

# Policy Support for Engaging Men in Positive Parenting in Ethiopia, South Africa, Tanzania, Uganda and Zimbabwe

## A Comparative Scorecard

Produced by Sonke Gender Justice 2016



# ACKNOWLEDGEMENTS

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This report is the result of extensive research and engagement with MenEngage Africa and MenCare Global partner organisations. We would like to extend our sincere appreciation to colleagues from participating organisations for their feedback. While we collected extensive input from organisations based in the countries reviewed, the findings of this report do not represent the views or opinions of anyone other than the authors.

The team who worked on this scorecard are members of Sonke's Children's Rights and Positive Parenting Unit and the International Programmes and Networks Unit.

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# ACRONYMS AND ABBREVIANS

<b>ACORD</b>	Agency for Cooperation and Research in Development
<b>AIDS</b>	Acquired immune deficiency syndrome
<b>FGM/C</b>	Female genital mutilation or cutting
<b>HIV</b>	Human immunodeficiency virus
<b>LGBTI</b>	Lesbian, gay, bisexual, transgender, intersex
<b>SADC</b>	Southern African Development Community
<b>STI</b>	Sexually transmitted infection
<b>TB</b>	Tuberculosis
<b>UN</b>	United Nations
<b>UNCRC</b>	United Nations Convention on the Rights of the Child
<b>UNICEF</b>	United Nations International Children's Emergency Fund

# EXECUTIVE SUMMARY

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Positive parenting can change circumstances dramatically for children, especially when mothers and fathers are fully engaged. In this report we define positive parenting as a non-violent and proactive approach to parenting that promotes gender equality between parents. However, positive parenting programmes and policies in Eastern and Southern Africa are mostly undeveloped or inadequate. Although all five countries considered in this review (Ethiopia, South Africa, Tanzania, Uganda and Zimbabwe) have policies that address parenting to a certain extent, none of them has a policy or framework that focuses specifically on positive parenting. While South Africa has an enabling policy framework with action plans for parenting and families that touches on gender, women's empowerment and the prevention of violence against women and girls, even the White Paper on Families is silent on positive parenting. Ethiopia has a wide array of relevant issues embedded across its policies, but this is lacking in Tanzania, Uganda and Zimbabwe.

Providing support for parents is important to enable positive parenting. Unfortunately, approaches tend to be unsystematic and poorly coordinated, reducing the effectiveness of the support. Such approaches tend to relay mixed messages, and show different levels of tolerance for gender-related abuse and disjointed thinking on gender transformation, violence and the rights of children. There are significant gaps in the legislative framework required to build and support the capacities needed to transform parenting, uphold the rights of children and reduce violence in the societies across these countries. In addition, the legislative frameworks of the five countries studied do not adequately provide for a holistic transformation towards non-violent parenting across the ages and stages of childhood.

Socio-economic stressors across the continent negatively affect parents and children. Many of the people in each of these five countries are seriously affected by poverty, war and/or global warming. In this volatile landscape, the nature and dynamic of families has also changed. The African Union notes an increase in households headed by females, children and older people, as well as an increase in "cohabiting and consensual unions with declines in marriage, rising rates of divorce, smaller families and weakened family relationships."<sup>1</sup> As a result, many children live within a range of family "types", most often with their mother and frequently without their biological father. Indications are that 30% of children in Ethiopia, about 43% in South Africa and nearly 70% in Zimbabwe live in single-parent households.<sup>2</sup>

Making it possible for men to play a healthy role in the lives of their children, irrespective of the status of the relationship with the mother, is beneficial for everyone. However, providing policy support for this is complex. Policies exist that support fathers' involvement during pregnancy and in the lives of their infant children, including from birth. However, in the absence of a coherently articulated approach, the results are likely to have an equally scattered impact. Creating space for parents to share work at home does not feature; neither does the right of women to work, with child care as an element of support. Tanzania, South Africa and Uganda do, however, recognise paternity leave, albeit only three to four days' paid leave. Both Ethiopian and Zimbabwean fathers would be required to make use of their family leave allocation.

Incidents of violence against women and girls are exceptionally high in each of the countries studied for this report, both through domestic incidents and cultural practices. While policies

to protect women were evident across all five countries, implementation plans and funding are weak. Furthermore, female genital mutilation (FGM) and child marriage still occur in Ethiopia, Uganda, Zimbabwe and Tanzania, with some evidence of child marriage in South Africa. Of these countries, South African policy provides a strong framework within which to manage these cases legally. However, laws and policies in other countries are seriously inadequate, judging by the levels of practice that continue. None of the policies to regulate child marriage note the role that fathers could play in protecting their daughter(s) or reducing instances of this practice by challenging gender norms.

Ensuring children are protected from harmful acts and developing alternative, non-violent methods of discipline to achieve the same upbringing goals is central to eliminating all forms of violence against children across Africa.

Closely linked to this is the failure of all the countries in this study to ban corporal punishment in the home. On the positive side, Ethiopia, South Africa and Uganda have abolished its use in schools. In addition, South African policy action plans recommend training parents in using positive discipline.

Finally, homophobia and transphobia are present in all five countries. While Ethiopia, Uganda, Zimbabwe and Tanzania have criminalised homosexuality, South Africa recognises gay marriages, and parents from the lesbian, gay, bisexual, transgender and intersex (LGBTI) community have the same rights as non-LGBTI parents. Policies that support positive parenting must embrace both the notion of plurality in family structures, as well as provide specific support for the LGBTI community to marry and enjoy access to the same rights and support as any other parent.

Transforming traditional gender roles is particularly challenging where entrenched social and gender norms that see men as providers and women as mothers and caregivers are upheld by religious and traditional practices, as well as legal frameworks, implementation plans and budgets.<sup>3</sup> Coupled with insufficient focus on fathers or other male members of the household, traditional gender roles are further entrenched and parenting feminised.<sup>4</sup> By promoting greater father involvement in caregiving and their role as equitable partners, it is however possible to challenge the power dynamics that underlie these gender norms.

