
Women represent 42.3% (169/400 seats) of the national legislature. In 2009, women made up 41% of Cabinet Ministers.

South Africa is a leading economy in the region. GDP (2011): $562.2 billion (USD); Real Growth Rate 3.1%

Women have higher enrolment in secondary (65% vs. 59%) and tertiary (56% vs. 44%) education. There is gender parity in primary enrolment.

Women have a slightly lower literacy rate than men.

Women are underrepresented in the labour market (48% compared to 61% participation for men).

On average, women earn 72% of men’s income.

While access to benefits is limited across the board, women have less than men.

Women account for 31% of agricultural workers. They predominate in seasonal and part-time agricultural labour.

50% of rural households are female-headed. Only 13.3% of land redistribution and tenure reform beneficiaries have been women.

Despite matrimonial property law reform, customary laws reflecting traditional gender patterns are still followed in some areas.

Legislation is in place to promote equality in parental rights and responsibilities, such as the Children’s Act of 2005 and the Maintenance Act of 1998.

Women still have primary responsibilities for care work, and have sole access to extended parental leave.

With a Gini Coefficient of 63.6%, South Africa has higher income inequality than many of its less wealthy neighbours.

17.4% of the population live on less than $1.25 per day.

South Africa is ranked 9th out of 79 countries on the Global Hunger Index.
| HEALTH | • The Government provides free maternity care and unrestricted abortions. However, marginalized women and those in rural areas have difficulty accessing abortion services and the maternal mortality rate is 310 (out of 100,000 births).
• Adolescent fertility rate is 50.43 (per 1000 females aged 15-19); the birth rate per 1000 people is 17.23.
• 5.6 million people (17.8%) have HIV/AIDS. 62% are women. |
• In 2011, there were 180,537 reported assaults on women.
• It is estimated that 1 in 3 women will be sexually assaulted in their lifetime; 1 in 4 will be physically assaulted by an intimate partner. A national task team has been established to address LGBT rights abuses and the practice of corrective rape. |
| CLIMATE CHANGE | • Climate change is already amplifying seasonal weather patterns, with impacts on agricultural production and other resource-based activities.
• The Government of South Africa’s policy work to date on climate change has been notably gender-blind. |
| CIVIL SOCIETY AND WOMEN’S MOVEMENTS | • The Constitution of 1996 establishes freedom for civil society organization and activity.
• Civil society in South Africa is highly heterogeneous and represents a wide range of interests; however, organizations experience financial constraints on their activities. Women’s movements in South Africa are well established and connected to a broad range of issues. |

INTRODUCTION

South Africa (population 51.7 million\(^1\)) has the largest economy in sub-Saharan Africa, and is seen as a regional leader in many aspects of economic and social development. Since the end of Apartheid in the mid-1990s, South Africa has adopted one of the most progressive constitutions in Africa. However, despite strong formal legislative mechanisms, South Africa has had difficulty enacting its gender equality policies, and societal attitudes and behaviours have been resistant to change. Women in South Africa continue to struggle for equality in the labour market and for access to land and resources. South African women have higher rates of poverty than men, and their lower economic status has implications for their ability to access to health care and other social security provisions. Moreover, women’s subordinate social position leaves them vulnerable to violence and discrimination, particular where gender intersects with racial and class hierarchies.
FORMAL INSTITUTIONAL CONTEXT

South Africa has ratified the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW)\(^2\). The South African Constitution of 1996 entrenches “non-sexism” and “non-racialism”, as founding values of the Republic. It also established the Commission for Gender Equality to promote the protection, development and attainment of gender equality, including monitoring legislation, policies and practices to ensure a legislative framework the promotes gender equality and women’s empowerment. The Commission is responsible for proceedings and litigation in equality courts on behalf of the public\(^3\).

In 2009, the Ministry for Women, Children and People with Disabilities was created. The purpose of the Ministry is to facilitate gender mainstreaming in the government’s activities, and to oversee and report on the status of women’s rights and the progression towards equality. The Women’s Programme has a small operating budget and nine staff members; the Commission has 106 staff\(^4\).

