had been earmarked as enabling a particular distributional regime (ISC GBVF, 18 March 2020):

To ensure equitable distribution of resources to deserving civil society organisations by disrupting the monopoly to such funding by limited participation of established and well-resourced NGOs and individual consultants.

‘Deserving’ is a moral evaluation of who is worthy of assistance, especially when used in the context of distributing public resources. In the quotation above it serves to delegitimise some, while simultaneously converting others to supplicants who must prove their worthiness. And it places still another group in the powerful position of making decisions that reconfigure the sector. While the later call for nominations to the Board of Trustees dropped references to ‘deserving’ organisations, it nonetheless retained the function of coordinating plans for the equitable distribution of resources for the Board (DWYPD, undated). The distributional regime underpinning the GBV economy ought to be fair and just, but who is to determine how these principles are made operational is a more difficult question. This is illustrated by the politics of bad blood crystallised by the donation of five cars to the ISC, an episode that also usefully delineated what was at stake.

On 6 February 2020 BMW donated five electric cars to the ISC, with these intended to support community organisations at the forefront of attempts to address GBV. The donation was contentious from the outset, prompting criticism on social media (IOL Staff Reporter, 2020), an investigation by the investigative television programme Special Assignment in November 2020, with questions about the cars still being asked in March 2021 (Smout, 2020a; Smout, 2020c; Special Assignment, 2020; IOL Reporter, 2021). More immediately and two days after the handing-over ceremony, two members of the ISC, who had also played a leading role in #TTS, livestreamed a video via Facebook entitled 'Right to Respond from That Generation, your "fake feminists"'. This was in response to 'being dragged' on social media (Makwakwa, 2020).

Central to 'Right to Respond' were this economy's resources, such as information, position, the BMWs and funding; what work was thought worthy of these goods; how these goods were to be accounted for; as well as who performed the work meriting reward, summed up in the injunction to critics to 'do the f... work' before complaining (Makwakwa, 2020). The following month, in early March 2020, the #TTS publicly distanced itself from its representatives on the ISC. The #TTS members wrote that the CGE and the parliamentary committee's statement had validated their concerns, for they now perceived themselves to be entirely excluded from the decision-making shaping South Africa's response to GBV, despite having set in motion the processes establishing the ISC. Efforts to obtain information from their putative representatives had been met with hostility; some #TTS members alleged that they had also been on the receiving end of personal threats and 'elaborate gaslighting' on social media ('Right to Respond' likely being an example of what they meant by this). Further, they continued, 'our concerns were dismissed as simply being driven by ego or concerns for positions, and our lack of resources were (sic) often cited.' Further, they alleged that these former representatives had, in fact, and unknown to them, started a new organisation called The Wise Collective (Total Shutdown, 5 March 2020).

Questions about work and its recognition emerged in a different way during the final December 2020 session of the NSP Implementation Collaborative. Organisations and individuals repeatedly noted that they did not have the funds to implement the NSP, which drew on their resources in a range of ways – including in relation to time. They observed their labour over the six months of the Collaboration to have been neither acknowledged nor valued by government (NSP Implementation Collaborative, 10 December 2020).

### *Section Conclusion*

Long constituting the outside to this machinery of governance, women's organisations and other formations have increasingly inserted themselves inside of it through a series of protests addressed to the state. These protests have elevated GBV as a matter of public concern and expanded the space for participation in its redress. However, they have also contributed to the proliferation of plans and structures, and created further enmities and exclusions, within the GBV sector. In their own way, these fissures and fragmentations, like the battles in the state, undermine the prized ideal of working together to end GBV. Like the battles in the state, these hostilities frequently centre around the GBV economy and its industry. The paradoxical result is that projects aimed at undoing hierarchical relations of power between men and women have the unintended effect of also provoking power struggles between women.

## SECTION FOUR: CONCLUSION

Violence, and the ways it is gendered, have long constituted a serious problem in South Africa. In 2000, Cabinet set up the first coordinating structure tasked with developing a plan to combat this violence. From 2011 onward, these plans and structures, understood as tantalising solutions to ending men's violence against women, have increasingly acted to focus and organise a series of dreams and schemes in the cracks of the state. The result has been an expanding apparatus of governance around GBV – a method of arranging power relations between government departments, between government departments and donors, between donors and women's structures, between women's organisations and other formations, between women, and between the state, the private sector and women's organisations. The permutations are endless and derive from construing the problem of violence as one whose solution lies in the management, coordination, supervision and measurement of ever-increasing numbers of processes and institutions.