Policies and laws are an important starting point for changing social values and constructs. Their absence or silence on important issues that relate to positive parenting must be addressed, along with any misguided affirmations of gender stereotypes, patriarchy and harmful practices. Parenthood is still conceptualised in deeply feminised ways, placing the burden of responsibility for child care on mothers, thereby failing to register and support the importance of a parenting partnership between men and women, and the benefits of this to their children and families. Urgent attention must be paid – at both policy framework level and across sectors – to the details in policy framing and programme support that impact on the lives of children, mothers and fathers.

# RECOMMENDATIONS

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- ▶ Governments should prioritise positive parenting at policy level, ensuring it is embedded in frameworks for families and parenting, as well as mainstreamed into relevant policies, action plans, capacity building and budgets across sectors. This includes reconciling national laws and regulations with customary laws and traditions.
- ▶ Governments should establish legislation that explicitly bans corporal punishment in schools and the home with no exceptions for “reasonable” force or “to maintain discipline”. Any breaches of the law must be penalised according to the severity of the assault.
- ▶ Conduct comprehensive and sustained awareness-raising campaigns among parents, teachers and other relevant stakeholders who can promote non-violent parenting strategies, such as the Positive Discipline in Everyday Life manual produced by Save the Children.
- ▶ Take action to end harmful cultural practices against women and girls. Specific policies and laws that prohibit such practices should be supported by education and awareness-raising initiatives among practising communities and service providers. Programmes should be implemented that develop men’s and women’s knowledge, attitudes and behaviour as necessary conditions for achieving harmonious partnerships in parenting and the protection of their children against harm. Legislative steps should be implemented to consolidate marriage laws.
- ▶ Fathers’ early involvement in their children’s lives should be encouraged from pregnancy and continue throughout the child’s life. Currently, antenatal and paediatric care facilities are largely set up to work primarily or exclusively with women. Men should be educated on, for example, the danger signs in labour and the benefits of family planning for women’s health to support women’s health. Additional health providers should be trained to serve couples, conduct couples counselling and provide male-friendly reproductive health services, as well as integrate other reproductive health services such as preventative measures or treatment for sexually transmitted infections (STIs), family planning, voluntary counselling and testing, and the prevention of mother-to-child transmission.
- ▶ Improve parental leave to encourage men’s participation in the care and education of their children. Laws and policies related to employment, health and education should more explicitly rectify unequal support for men and women as parents, and encourage men and women to share parental responsibilities.
- ▶ Put policies and programmes in place that creates opportunities for the equal and fair participation of men in caregiving, child development and domestic work, while facilitating opportunities for women to work and get promoted. Offer more flexible or part-time working arrangements for men and women with small children, and expand the provision of child care.
- ▶ Legal provisions should support marginalised men’s participation in parenting – including fathers who are not legally married to the mothers of their children, teenage fathers, men who care for other men’s children and homosexual men – encouraging them to be supportive parents and partners in raising children. This facilitation of men’s and women’s involvement in their children’s development aims to augment gender-equal parenting and reduce the burden of responsibility often placed on women.
- ▶ All sexual orientations and gender identities should be legal, and same-sex relations recognised in relevant parenting legislation, allowing people of all sexual orientations and gender identities to enjoy the same services and rights.

**“Our children are our greatest treasure. They are our future. Those who abuse them tear at the fabric of our society and weaken our nation.”<sup>5</sup>**

**- NELSON MANDELA, NATIONAL MEN'S MARCH 1997.**



# BACKGROUND TO THE REPORT

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This report joins a series of policy scans completed by Sonke and MenEngage Africa that document policy progress towards various aspects of gender justice. MenEngage is a global alliance of non-governmental organisations and United Nations agencies that engage men and boys to question and address the structural barriers to achieving gender equality, promote health and reduce violence. This global alliance consists of representatives from each continent, who co-ordinate the country networks on their respective continents. Sonke Gender Justice chairs the MenEngage Africa chapter. MenEngage Africa consists of 19 country networks across Africa, whose members implement a range of activities that engage men and boys in gender transformation and violence prevention, including responses to the children's rights issues facing many African countries. MenEngage Africa has a regional steering committee, a youth advisory committee and country networks. Sonke's role is to provide project management, organisational development and technical support to the sites, as well as develop skills in communications, advocacy, operations and research, and increase the knowledge base concerning gender justice

and male involvement in violence prevention and gender equitable and non-violent parenting.

Sonke and MenEngage Africa produced a set of national policy scans covering the Democratic Republic of Congo, Ethiopia, Kenya, Malawi, Mozambique, Namibia, Rwanda, Sierra Leone, South Africa, Tanzania, Uganda and Zambia. These reports examined policies, laws and plans relating to gender equality in the areas of human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS), gender-based violence, sexual and reproductive health and rights, parenting and LGBTI issues. The reports assess the extent to which the policies contain language relating to the proactive and progressive engagement of men and boys across these critical areas. Each report outlines findings and recommendations, and suggests policy language. Sonke developed the reports in collaboration with MenEngage Africa partners, and with the support of the United Nations Development Programme, the United Nations Population Fund, the United Nations Trust Fund to End Violence against Women (administered by UN Women) and the Swedish International Development Cooperation Agency.



# INTRODUCTION

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Globally, parenting policy and support is under-researched and under-reported. Existing approaches vary widely, and systematic government-led support initiatives are rare in several regions, including sub-Saharan Africa.<sup>6</sup> However, various international, regional and national legislation and policies are in place that supports the roles and responsibilities of parents<sup>1</sup> and the state in the upbringing and development of children. While it is difficult for a law to dictate how parents should manage their relationships with their children, especially in regard to offering love and affection, an appropriate legal framework can provide support for parents to fulfil some of their parenting roles and responsibilities.<sup>7</sup>

The United Nations Convention on the Rights of the Child (UNCRC) states that parents and caregivers (including legal and customary guardians) are primarily responsible for the upbringing and development of their children. Article 18<sup>1</sup> clarifies that states must provide appropriate assistance to them in the performance of these duties by establishing institutions, facilities and services for the care of children. Recognising the important role

of men in parenting, the African Union's Draft African Common Position on the Family (2012) calls for the implementation of comprehensive family-focused socio-economic policies, which take into account the "diverse, changing needs of families, and support, strengthen and protect them, particularly in vulnerable and crisis situations; promote the participation and role of men, particularly fathers, in strengthening family life; and invest in programmes that prevent family separation."<sup>8</sup>