Currently, a Bill for Women’s Empowerment and Gender Equality is open for public comments. This Bill seeks to establish the legislative framework that would substantiate the Constitution’s position on gender equality, including provisions such as affirmative action, socioeconomic rights and precedence of the Constitution over customary laws\(^5\).

The Traditional Courts Bill, which was scrapped in 2008, has been reintroduced and is currently before the National Council of Provinces (NCOP). Proponents of this Bill argue that it will align traditional courts with the Constitution. Critics argue that it will create a dual system of justice, reinforce historic racial lines, and deny the marginalized full access to their Constitutional rights. In particular, rural women and the LGBT community are at a severe disadvantage before traditional courts, which tend to follow traditional gender norms. Despite extensive criticism, the Government has continued to push the Bill through legislature\(^6\).

A Bill for the Protection of State Information, currently before the NCOP, is drawing considerable criticism. It is argued that the Bill will obstruct citizens’ right to a transparent and accountable government, while entrusting the power to classify information in the hands of those who could benefit from non-disclosure. The latitude the Bill gives to the interpretation of ‘national interest’ increases the potential for masking human rights abuses by the state or its agents\(^7\).

REPRESENTATION

Women represent 42.3% of the national legislature\(^8\). In 2009, women made up 41% of Cabinet Ministers and 39% of Deputy Ministers. In 2006, women were elected to 40% of local government seats. In the public service, only 28% of permanent secretaries/director generals are women at the national level. At the
provincial level, women hold 44% of these positions. Within the civil service, women make up only 34% of senior managers, 30% of the judiciary, and 36% of ambassadors. In state-owned companies, 35% of director and 31% of executive manager positions are held by women. Should the Women’s Empowerment and Gender Equality Bill pass, all government entities will be required to develop measures to achieve 50% representation.

**ECONOMY**

South Africa is a leading economy in sub-Saharan Africa. In 2011, its GDP was $562.2 billion (PPP), with a real growth rate of 3.1%. Services represent two thirds of its GDP, with industry making up most of the rest. Unlike many of its neighbours, agriculture contributes only 2.5%. While its GNI per capita is listed at $11,100, this number masks high income inequality.

**EDUCATION**

Overall, women have a slightly lower literacy rate than men (87% vs. 91%). School enrolment rates are close to or above parity for primary (0.96) and secondary (1.05) level. Though completion rates are difficult to find for any level, on average, women have only slightly fewer years of education (11.75 years vs. 11.83 years). According to the Department of Basic Education, of the 265,244 female students who wrote the National Senior Certification exam, 68.6% were successful, compared to 71.9% of the 230,846 male students. Racial differences are an important factor in educational attainment: Black South African females have the highest percentage of no education (12.1%); Indian/Asian and White South Africans have high school completion rates at least 10% higher than for other groups, though gender differences are small at that level.

**LABOUR FORCE**

South African women are underrepresented in the labour market. For every 100 employed men, there are 77 employed women. On average women earn 72% of men’s income. While access to work benefits in South Africa has declined across the board, women continue to have less access than men. In 2011, 28.4% of women were eligible for paid leave and 23.4% were eligible for Unemployment Insurance, compared to 37.3% and 33.7% of men. Less than 20% of women had pension benefits, compared to 27.8% of men, and only 13.8% of women had medical aid, compared to 17.9% of men.

The most recent Quarterly Labour Force Survey finds that women’s unemployment (27.5%) is greater than men’s (22.8%). Since 2006, however, men’s unemployment has risen at a faster rate than women’s. It is important to recognize that race and age are important factors in determining labour market
outcomes. Notably, the unemployment rate for Black women (32.5%) is higher than for any other group, and 5% higher than for women on aggregate. Young people are more likely to be unemployed overall, but within age brackets, young women have higher unemployment than young men, though older women have higher employment than older men. There is also an important gender pattern in unemployment rate by level of education: as education level increases, women fare worse than their male counterparts.