Contrasting with these managerial processes, are the fragments of lives that condense across time and space to create dense compositions of absence and loss. The anger and grief they summon have been given form and expression through popular protest which increasingly demonstrates the power to bring the state to heel – but not in ways that disturb the assembling and reassembling of the processes and institutions constitutive of the ongoing life of the machine. In this respect, there is complete concordance between women's organisations, protesters and other formations. While the struggle may be over the substance and leadership of these processes, there is no fundamental disagreement around the need for an apparatus of governance. Yet these calls for plans and structures are founded in a set of generic – even formulaic – prescriptions that ignore the current state of the South African state. Indeed, this series of prized plans, designed to display functionality, purpose and effectiveness represent only the appearance of these properties, not their action. They are mimics, symptomatic of all the problems they aspire to fix – hasty, ad hoc institutional design; unaccountable structures and institutional arrangements; and wasted endeavour. Their rationales are competing: ending men's violence, vanquishing rivals, excluding competitors, reconfiguring sectors, monopolising the machinery of the state, and brokering the GBV economy.

The structures and plans that visibly form this machine are congenitally failing endeavours. Yet this failure is not interpreted by the actors involved as warranting consideration of the very value of these processes and institutions. Instead, their failure provides the condition for yet another round of plans and structures. These map ghostly outlines, and reinvent and abandon their discards and remnants – all the while accreting habits, systems and histories that enable some actions but render others more difficult or even impossible to imagine. The result is a perpetual motion machine simultaneously congealed in the all-absorbing messiness of its repeated and multiple power struggles.

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#### NOTES

<sup>1</sup> This list was compiled from the organogram provided by the Commission for Gender Equality's (CGE's) 2020 report on the work of the Interim Steering Committee.

<sup>2</sup> Parts of this section draw on research published in Vetten (2015).

<sup>3</sup> This figure is extracted from the DSD's 2013/14 Annual Report.

<sup>4</sup> This figure is from the DSD's 2014/15 Annual Report.

<sup>5</sup> Initially calculated as R4.8 million, the budget for output 1 more than doubled to R10.28 million following a request by the DWCPD for additional funds to support the Council. It may reasonably be inferred that at least R5 million of this amount was spent on the following activities: appointment and remuneration of a CEO and administrator to the Council; coordination costs for the Council; the organisational capacity assessment; review of the NAP; and conceptualisation of the Vikela Mzansi campaign. This amount also included the R600 000 paid to the HSRC for the literature review intended to inform the national strategic plan, as well as the initial planning for the provincial consultations before these were put on hold. The review of Safer South Africa notes that the HSRC also obtained additional funds outside of the Safer South Africa programme for the provincial consultations. What this additional support amounted to, and whether or not it was actually paid, given the cancellation of the consultations, is unknown.

<sup>6</sup> This figure was extracted from the DSD's 2014/15 Annual Report which records UNICEF paying for technical support to the IMC in developing the PoA.

<sup>7</sup> This figure has been extracted from the DSD's annual report for 2014/15 which lists UNICEF as paying R1.4 million for the structural determinants and root cause analysis report.

<sup>8</sup> The DWCPD's Annual Report for 2013/14 lists two amounts provided by UNFPA for 'a work study on violence against women', with the first amount given as R228 000 and the second as R737 000

<sup>9</sup> Men could not join the group. This was to ensure women were able to speak freely of their experiences.

<sup>10</sup> One of these had been to establish 'femicide watches' intended to improve and develop measures preventive of this violence (UN Human Rights Council, 2016). Such a 'Femicide Watch' was initiated by the Department of Justice and Constitutional Development in 2018 (see <https://www.justice.gov.za/vg/femicide/index.html> accessed 25 July 2021).

<sup>11</sup> The CGE however, counted up to 70 persons at one point (CGE, 2020a).

<sup>12</sup> See Terms of Reference, undated, issued by UN Women: *Consultancy, Lead Technical Advisor on Gender Based Violence to the Presidency of South Africa*. (Closing date for applications 7 March 2019).

<sup>13</sup> See Terms of Reference, undated, *National Gender-Based Violence and Femicide (GBVF) Prevention Strategy and Framework of Action*.

<sup>14</sup> See the website of the GBV Response Fund, <https://www.gbvfresponsefund1.org/> accessed 20 July 2021.

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<sup>15</sup> For a selection of images, see <https://genderjustice.org.za/photo-gallery/mobilising-for-a-gbv-nsp-across-sa/> accessed 30 April 2021.

<sup>16</sup> For the postcards addressed to the Minister, see <https://genderjustice.org.za/publication/postcards-calling-for-a-national-strategic-plan-to-end-gender-based-violence/> accessed 30 April 2021.

<sup>17</sup> See <https://www.facebook.com/Sizimbokodo/> accessed 20 July 2021.