Furthermore, the UNCRC Committee elaborates on the responsibility of state parties to support parents in their endeavour to fulfil their duty by parenting "positively", noting their responsibility to "promote positive, non-violent and participatory forms of child-rearing and discipline as an alternative to corporal punishment and establish child-friendly complaints mechanisms."<sup>9</sup> Positive parenting should further the rights of the child, reduce child-related risks, enable positive development and well-being for children, and address antisocial and aggressive behaviour, especially in adolescents.<sup>10</sup>

# WHAT IS POSITIVE PARENTING AND WHY THE SPECIFIC FOCUS?

In this report we define positive parenting as a non violent and proactive approach to parenting that promotes gender equality between parents. We include the notion of gender equal caregiving in the concept of positive parenting, especially in terms of the contribution men can make to unpaid caregiving. Involved fathers are central to the healthy development of children and the general well-being of the whole family. Despite this, many of the policies reviewed for this study that touch on or support parenting pay little attention to the specific role of men and fathers in unpaid caregiving. Instead, they inadvertently foreground the role of mothers or female caregivers, thus reinforcing stereotypical gender roles and making parenting a woman's task.<sup>11</sup> In this way, these policies effectively deprive children of the caregiving men could offer, increase women's care burden and miss the opportunity of encouraging mothers and fathers to participate equally in the development and care of their young children.<sup>12</sup>

Based on the literature, positive parenting:

- ▶ Promotes children's self-control (a core capability for adulthood).
- ▶ Is underpinned by mutual respect – adults and children decide together on rules and consequences.
- ▶ Uses incentives and modelling to motivate good behaviour.
- ▶ Fosters the ability to negotiate diverging interests in a non-violent and constructive way.
- ▶ Develops self-esteem, teaching children how to "get it right".
- ▶ Affirms and builds on the strengths of children.<sup>13;14</sup>

Addressing gender transformation (See box) in policies that support positive parenting can amplify the role of fathers and so strengthen support for mothers and their right to remain fully integrated into society and the working world.<sup>15</sup> Furthermore, by modelling non-violent behaviours, standing against harmful cultural practices and demonstrating the values of equality, respect for diversity, empathy and human rights, men and fathers can be allies and partners for women, girls and boys, as well as society as a whole. Through their actions and behaviour, they can collaborate on reducing violence against women and children, and make a powerful contribution to creating a more equal society for all.<sup>16</sup>

**Gender Transformative policies are policies that go beyond recognizing gender to transforming power relations between genders towards equality.**

The State of the World's Fathers (2015) reminds us that men who take on the role of caregiver play a central role in supporting the healthy social and emotional development of children, and simultaneously build a more gender-equal environment because their children are less likely to be bound by stereotypical gender norms. It further emphasises that their positive involvement in parenting impacts positively on their own lives because men who are actively involved in children's and women's lives tend to be happier, live longer and be more productive at work.<sup>17</sup>

# SITUATION ANALYSIS: A BRIEF OVERVIEW

Socio-economic stressors, low levels of social capital, and inter-partner and community violence all have the potential to impact negatively on the capacity and capabilities to be “good” parents. On the other hand, healthy parent-child relationships can mediate these negative environmental factors, help build resilience and support healthy child development.<sup>18</sup> The diagram on the following page outlines the challenging environments faced by a large percentage of parents and children in Ethiopia, South Africa, Tanzania, Uganda and Zimbabwe.<sup>19;20;21;22;23;24;25;26;27</sup>

Facilitating positive parenting under these circumstances, especially for the most vulnerable families and children, requires a policy environment that enables constructive parenting skills while creating an environment where that learning can be exercised. This report is structured as a scorecard that tracks a selection of these policies. The indicators in the scorecard are based on this recognition, and therefore focus on the extent to which the parenting policy landscape supports men and fathers to realise their capacity to parent positively. In particular, the scorecard seek to provide a comparative policy analysis on engaging men for children’s rights and protection with a special focus on positive parenting and ending violence against children, the barriers for implementation and recommendations for taking this work forward.



## ETHIOPIA

More than 99 million people live in Ethiopia

Ethiopia is ranked 174 out of 188 countries on the UN human development index

Girls stay in school for an average of eight years

64 in 1 000 children die before the age of five

Parents earn an average of \$1 a day



## SOUTH AFRICA

About 58.2 million people live in South Africa

South Africa is ranked 118 out of 188 countries on the UN human development index

63% of children live in income poverty

99% of children in between the ages of seven and 14 attend an educational institution

40 in 1 000 children die before the age of five

South Africa is an unequal society: 4% of the population earns 32% of the total income, with the majority earning \$1.25 a day



## UGANDA

Uganda is ranked 163 out of 188 countries on the UN human development index

74% of children are affected by multidimensional poverty and 29% by monetary poverty

Girls are only likely to stay in school until they are about nine years old

51 in 1 000 children die before the age of five

Parents earn an average of \$2 a day



## TANZANIA

43% of the population are children

Tanzania is ranked 151 out of 188 countries on the UN human development index

6 million children live below the basic needs poverty line and 3 million below the food poverty line

Girls are only likely to stay in school until they are about nine years old

66 in 1 000 children die before the age of five

Parents are likely to live on less than \$1 a day



## ZIMBABWE

Zimbabwe is ranked 156 out of 188 countries on the UN human development index

Girls are only likely to stay in school until they are about ten years old

88 in 1 000 children die before the age of five

Parents earn less than \$2 a day

# THE SCORECARD

**“Social and legal policies are frequently slow in providing relief, and often encounter opposition ... [so we] focused in our recommendations on a few select actions that may serve, to quote Archimedes, as a lever that moves the world, if just a little.”<sup>28</sup>**

Cultural expectations regarding gender norms, roles and responsibilities between men and women can be strongly influenced by laws and institutions.<sup>29</sup> Consequently, addressing a country’s policy environment can advance needed reforms for parenting, and play an important role in changing gender stereotypical attitudes and negative behaviours.<sup>30</sup> The scorecard used in this publication comprises a set of nine cross-sectoral indicators that signal important support for parents and primary caregivers in their role, with a particular focus on fathers and men. Being solution-focused, the scorecard is an advocacy tool. It creates a framework within which to motivate for actions for change. The recommendations included in this publication offer points to further engage, bridge gaps and motivate for policy strengthening to better support positive parenting and enhance the important roles men and fathers play in the lives of their children.<sup>31;32</sup> The scorecard is thus focused on the extent to which the policy environment:

- ▶ Creates conditions for positive parenting, with particular support for the equal role of mothers and fathers.
- ▶ Removes barriers to positive parenting, enabling both mothers and fathers to be equally present.
- ▶ Promotes positive parenting through increasing awareness and knowledge.

