



# KWAKHA INDVODZA



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April / May 2019

# Executive Director's Foreword

Welcome to another KI newsletter – this time in our new and improved bi-monthly version – offering you snapshots of Kwakha Indvodza's news, programmes and impact in April and May 2019. Amongst other things, this edition explores three of our flagship programmes, features news from our buzzing Advocacy and Communications Department and celebrates Nomsa Mbuli, KI's SODV Act Training Coordinator, as she lives the KI mission, both at work and online.

However, I wanted to dedicate these precious few words to address the growing voices of dissent we hear from across the country against our newly-enacted SODV Act. I'm not going to debate or defend the Act itself (however desperately it is needed- we can leave that for KI's weekly column) but to explore these calls for revision or repeal as an example of patriarchal backlash. When any ingrained, invisible power system is faced with a threat to its autonomy, it is natural that it will lash out, attempt to quash the challenge to the status quo before it gains traction. In the struggle for racial equality, we saw this in the United States post-1964, after the Civil Rights Act had been signed, and some would argue, again in 2016, when Trump was elected to replace Obama as President. We also see this in the feminist movement. Since the 1950s, every period of intense global feminism has been followed by a period of anti-feminism, when gender rights activists are portrayed as excessive, anti-establishment radicals or, even worse, desexualised, undesirable and deranged.

I have seen this time and time again as a teacher. Seventeen-year old female students, at the peak of their free-thought and idealism would say things like "I support equal rights but I'm not a feminist!" This always used to sadden me. After all, avoiding identification as a feminist is implicitly a supplication under the hand of a male power system and a reinforcement of patriarchy. It is essentially saying "I understand that society sees me as less valuable, based solely on my gender, and I'm

alright with it". When men raise concerns to the effect that women are "taking over" or "have too much power" or that the vast majority of women could or would report a false claim of assault or harassment, it is the same process at play. Patriarchy is insidious and unrelenting. It does not tire easily. It must be starved out by a long, coordinated effort to share power, privilege and opportunities equally. And the first step towards this victory is to guard our language and keep ourselves and others accountable.

With the 2015 #MeToo movement and the increased reporting and prosecution of sexual harassers and abusers comes the so-called "Fourth Wave" of global feminism. We are riding this wave now, as I write this, both in the western world and even (although to a lesser degree) in parts of Africa, Asia and the Middle East. Consider that Saudi women can now drive or that South Africa has appointed its first 50-50 cabinet. Women are vocal, veracious and refusing to be silenced. Injustices are being made public and institutions are slowly changing.

How will patriarchy respond? Will we experience another backlash?

In Eswatini, the voices of men against the SODV Act, a law put into place to better protect society's most vulnerable (whoever they are), is a concern for us all, not just because the spirit of the law is just and necessary but because it is being used as focus for men to regain and maintain power. It is our role, at KI and as concerned, pro-feminist men and women of Eswatini, to hold the ground we have made and to ensure that we do not retreat in the face of such views, and that we address them confidently, knowledgeably and consistently, whenever they are raised.

# Engaging Men in GBV Dialogues

By Nomsa Mbuli

Growing up in a largely patriarchal country whose cultural norms are deeply rooted in gender inequality, it is only normal to normalize and internalize these disparities. It is not unheard of for a woman who is in a loving relationship with a man to leave him because he does not beat her. She feels that occasionally getting a beating from her partner is a sign of love. This can be attributed to many factors, ranging from her upbringing, where she might have witnessed domestic violence between her parents or relatives, to internalized beliefs that she has to assume the role of victim in every situation. However, it is critical to combat not only the individual instances of violence, but also its systemic forms, as violence does not occur in a vacuum but rather in a society that condones and encourages it.

Gender-based violence (GBV) is mainly perpetrated by men, as well as by the community members and individuals who tolerate negative masculine practices. The most prevalent form of domestic violence is intimate partner violence. At present, 1 in 3 women will be physically or sexually abused in her lifetime, and 1 in 5 women will experience some form of abuse before she reaches the age of 18. These are large numbers, and they are not just numbers, they have faces; there are names attached to them.