The informal sector is a considerably smaller source of employment in South Africa than it is for many of its neighbours. Informal sector employment has been contracting, losing 128,000 jobs between 2011 and 2012. Overall, men outnumber women in the sector (1,243,000 to 824,000); however, there are more women in informal community and social services than men. The informal sector is dominated by Black South Africans (87%).

AGRICULTURE AND LAND TENURE

Agriculture contributed 2.5% to the GDP in 2011 and accounts for 4.74% of employment. Women account for 31% of agricultural workers. In skilled agriculture jobs, 32% are women, who have a median job tenure of 16 months, compared to 40 months for men. Women predominate in the seasonal and part-time labour force. They generally do not have independent labour contracts, and their access to agricultural work is often tied to that of a male relative, usually a husband. Women’s participation in agricultural research and higher education is growing, however. In 2009, women accounted for 41% of professional staff in the eight largest agricultural research and higher education agencies, and 62% of agricultural science students.

The purpose of land redistribution programmes is to improve equitable access to land and resources, and make restitution for past policy. These programmes are supposed to prioritize the marginalized and women in need. In a 2009 paper, the Commissioner for Gender Equality found that the Department of Rural Development and Land Reform had yet to systematically monitor beneficiaries and was thus unable to determine the overall impact of land reform on women. According to the data available, in 1999, 31% of grants went to female head of households. Later studies found that the programme had been less effective. Reporting to CEDAW in 2009, the Government of South Africa estimated that only 13.3% of Land Redistribution and Tenure Reform beneficiaries were women. In rural South Africa, 50% of households are female-headed.

New programmes, such as the Land Redistribution for Agricultural Development and the Comprehensive Agricultural Support System, are meant to increase women’s access to land by establishing a quota on female headed-households and encouraging women-only projects. However, the Department of Rural Development and the Land Reform Annual Performance Plan 2012-13 only mentions women briefly in the preface as a key target group.
FAMILY

Norms and practices on family property that discriminate against women are prohibited by law, but there remain important gaps between statutory and customary laws. Despite matrimonial property laws, many marriages continue to follow traditional patterns of gendered control over resources and decision-making. Patrilineal land tenure is often maintained under the Communal Property Associations Act, whereby chiefs deny women access to communal land and maintain property inheritance in the male line, placing women under the care of male relatives. In some areas, the practice of Ukuthwala, marrying young girls off to older men, is still practiced, despite legal marriage age of 18 years. Should the Traditional Courts Bill be enacted, there is concern that these practices will continue with less recourse available for women.

South Africa has several pieces of legislation promoting equality within the family. The Children’s Act 38 of 2005 allows fathers full parental rights and responsibilities. The Maintenance Act 99 of 1998 says that biological fathers must provide for their children financially, regardless of marital status. However, men are only eligible for up to three days of paid leave per year for family or care reasons. Women have exclusive access to leave at the birth of a child; eligible women may receive up to 60% of their income for four months, based on the Unemployment Insurance Act. At any rate, South African men do not traditionally undertake care activities. Time-use studies show that women spend 3:36 hrs a day in unpaid work, compared to men’s 1:23 hrs.

In 2011, the Government supplied 15.3 million people with social grants. Approximately 11 million people qualified for Child Support, which has recently been extended to children up to 18 years old. Only 121,000 people received Care Dependency Grants, and 1,212,000 received Permanent Disability Support. Sex-disaggregated data does not exist for these grants; however, given their societal role as primary caregivers, the size and number of grants distributed will have a great impact on women.