## 3.1 Assessing the policy landscape

Parenting policy is inconsistent globally.<sup>33</sup> Ideally, every country should have a national policy on positive parenting that guides legislation and strategic actions toward improving children’s rights. In addition, key policies concerned with the rights of the child should contain positions on positive parenting, or at the very least, parenting itself.<sup>34</sup>

However, no specific parenting and family frameworks or policies with a focus on positive parenting were identified in the countries studied, other than in South Africa. Furthermore, none of the policies foregrounded the engagement of boys, men and fathers as key to gender transformation, even when addressing critical issues for women and girls. In the absence of specific frameworks and policies, a search across the policy landscapes in each country was undertaken. Findings showed a fragmented array of positive and promising intentions, as well as several glaring omissions.

Ethiopia has a wide range of relevant issues embedded across its policies, while Uganda and Zimbabwe do not. South Africa has a highly developed family and parenting policy

framework, supported by action plans and interventions designed to translate these policies into practice.<sup>35</sup>

In policies that relate to parenting in Tanzania some attention is paid to gender-equal parenting, while the framing is mostly focused on women and mothers, with no mention of engaging men in positive parenting. That said, the newly ratified Integrated Early Childhood Development Policy (2015) does refer to parents and recommends engaging fathers, particularly from vulnerable communities.<sup>36</sup>

On the positive side, in various ways all countries recognise the need to build parenting capacities. Zimbabwe has no national intersectional early childhood development policy, while Uganda (noted in 2012) is still drafting one. Given the lack of specific policies on positive parenting and the role of men and fathers therein, attention was focused on the extent to which the policy environment in each country could enable this transformative agenda. The following set of indicators was defined:

**1. Policy support in place for positive parenting.** This indicator involves whether a policy framework for integration across relevant policies is in place, as well as a specific policy on positive parenting, or specific statements on positive parenting in relevant policies and action plans are in place.

**2. Policies enable and encourage men to be involved in maternal, neonatal, infant care and breastfeeding.** The equal engagement of men and women in their children's lives must be supported from birth to encourage positive parenting.

**3. Policies make adequate provision for paternity, maternity and family leave.** When a baby is born, adequate leave for caregivers allows both to be present. This relieves the care burden on mothers and enables healthy bonding during infancy, following which fathers will become more involved in the long-term care and development of their children.





**4. Policies encourage men to take responsibility for their children, irrespective of relationship status.**

When men play a healthy role in the lives of their children, irrespective of the status of the relationship with the mother; this benefits everyone.

**5. Policies demonstrate a commitment to ending violence against women and girls.**

Bring an end to domestic violence against women and girls, recognising that it is a human rights violation and not a private matter.

**6. Corporal punishment has been prohibited both in schools and the home, and policies support positive discipline.**

Although it is widely practised in schools and homes throughout Africa, corporal punishment is a human rights violation. It constitutes a fundamental breach of children's rights to respect for their human dignity and physical and mental integrity. Positive parenting is always non-violent – parents may need to be educated on non-violent parenting skills.

**7. Policies map out the eradication of harmful cultural practices affecting children, noting the key role of men and fathers.**

Child marriage and FGM are human rights abuses, which compromise the development and health of girls with a knock-on effect on boys. Fathers and men can play important roles in combating these practices in patriarchal societies and protecting their daughters and wives.

**8. Marriage for all sexual orientations is recognised; parental and family rights are equal for all families and parents.**

Discriminatory laws that criminalise consensual same-sex conduct and deprive LGBTI people of legal entitlements and protection that apply to heterosexuals, including their legitimate rights to marriage, adoption and being a parent, are fundamental human rights abuses.

**9. Policies provide wider support for parents affected by poverty through social grants, cash transfers or poverty alleviation.**

Capacitating parents living in poverty and providing them with basic services can potentially lead to several positive outcomes, such as reduced family stress, increased access to education for girls and reduced child labour.

Sonke's view of how positive parenting is enabled goes beyond training programmes. For this study, the idea of parenting training is included in Indicator 1 in the scorecard on the next page. However, Sonke recognises that a review of training programmes focused on building parenting capacity could form a separate study. Indicators 2 to 9 are then detailed in the findings per country.

This study sourced evidence of positive parenting policies, support and approaches across the five countries under study using various policies, policy analysis papers, research papers, country strategies, development agency reports and other relevant documentation. The scorecard provides a summary of the findings, which are elaborated on in the section that follows.