If men, then, are the main perpetrators of GBV, why can't they also be the solution to the problem? Engaging men in the discussions and efforts to end gender-based violence is a crucial part of all initiatives. But this has to go hand in hand with women's empowerment initiatives. What good would it do to empower a woman who, at the end of the day, goes back to the same man who still believes violence is central to his masculinity? While I strongly believe that it is easier to build strong and respectful men

than it is to repair broken men, it is still important to involve all men because the ones being built need to learn from their father figures and the community, from the men they look up to.

To end gender-based violence, and for societies to achieve their economic, social and development goals, individuals, government and civil society need to build a more gender equitable society, one with healthier gender roles for women and men. To be effective, strategies must not only empower women, but also engage men and encourage significant changes in men's attitudes.

The call to formally involve men in GBV discussions started more than 20 years ago when the 1994 International Conference on Population and Development (ICPD) highlighted the need to encourage men to take an active role with regard to housework and child-rearing.

I am currently running a project that seeks to reduce gender-based violence against women by engaging men. This entails, among other projects, a series of daylong boot camps for men between the ages of 10 and 25. Based on their participation, some of the young men are recognized as Gender Champions and go on to participate in a series of national radio interviews where they discuss different GBV topics. It is through these initiatives that men learn more about gender-based violence and, importantly, become active agents of change. I am convinced that these conversations with men make them less likely to abuse their partners. If I interact with 50 men per session, for example, that day I go to bed knowing there are now 50 more men who are less likely to carry out GBV in their communities.

Information is power. This may seem cliché, but I have found and seen the power of

being informed. So before any type of initiative can be implemented, it is important to be informed, and to ensure that men are part of the conversation. This is important, especially, because in the communities where the most interactions happen, questions will be asked, and opinions challenged, and if you are not well-informed, you will not be able to address your community's questions.

I cannot overemphasize the importance of engaging men in these discussions. It is crucial in advancing gender justice and in ending GBV. Studies show that working with men and boys challenges their perceptions of masculinity; these men are also more likely to speak up about the pressures they face to display what is considered normal masculine behavior. It's these integrated approaches, initiatives that bring men to the table, that make men feel engaged rather than silenced.



Emajaha doing group discussions during Kwakha Indvodza's Sivuno Sakusasa Project Boot Camp on GBV

# Easter holiday celebrations



The girls couldn't contain their happiness



Nomsa and Fezile caught on camera



ED showing off his bunny smile



Nonto smiling for the camera



Thokozani striking a pose for the camera



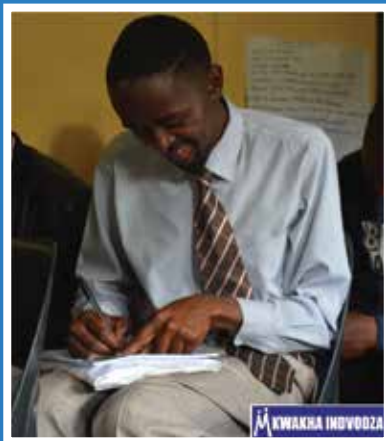
HR posing for the camera

# SODVA Training in action



# Earning after Learn2Earn

Youth unemployment can have devastating impact on a country's economic growth and productivity. The current unemployment rate in Eswatini stands at 42.6%. Youth Development is essential to helping the youth of Eswatini create employment opportunities to succeed in life. There are far more prospective workers than there are jobs available, and many youth are not able to afford to study further and become more specialised. This is where youth development programmes come in. Offering young people work readiness programmes, opportunities to advance their education and make a difference in their communities are just some of the ways that youth development can change Eswatini for the better.



