

## EXPLORING “*USUKU LWABESIFAZANE*” – 67 YEARS LATER AND 29 YEARS INTO A DEMOCRATIC SOUTH AFRICA.

BY THABELO MANENZHE, 08 SEPTEMBER 2023

In the mid-1900s, at the peak of the “*Grand Apartheid*”, the people’s lives were regulated through the colour of their skin. The apartheid government had implemented mandatory “*pass laws*” to control the flow of black men between urban and rural areas. Women had been somewhat impervious from the system of “*passes*” that governed their “menfolk’s” movements. Be that as it may, within the 1950s, the ruling government at the time, sought to implement and enforce these “*pass laws*” on black women.

In response thereto, a mobilisation of women from different cities and rural areas swiftly took place on a very large scale with an estimated 20,000 women staging a march on the Union Buildings in Pretoria in protest against the proposed “*pass laws*”. The myriad women comprised of beves in African in traditional dress, others in the Congress colours (i.e., green, black and gold), with beves of Indian origin clothed in white saris – a huge mass of women displaying discipline and dignity throughout the demonstration.

Prime Minister Johannes Gerhardus Strijdom was not there to see the women or hear them out. The women insisted that the demands be considered at the least and as such, the leaders left the huge bundles of signed petitions outside Prime Minister Strijdom's office door. Even when the petitions were removed before the Prime Minister bothered to look at them, one of the leaders of the march, renowned struggle activist, uMam’ Lilian Ngoyi suggested a masterful tactic – the huge crowd stood in outright hush for a full half hour and before leaving, again in exemplary fashion, the women sang ‘*Nkosi sikeleli Afrika*’.

uMam’ Albertina Sisulu, considered a pillar of strength to the entire liberation movement, is quoted recalling the events of that day saying:

*“I could not believe it when I arrived. There was a sea of women, a huge mass, oh, it was wonderful. We were so excited. We couldn’t believe we were there, and so many of us [...]*

*Twenty thousand women singing 'Nkosi Sikeleli Afrika', you should have heard the echoes in the Union Building.*

*There was nothing like that sound, it filled the world. Then we sang a song of the women, Strijdom, wathint' abafazi, wathint' imbokodo, uzakufa – Strijdom, you have tampered with the women, you have struck a rock, you have unleashed a boulder, you will die".*

The phrase "*Wathint' Umfazi, Wathint' Imbokodo*" was then coined as the battle cry of South African women.

In remembrance of the 1956 Women's March, National Women's Day, known as "*Usuku Lwabesifazane*" in IsiZulu, is now a prominent South African public holiday celebrated annually on 9 August.

It has been 67 years since about twenty thousand women marched to the Union Buildings on 09 August 1956 in protest against the apartheid laws at the time and the impact thereof on women. However, the envisioned effect in coining "*Wathint' Umfazi, Wathint' Imbokodo*" in 1956 as the battle cry of South African women vis-à-vis the actual effect in 2023 leaves so much to be desired.

In 2023, South Africa is known for having one of the highest rates of femicide in the world. A study by The Gender & Health Research Unit (GHRU) of the South African Medical Research Council reported that in 1999, four women were killed every day by their husband or boyfriend (intimate partner), and in 2009, three women were killed every day by their intimate partner. It is further estimated that 2,407 women were murdered in South Africa in 2017 with an estimated 1033 of these murders committed by an intimate partner. Intimate partner femicide continuously plagued the country with 988 women killed in domestic violence in South Africa between April 2020 and September 2022.

It can be said that the phrase, "*Wathint' Umfazi, Wathint' Imbokodo*" has not aged well. It has become antithetical to the average South African Women, having regard to prevalent issues faced by women, in particular femicide and gender based violence in South Africa. It is facetious bordering on fallacy worsened by the government's let-downs in dealing with Gender based violence and femicide.

South African women are thus still confronted by a different form of “*pass*” that governs their movements – the scourge of gender based violence and femicide. Women have higher unemployment rates and higher levels of poverty making them economically vulnerable to gender based violence and femicide. Studies show that Black African women are the most vulnerable with an unemployment rate of over 30%. Studies further showed that, in 2019 and 2020, more than four in every ten young females aged fifteen to thirty-four were not in employment, education or training. This is unnerving as the prevalence of physical violence has been proven to be greater amongst less educated women than those with secondary education or higher education.

When asked what we should be doing to curb the abuse of women in South Africa, the late Dr. Ruth Segomotsi Mompati, one of the leaders of the Women's March on 9 August 1956 has this to say”

*“[...] I think it is not a question of what we should be doing as women. It is what should our country be doing as a country particularly a country that was liberated by both men and women. We need to stand up and see to it that what is happening really comes to an end.[...] I think sometime freedom loves wrong [...] we need to look at the freedoms that we have given to our people. We need to see what we can do to guide the way these freedoms are being interpreted or are being applied.”*

The issues of gender-based violence and femicide are severely debatable, however it is important to have these arduous conversations. There is a continuing lack of awareness of gender-based motivations for the murder of women among police and other entities required to address these cases, as well as failure to prioritise these cases.