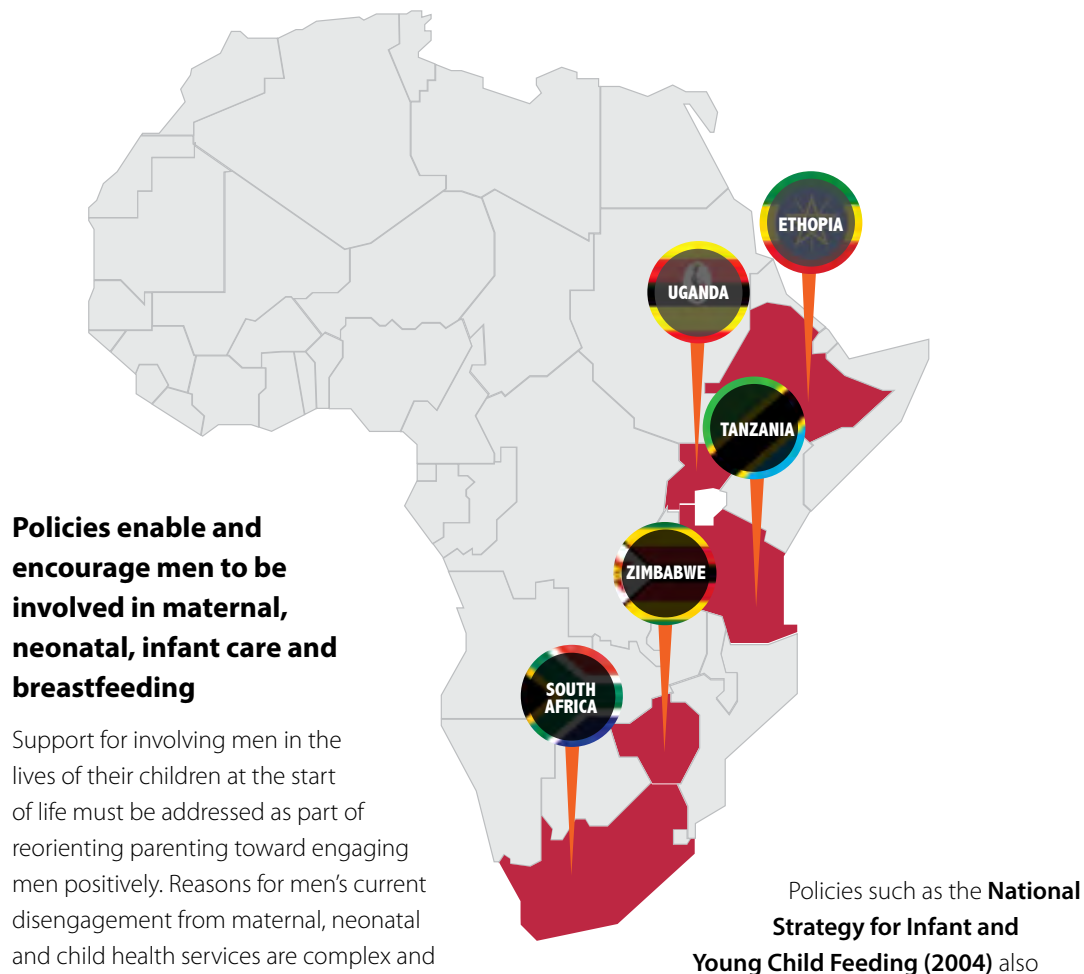
# A COMPARATIVE OVERVIEW OF POSITIVE PARENTING POLICIES

KEY	3 - Adequate	2 - Room for improvement	1 - Inadequate	0 - No information	
INDICATORS: ENABLING POSITIVE PARENTING	ETHIOPIA	SOUTH AFRICA	TANZANIA	UGANDA	ZIMBABWE
1. Policy support in place for positive parenting	Inadequate framing, no positive parenting policy, insufficient gender transformation	Strong parent policy framework, no specific positive parenting policy, insufficient gender transformation	Inadequate framing, no positive parenting policy, insufficient gender transformation	Inadequate framing, no positive parenting policy, insufficient gender transformation	Inadequate framing, no positive parenting policy, insufficient gender transformation
2. Policies enable and encourage men to be involved in maternal, neonatal, infant care and breastfeeding	Some good support for the roles of men and fathers but insufficient	Some good support for the roles of men and fathers but insufficient	Insufficient attention to the roles of fathers and men	There is good policy support for the role of fathers	There is good policy support for the role of men and fathers
3. Policies make adequate provision for paternity, maternity and family leave	No specific allocation of leave for fathers – no state child-care services	Fathers have three days' family leave – no available state child-care services	Fathers are given three days' paid paternity leave – no state child-care services	Fathers are given four days' paid paternity leave – no state child-care services	No specific provision is made for paternity leave, only family leave
4. Policies encourage men to take responsibility for their children, irrespective of relationship status	Provision for fathers (including non-biological) and mothers to support and be involved in the lives of their children	Provision for fathers (including non-biological) and mothers to support and be involved in the lives of their children	There is a policy that protects the child, but it largely reinforces patriarchal views of parental roles	Policy supporting equal roles and responsibilities for men and women are weak, opportunities are lost	Policy advantages mothers over fathers and entrenches gender stereotypes
5. Policies demonstrate a commitment to ending violence against women and girls	Policies against domestic violence, exceptionally high levels and weak enforcement	Policies against domestic violence, exceptionally high levels and weak enforcement	Policies against domestic violence, exceptionally high levels and weak enforcement	Policies against domestic violence, exceptionally high levels and weak enforcement	Policies against domestic violence, exceptionally high levels and weak enforcement
6. Corporal punishment has been prohibited both in schools and the home, and policies support positive discipline	Corporal punishment is banned in schools but not in the home	Corporal punishment is banned in schools but not in the home	Corporal punishment is not banned in schools or homes	Corporal punishment is banned in schools but not in the home	High Court ruling that corporal punishment has been prohibited in schools and the home.
7. Policies map out the eradication of harmful cultural practices affecting children, noting the key role of men and fathers	Policies, laws and action plans are ineffective, practices extremely high	Has an adequate policy framework but must watch resurgence	Has policies in place that address role of men, practice high	Has policies but loopholes given contradictory laws, practice remains high	Customary law, has no minimum age and is widely practiced
8. Marriage for all sexual orientations is recognised; parental and family rights are equal for all families and parents	Ethiopian law criminalises homosexuality	Gay marriage is legal, as is the right to adopt children	Relationships between men are criminalised	Homosexuality is criminalised	Relationships between men are criminalised
9. Policies provide wider support for parents affected by poverty through social grants, cash transfers or poverty alleviation	Policy elements in place though coverage is low	Highly developed and effective cash transfer system in place	Piloting is under way, touching a very small portion of the population	Programmes have been tested but fragmented system – low coverage	Testing of new pro-poor transfer in the midst of an eroded system



## 3.2 Policy analysis findings – a summary of each country

This section reviews indicators 2 to 8, since indicator 1 is a broad scoring of policies that include the specific ones below.