Kwakha Indvodza's Social Entrepreneurship and Income Program's objective is to create economic and employment opportunities for out of school youth. The program aims to empower young people through business skills, careers guidance and income generating training sessions.

David Dlamini, a 32 year old Lijaha from Siphocosini Inkhundla is one of Kwakha Indvodza's 2019 graduates from the SEIG "Learn2Earn" program. Through the SEIG program David has undergone a skills development training and is now doing his apprenticeship. David has always looked at being employed as the only form of generating an income. He has previously worked with various organisations on a mentoring and empowering capacity but all these jobs were on a short term contractual basis. When he signed up for the Learn2Earn

course he was unemployed and thought this program would be a great way to help him improve his status.

"After the first few days of the 'Learn2Earn' course I realised that I had the wrong mentality about how one could generate an income. I have always believed that to earn an income, I must be employed. Through this course I learnt that my own hands, with the right skill set, were capable of generating an income for me directly without the need to be employed by an organisation." David chose carpentry for his skills development program after the completion of his 'Learn2Earn' course and through his apprenticeship, has managed to earn money. "Carpentry was never a career I would have considered but after the skills development program I realised that this was something I could do, it is also very rewarding and motivating when the client is happy with your work. The money I have made during my apprenticeship has motivated me to strive for better"

David's respectful and hardworking attitude during his Learn2Earn course made him one of the most noticeable participants in the program. He now celebrates his decision to join the program and says he commends this program to all young people who are out of school or unemployed because it helps in giving a fresh perspective of the opportunities one could explore as a means to generate an income.



# Partner meet and greet

Kwakha Indvodza and the European Union have gone into a two year partnership through the Litfuba Ngelakho Project. Our Executive Director, Social Strengthening Manager and the Litfuba Ngelakho Project Coordinator recently had a meet and greet with the EU Ambassador Mrs Esmeralda Hernandez Aragonés.



From left to right: Social Strengthening Projects Manager (Mduduzi Dladla), Litfuba Ngelakho Project Coordinator (Gift Dlamini), EU Ambassador Mrs Esmeralda Hernandez Aragonés and KI Executive Director (Tom Churchyard)

# Tom at UNAIDS Regional Support Meeting



**LEADERS SELFIE:** Director of the UNAIDS Regional Support Team for Eastern and Southern Africa, DR Catherine Sozi with young delegates from Eastern and Southern Africa, including our Executive Director Tom Churchyard.



# SODVA and Me - Getting to know the law

For almost a decade, civil society and women's rights organisations advocated for legislation that better protects people from domestic and sexual violence in Eswatini. With alarmingly high rates of Gender-Based Violence (GBV) in Eswatini, it was clear that this is a matter that needs to be addressed. On the 17th July 2018 the SODV Bill finally received Royal Assent from His Majesty King Mswati III. Now that the Sexual Offences & Domestic Violent Act has been passed into law it is imperative that emaSwati are taught about the law so that they can ensure that they are never in a position where they are in conflict with it. We are pleased to announce that as an organization we now have a weekly column on the Times of Swaziland, each week we unpack a clause of this new law, explore what the law says and how it will affect our lives. Have a look at our first article on rape and consent.

Times of Swaziland – Thursday, May 2, 2019

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## Comments & Analysis

### Rape and consent

**MKWAKHA INDVOBZA**

**The SODV  
and me**

**W**ELCOME to our weekly column on the Sexual Offences and Domestic Violence Act (2018). Each week we are going to unpack a clause of this new law, exploring what the law actually states and how it will affect our lives. After all, knowledge is power!

Rape and sexual assault are violent crimes affecting many emaSwati. Reports of rape frequent our police stations, human rights organisations and newspapers proving that this is a concern in our country which we cannot, and should not, ignore. Most of us would be able to give a fairly strong definition of rape off the top of our heads but it may be more complicated than the images of a violent crime perpetrated by a stranger that most of us would immediately think of. Rape is broadly defined as a type of sexual assault usually involving sexual intercourse or other forms of sexual penetration carried out against a person without that person's consent. According to (WHO, 2002) rape may occur by physical force, coercion, abuse of authority, or against a person who is incapable of giving valid consent, such as one who is unconscious, incapacitated, has an intellectual disability or is below the legal age of consent.