POVERTY, INCOME INEQUALITY AND FOOD SECURITY

Despite having one of the highest GNI per capita in the region, South Africa has high wealth and income inequality, reflecting its history of racial and gender discrimination. With a Gini Coefficient of 0.63 in 2009, South Africa has higher income inequality than any its neighbours. The UNDP ranks South Africa at 0.057 on its Multidimensional Poverty Index, putting it 46th out of 109 countries, and 123 (out of 189 countries) on the Human Development Index. 17.4% of the population has an income of less than $1.25 a day.
IFPRI’s Global Hunger Index ranks the country 9th out of 120, giving it a score of 5.8 on a 100-point scale, where zero means no hunger. In 2005, the FAO estimated that 14 million South Africans were vulnerable to food shortages. As a net food exporter, South Africa’s food security issues can be identified as poverty and infrastructure based. Though small-scale food production is widely practiced, due to unreliability of rainfall, this strategy cannot meet the need for many households. According to the NGO Shadow Report to CEDAW, children in female-headed households are more likely to be hungry (1.6% in 2006) than those in male-headed households (3.4%).

HEALTH

According to a Human Rights Watch report, the challenges faced by the health care system include: “administrative and financial management inefficiencies; low motivation among, and low pay for some health workers; lack of medical supplies; poor quality of care; lack of accountability of health professionals and public administrators; and a high burden of disease particularly HIV/AIDS.” A consequence of income and wealth inequality, South Africa’s health services system is divided into private and public access – those with the income or employer-provided health benefits can access private facilities, which are better equipped. Thus, poor and rural citizens who rely heavily on the public health system are predominantly affected by those facilities’ inefficiencies and lack of infrastructure and resources. In 2011, the Government published a Green Paper for National Health Insurance to reduce health resource inequities between public and private sectors, in part by providing universal access to a package of health services. What this package will include, and whether it will sufficiently address women’s health care needs, is yet to be determined. Thus far, there has been a lack of a gender perspective in the NHI consultations.

South Africa provides free, universal maternity care: 92% of women deliver their baby in a health facility, 97.1% of women attend at least one antenatal visit, and 87.1% attend at least four. Despite these advances, South Africa has struggled to lower its maternal mortality rate (MMR). Between 1998 and 2007 it increased from 150 to 625 deaths. The current MMR is 310 per 100,000 live births, still far above the MDG target of 38. One of the main explanations is the prevalence of HIV/AIDS: over 2005-07, 43.7% of maternal deaths were related to AIDS.

Women, including minors, ostensibly have access to government-funded abortions with no restrictions in their first semester and have sole right to consent. Access to abortion services has been decreasing, however, particularly for marginalized women. Midlevel providers are able to perform early terminations, but only in “equipped facilities”, which are predominantly located in busy urban hospitals. Furthermore, abortions are still highly stigmatized in South African society. Many women choose an unlicensed provider, whether due to lack of services in their area or to fear of their treatment at a health facility. Cited
by Stevens (2012), the National Department of Health found an increase in deaths due to abortion of 44% over 2005-2007\textsuperscript{10}.

**GENDER-BASED VIOLENCE**

In 1998, South Africa enacted the Domestic Violence Act to enable a law enforcement response to gender-based violence occurring within the household\textsuperscript{51}. The Sexual Offences Act of 2007\textsuperscript{52} created statutory sexual offences and special provisions for children and persons with mental disabilities. It also provides for the development of a national sex offenders registry, which was set up in 2009. Other government activities to support victims include 17 Thuthuzela Care Centres, which provide a range of prevention and response services; a directory of victims’ services; victim-friendly facilities within police stations; and 96 shelters for victims of domestic violence. The Sexual Offenses Act provides for a comprehensive package of treatment and care\textsuperscript{53}.

In 2010-11, there were 180,537 female assault crimes reported, including over 31,000 sexual offenses\textsuperscript{54}. While numbers of reported assaults have been decreasing, it is difficult to know how many crimes are actually committed. According to Moffett (2006), 1 in 3 women experience sexual assault, and 1 in 4 will be physically assaulted by an intimate partner\textsuperscript{55}.

South Africa is launching a National Council for Gender-based Violence to review the existing national action plan and strategize on its delivery. While the government appears to be committed to addressing gender-based violence, social tolerance of the problem, low prosecution rates, and continued cultural practices harmful to women inhibit the effectiveness of any initiative\textsuperscript{56}.