### Policies enable and encourage men to be involved in maternal, neonatal, infant care and breastfeeding

Support for involving men in the lives of their children at the start of life must be addressed as part of reorienting parenting toward engaging men positively. Reasons for men's current disengagement from maternal, neonatal and child health services are complex and longstanding. Barriers include the persistence of traditional gender norms that discourage men from attending health services (for example, the perception that reproductive health is a "woman's affair") and "health policies that have focused on women as the only agents for improving maternal and child health and reducing vertical HIV transmission."<sup>37</sup> The birth of a child – provided this comes with the right transformative support – can encourage the continued involvement of men in the lives of their children. This can facilitate a broader engagement in reproductive, maternal and child health; family planning; and adolescent reproductive health.<sup>38</sup>



#### **ETHIOPIA** (ROOM FOR IMPROVEMENT)

The **National Reproductive Health Strategy (2007-2008/2010)** calls for men to focus on the maternal health of their partners<sup>39</sup> to reduce "maternal and neonatal mortality in Ethiopia."<sup>40</sup>

Policies such as the **National Strategy for Infant and Young Child Feeding (2004)** also refer to male caregivers, emphasising that breastfeeding and other feeding practices are enhanced by fathers' support in their roles as family providers and caregivers.<sup>41</sup> Despite assuming (and perhaps reinforcing) that the man is the family provider, it is positive that the strategy offers a rationale for why male caregivers' support is important and provides examples of support.<sup>42</sup> The **Health Service Extension Programme and the Ethiopian Strategy for Child Survival (2005)** do not specify a role for fathers and men in key interventions for malnutrition,<sup>43</sup> or counselling on maternal and neonatal care and exclusive breastfeeding or other options for infant feeding.<sup>44</sup> The **National Youth Policy (2004)** fails to include specific reference to teenage fathers, but states that the family shoulders the responsibility to give advice, care for and extend support to youth.<sup>45</sup> However, it uses the term "family", which could be seen as inclusive of men.



## SOUTH AFRICA (ROOM FOR IMPROVEMENT)

According to section 28(1)(b) of the **Constitution of South Africa**, every child has the right to family care or parental care. Section 8 of the **Children's Act 38 (2005)** governs parents' rights and responsibilities in respect of their children. These create obligations for fathers to care for their children. The **National Integrated Early Childhood Development Policy (2015)** emphasises the role of parents in caring for their children. Although the role of mothers dominates, fathers are mentioned in caregiving during the first 1 000-day action plan. Various other policies specifically mention the positive role that men can have in the lives of their children. For example, the **South African National Strategic Plan on HIV, STIs and TB (2012-2016)** mentions the need to strengthen prevention of mother-to-child transmission programmes through the involvement of men, while the **National Action Framework** for "No Child Born with HIV by 2015 and Improving the Health and Well-being of Mothers, Partners and Babies in South Africa" motivates for the inclusion and engagement of males in the prevention of mother-to-child transmission services using a family-centred approach.<sup>48</sup> Additionally, the

## Infant and Young Child Feeding Policy (2007)

includes plans related to education on how to provide love and care,<sup>47</sup> recognising that parents are not bound by their biological position, but that they can learn to be good parents, challenging the traditional default to women as the main caregivers. On the other hand, the national **Guidelines for Maternal Care Manual for Clinics, Community Health and District Clinics**, published in 2015 by the Department of Health, outlines procedures for managing maternal health, but does not mention fathers at all. Indications of the need to engage fathers in this important area of child development are strong, but cracks in this solid, coherent approach are also evident.



## TANZANIA (INADEQUATE)

The **Child Development Policy (1996)** does not mention the role of fathers, noting, "Women and communities in general should participate in all stages of ... services related to child nutrition and health."<sup>48</sup> The policy also calls for parents to plan their families according to their resources, but fails to engage with the intersection of masculinities and gender hierarchies, which can mean that men dictate the choices women



make about family planning.<sup>49</sup> The **National Road Map Strategic Plan to Accelerate Reduction of Maternal, Newborn and Child Deaths in Tanzania (2008)** identifies gender inequality as a contributing factor to maternal, newborn and child mortality. In talking about responsibility for child survival, family, community and mothers are noted within the section on human rights and gender; fathers or men are not mentioned at all.<sup>50</sup> Various other policies comment on sexual and reproductive health and rights and the importance of involving men in the neonatal and maternal care of their partners and children, although no plans to enable this are in place.<sup>51</sup>



## UGANDA (ADEQUATE)

Uganda's **Health Sector Strategy and Investment Plan (2010/11–2014/15)** refers to the involvement of men in family planning, and maternal and infant health. It aims to address "gender and human rights issues through awareness creation targeting men to, for example, delegate authority to their wives and to be involved fully on issues to do with birth preparedness."<sup>52</sup> While encouraging, the use of the term "delegate authority" signals a patriarchal view of the relationship between men and women, with men having the right to delegate to women. In addition, the policy outlines an approach to involving men in sexual and reproductive health, including pregnancy surveillance and family planning.<sup>53</sup> Other methods include designing specific programmes that will help men with family planning to encourage "male involvement in newborn and maternal health,"<sup>54</sup> as well as developing informational handbooks about newborn, maternal and child health.<sup>55</sup> The inclusion of men is a promising move toward gender transformation. Furthermore, the **Ugandan Guidelines on Infant and Young Child Feeding (2007)** promotes the idea of men supporting women in their family while pregnant or breastfeeding.



## ZIMBABWE (ADEQUATE)

Studies of policy issues in Zimbabwe must be cognisant of the dynamic policy environment, where issues are often announced without extensive notice or consultation by the state, sometimes with contradictions, retractions and revisions. The **Zimbabwe National Behavioural Change Strategy (2012)** aims to strengthen male involvement in the prevention of mother-to-child transmission as well as mobilise and support them in this regard. The **National Maternal and Neonatal Health Road Map (2007-2015)** advocates for "males as essential partners of maternal and neonatal health programmes."<sup>56</sup> It seeks specifically to mobilise males and significant others in maternal, infant and young child feeding to improve the nutritional status and the quality of life of people infected and affected by HIV and AIDS.<sup>57</sup> The **National Child Survival Strategy (2010-2015)** creates awareness about gender issues as a way of improving maternal, newborn and child health decision-making at all levels.<sup>58</sup> It says nothing about men's role in improving maternal, newborn and child health (even though the **Health Policy (2009-2013)** acknowledges the role of men and fathers in supporting maternal health).