#### **Defines**

The SODV Act of 2018 defines rape as 'unlawful insertion, even to the slightest degree, of the genital organs of a person or any other part of the body of a person - for purposes of sexual gratification of the person performing the insertion - into the genital organs, an\*s or other orifice of another person'.

Importantly, Clause 3 of the Act states; "For

the purposes of this Act rape is committed either by a male or female person against another person." The legal definition of rape has changed substantially since the introduction of the Act last year. The pre-existing definition (some of which was drafted in 1920 before even the reign of King Sobuza II), was narrow with respect to both gender and age; rape was an act of sexual intercourse committed by a man towards a woman against her will. As such, the SODV Act provided a long-overdue update to an obsolete, legal definition. The law now identifies rape as a crime which can be perpetrated by any person of any gender, on another person of any gender.

#### **Protect**

The SODV Act was drafted with the intention to better protect the rights of everyone, be it women, men or children. While in previous legislature rape was recognised, the difference now is that the Act takes into cognisance other acts which were not previously defined as rape and qualified as lesser crimes. For instance, Eswatini now recognises rape against men and boys by either a woman or another man as rape and not indecent assault which was a much lesser crime and which often afforded perpetrators of these violent acts lesser sentences. It is worth noting that the provisions on rape in the SODV Act are not completely new but were found in different pieces of legislation (Common Law, Crimes Act, Women and Girls Protection Act to name a few). Under the SODV Act, they have been collated into one piece of legislation for ease of reference and consistency in sentencing.

If we are really to understand rape, it is first important to understand consent. Consent is permission for something to happen or agreement to do something. This implies that there should be a positive and affirmative 'YES' for something to happen, not the absence of a 'NO'. When sex is involved, this is often where it all gets quite confusing and so today we are just going to focus

on the ability to give consent.

In situations where an individual is not able to give consent to a sexual act, then any sexual act committed may be defined as rape. Clause 6 of the Act identifies circumstances in which a person is incapable in law of appreciating the nature of the sexual act as:

- A person who is asleep
- A person who is unconscious
- A person who is under the influence of any medicine, drug, alcohol or other substances to the extent that the consciousness of that person or judgment is adversely affected
- A person below the age of 18.

I am sure that many of us will agree that these provisions are reasonable to protect those who are temporarily or permanently vulnerable from sexual assault. The legal age for consent to a sexual act is 18 years and above and an individual below this age cannot legally give consent for any sexual act, no matter what the age of the other person. The SODV Act further defines a non-consensual sexual act and makes intoxication and other excuses immaterial, which we will explore in future.

#### **Entitled**

Rape or sexual assault often happens because a person believes that they are entitled to have sex with another person without obtaining that person's consent (we prefer an enthusiastic 'YES PLEASE!'). Sexual assault can never be justified as a crime of passion, an entitlement, a possession or an irresistible desire for sex. Two people kissing or flirting all night at a club or drinking spot, for example, does not constitute consent, nor does accepting drinks or gifts. When someone explicitly says 'no' to another's sexual advances, then there is a real and genuine likelihood that any sexual act which follows that 'No' could be defined as rape. Simply put: each and every sexual act requires active and willing consent, freely given, no matter where it is or what has been said or done in the past.

Catch our column next week as we explore these complicated issues further and give some practical advice so that you can 'sleep at night' knowing that you're on the right side of the law.

# Our Current Partners

Kwakha Indvodza is funded by a number of bilateral, governmental and grant making organizations. The stories and projects featured in this issue are currently funded by the following partner:



## Upcoming Events

- Fathers Day - June 16 2019
- Male's Health Week (3 - 9 June 2019)



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