The South African government has declared gender-based violence a national crisis even going as far as describing femicide as a pandemic. In September 2019, President Cyril Ramaphosa announced measures to tackle violence against women following a string of femicide cases. Funds were pledged for purposes of strengthening the criminal justice system and to provide better care for victims. The legislature was also implored to intervene on their end - firmer bail conditions for perpetrators were recommended with amendments to the minimum sentences prescribed for criminal offences to be effected as a deterrent.

The Department of Women, Youth and Persons with Disabilities further gazetted a bill for the establishment of the National Council On Gender-Based Violence and Femicide (“The Council”), which will be responsible for providing strategic leadership in the prevention of, and response to, gender-based violence and femicide in South Africa.

The Portfolio Committee on Women Youth and Persons with Disabilities was scheduled to be briefed by the Department of Women, Youth and Persons with Disabilities on the written responses and oral submissions received on the National Council on Gender Based Violence and Femicide Bill on 29 August 2023. The Department held another meeting on 05 September 2023 on responses to the written and oral submissions received regarding the Bill and establishment of The Council, however, the minutes of this meeting, though highly anticipated, are not yet available.

The findings of this meetings may need a bowl of popcorn and perhaps a stress ball as the establishment of The Council has already been met with a great deal of criticism. Action Society voiced views that the establishment of The Council is a path to more wasteful expenditure.

There is some truth to the submission that the establishment of The Council is a path to more wasteful expenditure and a fruitless exercise because we have been here before. A 365-day national action plan to end gender violence was launched in 2007. An anti-GBV council was established in 2012 to manage the action plan, however, it collapsed as a result of a lack of funds and government representation. We also have the *End GBVF Collective* and *GBVF Response Fund*, both of which are voluntary bodies. The Funds pledged by President Ramaphosa in 2019 are also unaccounted for – R 1.6 billion was set-aside to fund a six-month initiative to assist gender based violence victims in obtaining legal support as part of an action plan for immediate solutions in the prevention of the gender based violence and femicide. A national strategic plan on gender-based violence and femicide is already in place, and a national task team on GBV should be enough to tackle the scourge.

Whilst we appreciate that the issues are “recognised”, the words of Loyiso Saliso, one of the founders of the *#TotalShutdown* movement, that “*we have a government with a PhD in drafting advanced policy, but an allergy when it comes to implementing it*” come to mind. The government continues to introduce and set-up all these structures, while numerous women continue to be severely assaulted daily in South Africa while others die in GBV-related incidents.

In instances of rape, a victim is required to avoid washing his or her body until evidence such as blood, sweat, hairs and semen is collected with a rape kit (also referred to as a sexual assault kit). A rape kit exam is an evidence collection process that can last up to four hours, and involves getting poked, prodded, swabbed and photographed to collect evidence. The evidence collected by a rape kit is the most reliable and conclusive evidence of rape and sexual assault – literally the difference between justice and a criminal getting off scot-free.

In any event, the quest to justice in instances gender based and non-gender based violence is *ab initio* rigged to the victims' detriment. Firstly, when a victim goes to the police station to report the crime, he or she is at risk of getting raped or violated by the officers meant to provide assistance. There are also reports of shortages of rape kits as well as difficulties in accessing evidence collection kits. In August 2022, *Carte Blanche* published a video on its investigation as to why a majority of police stations in South Africa have no rape kits available. Even when rape kits are available, massive backlogs in DNA testing have been reported. Additional backlogs in the finalisation of rape and sexual assault trials has been attributed to the Judiciary. Reports of victims being murdered by perpetrators despite Protection Orders are also common.

One may think that these atrocities are in the past and that progress has been made in at least managing this plight. Sadly, just a week ago (early September 2023), a middle-aged women with severe injuries incurred following an assault and rape, waited six hours for medical assistance while bleeding heavily in Lerato Park, Kimberly.

The sentiments of Ngaa Murombedzi, a women rights activist from advocacy group *Women and Men Against Child Abuse*, are echoed - "...only justice and the swift prosecution of cases will demonstrate the government's commitment to women's safety".

Numerous well-researched measures that should be implement have been recommended over the years. These include the establishment of a public crime data-base; the development of intergrated management of cases between the South African Police Services, the National Prosecuting Authority and forensic pathologist; effective monitoring of case dockets to ensure thorough and timeous investigation; a central data-base of DNA specimen collected noting that notes the number of instances where the DNA collected is implicated, and harsh repercussions on officials who are

negligent in attending to these matters or fail to meet the standards required of an official in these matters.

Accountability, responsiveness and openness are foundational values provided for in The Constitution of the Republic of South Africa and in this instance the government has responded only partially and ineffectively thus failing to live up to its constitutional mandate.

Effective measures can and must be visibly implemented, continuously, on the surface with tangible results to be produced and recorded.

It would be of immense benefit for us, as a people, to ignite in ourselves the fire that the women in 1956 had - to adopt the spirit of Lilian Ngoyi, Helen Joseph, Sophi Williams and Rahima Moosa and shout out a new song coining a different battle cry: *"Sekuyisikhathi eside singamatshe, Koze Kube Nini? Kwanele! Asikufuni lokho"* [We've been rocks for a long time. Until when? It's enough! We don't want that].

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**END**

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