### Policies make adequate provision for paternity, maternity and family leave

During the early stages of a child's life, parents often establish the pattern they will follow for their future parenting roles. To alleviate the care burden on mothers, and to bond with a young child and participate in his or her care, fathers need sufficient paternity leave at this critical time. This can play a role in transforming gender norms related to caregiving. While it is encouraging that paternity leave is provided across all countries except Zimbabwe, leave allocations are inadequate.<sup>59</sup> These employment acts miss the opportunity to involve men in the births and subsequent care of newborn infants – a pivotal opportunity to forge more gender-equal parenting. In addition, all fail to support the rights of women to work as none provide adequate child care for working parents.



## ETHIOPIA (INADEQUATE)

The **Labour Proclamation (2003)** states that nationality, sex, marital status, family responsibility and pregnancy cannot be grounds for the termination of an employment contract,<sup>60</sup> and supported by the **Constitution of Ethiopia (1995)**, it makes provision for 90 days (30 days antenatal and 60 days postnatal) of paid maternity leave for female workers. These policies reinforce the idea of mothers as primary caregivers in the early stages of the child's life. The **Labour Proclamation (2003)** makes no provision for paternity leave, although Article 81 does allow for five consecutive days of unpaid leave in the event of exceptional and serious circumstances.<sup>61</sup> While these five days of unpaid leave can be used for various situations, specific responsibilities towards newborn infants are not mentioned. The **National Action Plan on Gender Equality (2010-2015)** is promising, as it outlines transformative measures to achieve shared work and parental responsibilities between men and women, as well as to promote an increase in opportunities for women to participate in public life.<sup>62,63</sup>



## SOUTH AFRICA (ROOM FOR IMPROVEMENT)

The **Basic Conditions of Employment Act (1997)** establishes that female employees have four months of maternity leave.<sup>64</sup> In contrast, a male employee is entitled to three days of annual paid family responsibility leave. This covers eventualities such as the birth of a child or family illness.<sup>65</sup> The law thus reinforces the notion of the mother as the primary caregiver in

the early stages of the child's life. It does not support men to become involved in their children's birth, initial development and care in the same way as women. The **Infant and Young Child Feeding Policy (2013)** supports a national agenda aimed at promoting exclusive breastfeeding for the first six months of children's lives. No reference to the role of fathers is made in this framework. Labour laws also fail to create supportive work environments. The **South African Population Policy (2008)** acknowledges that women often assume the primary responsibility for the care of children, while also taking on domestic and economic responsibilities.<sup>66</sup> However, the policy does not recognise the need for men to become more involved in caregiving or domestic responsibilities, to alleviate the burden on women and enrich their lives. Sonke Gender Justice has, however, contributed to a policy advocacy process that could see better parental leave including paternity leave of ten days be enacted in the near future.



## TANZANIA (ROOM FOR IMPROVEMENT)

The **Employment and Labour Relations Act (2004)** allows for maternity or paternity leave after an employee has been employed for six months. In a leave cycle (36 months) women are entitled to between 84 and 100 days of paid maternity leave. Fathers are entitled to three days of paternity leave in a leave cycle (36 months) to be taken within seven days of the birth of the child. This may appear insignificant, but it is a step in the right direction.<sup>67</sup>



## UGANDA (ROOM FOR IMPROVEMENT)

A female employee has the right to 60 working days of paid maternity leave in terms of **Ugandan Labour Law**. The law is also clear that a woman cannot lose her job due to pregnancy.<sup>68</sup> The **Ugandan Employment Act (2006)** allows male employees to take paid paternity leave of four working days immediately after the birth or miscarriage of their child. The man has the right to return to the same job he previously held.<sup>69</sup>



## ZIMBABWE (INADEQUATE)

The **Labour Act (2005)** provides 90 days of paid maternity leave to workers who have been employed for at least 12 months prior to becoming eligible for the maternity leave.<sup>70</sup> This leave is granted only once during any period of 24 months. The law also limits the number of times (three) that maternity leave can be taken by a worker while working for the same employer. No specific paternity leave entitlements are found in the **Labour Act (2005)**, but special leave entitlements under section 14B allow for 12 calendar days' special leave for personal reasons related to family (death of a spouse, parent, child or legal dependant or any other justifiable compassionate grounds).<sup>71</sup>



## Policies encourage men to take responsibility for their children, irrespective of relationship status

The ever-changing social, economic and political world has led to significant changes in the nature and dynamic of families on the continent. These include an increase in households headed by females, children and older people, as well as an increase in “cohabiting and consensual unions with declines in marriage, rising rates of divorce, smaller families and weakened family relationships.”<sup>72</sup> As a result, many children live within various “types” of families, most often with their mother and frequently not with their biological father. An estimated 30% of children in Ethiopia, about 43% in South Africa and nearly 70% in Zimbabwe experience life in single-parent households.<sup>73</sup> Encouraging

men to play a healthy role in the lives of their children, irrespective of the status of the relationship with the mother, is beneficial for everyone. Across all of the countries, this is the most developed policy, especially in terms of non-custodian parents’ financial contribution to the caregiving of children living with custodian parents, often referred to as *child alimony or maintenance*.