Despite provisions in the Constitution for non-discrimination based on sexual orientation, lesbians and transgendered men face considerable discrimination and violence, including the practice of “corrective rape”. The Women, Empowerment and Gender Equality Bill currently being developed aims to reinforce the rights of sexual minorities and recognize the human rights abuses they face\textsuperscript{57}. A national task team of senior government officials and NGOs has been established to address LGBT rights violations\textsuperscript{58}. Hate crime legislation, including homophobia and xenophobia, is currently being developed\textsuperscript{59}.

**CLIMATE CHANGE**

The effects of climate change in Southern Africa are lower rainfall in the west, increased summer rain in the east; climbing temperatures (1-3 degree increase in average temperatures by 2050); and amplified seasonal weather\textsuperscript{60}. Maize production may decline by up to 30% and wheat production by up to 20%\textsuperscript{61}.
Women, particularly those living in rural communities, dependent on natural resources and agriculture, are especially vulnerable to the effects of climate change. A review of the South African Government’s National Climate Change Response Green Paper by GenderCC found that the policy was essentially gender-blind, and needs to specify a gender focus and explicitly target women’s participation in order to substantiate its calls for "social equity and economic sustainability". GenderCC has been piloting projects to raise awareness of climate change among rural women and build capacity both to engage in policy processes and to develop strategies to mitigate climate change.

**CIVIL SOCIETY AND WOMEN’S MOVEMENTS**

Civil society has historically played an important role in South Africa. The tradition of ubuntu (a way of life embodying humanity and compassion that contributes to the sustenance of a people, community or society) is often cited as a core value. The 1996 Constitution provides civil society as much legal space for civil society organizing as anywhere else in the world.

In 2001, CIVICUS reported estimates of civil society in South Africa that range from 17,000 organizations to 140,000. Regardless of the size of the sector, it is evident that it is “highly heterogeneous, representing a wide range of interests”. Roughly 80% of organizations indicated that they target AIDS (though it was noted that targeting HIV/AIDS is often a condition for funding); 78% target education; 75% welfare, 74% health; 73% human rights; 70% women’s rights; 65% democracy; 62% governance; 44% land; and 43% housing.

As well as oral or written submissions to Parliament, there are a number of formal mechanisms for women’s organizations to engage with the state:

- Women’s Parliament is a two-day annual conference for women in parliament and interested civil society organizations to discuss issues before the government. In 2012, 250 people participated, discussing the Traditional Courts Bill, the Women’s Empowerment and Gender Equality Bill, and women’s participation in the economy.
- The Progressive Women’s Movement of South Africa represents more than 35 national organizations, and seeks to address underrepresentation of women in governance structures; the feminization of poverty; and violence against women.
- SAWID is an impartial, not-for-profit forum, committed to improving the status of women by engaging the national government, the private sector, and civil society to shape community, provincial and continental agendas.

There are justifiable concerns that these organizations may not reflect the interests and voices of all South African women, and may lead to the co-optation of the women’s movement’s agenda. There are many organizations that network with international and regional women’s movement organizations, and
establish links with other interest-based groups, such as climate change, agriculture and education.

17 Quarterly Labour Force Survey, July 2012.  
21 Labour Market Dynamics in South Africa, 2011  
26 Abrahams, 2009  
47 HRW. Stop making excuses, 2011
49 Stevens, 2012
50 Stevens, 2012
“Gender-Based Violence”, SADC Gender Protocol 2012 Barometer.

Moffett, H. “Gender-Based Violence”, SADC Gender Protocol 2012 Barometer.

South African Government Information. Task Team is set up to attend to LGBTI issues and corrective rapes, May4, 2011. Department of Justice and Constitutional Development.


“Gender, Climate Change and Sustainable Development”, SADC Gender Protocol 2012 Barometer.

South Africa”. GenderCC, National Activities.


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