### ETHIOPIA (ADEQUATE)

There are numerous policies creating a complex web of protection for the rights of children and their mothers and fathers. The **Ethiopian Constitution (1995)** upholds the family as the natural and fundamental unit of society, guaranteeing relative equality to male and female parents.<sup>74</sup> Furthermore, the Constitution respects the rights of men and women when they enter into

marriage, as well as at the time of divorce. It follows that both female and male caregivers have equal rights, whether married or divorced, and that both can be obliged to supply maintenance support for their shared children. It establishes that every child has the right to know and be cared for by his or her parents or legal guardians, whether they are born inside or outside of marriage.<sup>75</sup>

For paternity to be recognised, it must be acknowledged by the mother of the child.<sup>76</sup> A judicial declaration of paternity can be obtained when the father and mother of the child have lived together and had continuous sexual relations, or when the claimed father has participated in maintenance, care and education of the child in the capacity of a father.<sup>77</sup> Thus, it appears that the formal possibilities for involved parenting are the same for both married and unmarried



men. Because the family is regarded as the natural and fundamental unit of society – entitled to protection by society and the state<sup>78</sup> – fathers, mothers and other caregivers who fall outside of this unit are less protected. This implies that, for example, the parental rights of men caring for other men’s children or homosexual men might not be protected. The **National Youth Policy (2004)** makes no reference to teenage fathers, but states that the family shoulders the responsibility to give advice, care for and extend support to youth.<sup>79</sup>



## SOUTH AFRICA (ADEQUATE)

South Africa has an exceptionally high divorce rate and a large number of single-parent families. About 42.5% of children aged below five years live with only their biological mother, 36.4% live with both of their biological parents, 2% live with only their biological father and 18.7% live with neither of their biological parents.<sup>80</sup> The country has a rich policy environment focused first and foremost on the rights of the child. The **Maintenance Act (1998)** places the duty of support, in or out of marriage, as an obligation that the parents, biological or adoptive, incur jointly. The respective contributions are determined by each parent’s financial means.<sup>81</sup> Contravening a maintenance order is a criminal offence. In addition, this act makes use of gender-neutral language, implying equal liability on the part of both parents, as well as allowing for the inclusion of same-sex parents. Furthermore, the **South African Population Policy (2008)** recognises that women frequently carry the primary responsibility for child care and domestic responsibilities.<sup>82</sup>

However, it stops short of motivating for men to play a role in alleviating this burden and strengthening their own involvement in their families’ lives.

Unmarried fathers, including those under the age of 18, may have paternal rights, provided that they meet certain criteria set out in the **Children’s Act (2005)**. In addition, men caring for other men’s children and single fathers benefit from a provision in the **Children’s Act** that states that the mother of a child, or another person who has parental responsibilities and rights in respect of a child, can enter into an agreement to attain parental responsibilities and rights with any person having an interest in the care, well-being and development of the child. The **National Gender Policy Framework** acknowledges the impact of unplanned pregnancies on teenage girls and elaborates on types of support afforded to vulnerable groups such as teenage parents. Recommended policy interventions involve developing the youth sector’s capacity to design and implement effectively integrated youth development programmes. Within this area, the Department of Social Development has a parenthood programme in place that encourages responsible parenthood in partnership with civil society organisations. It also released a parenting programme for the parents of teenagers in 2015 called the **Active Parenting of Teenagers**.

## TANZANIA (ROOM FOR IMPROVEMENT)

Tanzania’s view of an ideal family is one where “all children [are] born

and brought up in a family based on a legal marriage.”<sup>83</sup> This potentially marginalises unmarried fathers and non-biological fathers, as well as single mothers and children born to unmarried parents. The **Law of the Child (2009)** outlines the duty of the parent, guardian or care-giver as any other person who takes primary responsibility for the day-to-day care of a child.<sup>84</sup> Both the **Law of the Child (2009)** and the **Child Development Policy (1996)** specify that unmarried fathers must undertake their responsibilities to their children born outside marriage; should they fail to do so, they can be served with a maintenance order.<sup>85</sup> Both pieces of legislation suggest the mother is the better provider for a child under seven years old. Even when the mother is not the first choice, the court considers that changing custody (awarding it to the father) could impact negatively on the infant by disrupting their regular life.<sup>86</sup> This reluctance to award custody of children under seven to fathers suggests a patriarchal bias – that fathers are unable to be competent caregivers. The law evidently favours mothers as custodians and so inhibits the equal rights of fathers to parent. Phrasing in the policy, which suggests fathers are the sole providers, supports this position and risks entrenching traditional gender roles, limiting the role of the father to that of financial provider. The wide range of policies and laws regarding reproductive health, youth rights and youth health in Tanzania are silent on the rights and responsibilities of teenage fathers.





## UGANDA (INADEQUATE)

The **Ugandan Constitution (2006)** asserts that “children have the right to know and be cared for by their parents.”<sup>87</sup> The **Child Act (1996)** identifies child-care issues such as education, health and nutrition, and shelter as duties that parents must fulfil as part of child maintenance.<sup>88</sup> Both instruments bestow these duties on mothers and fathers. Rather than creating an enabling environment for parents to care for their children, the law takes a punitive route, making the neglect or desertion of a child a misdemeanour punishable by law.<sup>89</sup> Teenage pregnancy and parenting are not addressed in either the **National Adolescent Health Policy for Uganda or in Uganda’s National Youth Policy (2001)**.<sup>90</sup> A sub-section of the **National Youth Policy**, “Obligations of Adults and Parents”, states that adults and parents must promote responsible parenthood, provide useful guidance, train youth in different skills and provide financial support to youth projects.<sup>91</sup> The policy focuses on female youth in its discussion on unprotected adolescent sex resulting in early pregnancies and the spread of HIV, thus failing to address the role and engagement of male youth in reducing these risks.<sup>92</sup> As a result, the potential to advance gender equality may be lost. The **National Adolescent Health Plan (2004)** aims to ensure teenage mothers are readmitted to school after the birth of their child, but fails to draw teenage fathers into its framing.<sup>93</sup>

A father who is not married to the mother of his child has the same rights as a father who is married to the mother of his child, and would

therefore be able to contest custody, if he so wished.<sup>94</sup> A father who is divorced from the mother of his child is expected to continue to participate in the maintenance and education of that child. If he is not awarded custody, it is stipulated that he should be allowed reasonable access to the child.<sup>95</sup> The **Ugandan Child Act (1996)** also stipulates that there should be joint consultation between the parents in bringing up the child.<sup>96</sup> Maintenance is stipulated as providing for the material needs of the child, including “feeding, clothing, education and the general welfare of the child.”<sup>97</sup> The **Marriage and Divorce Bill** tabled in Parliament in 2012 met stiff resistance from male legislators, perhaps because it challenged the status quo of existing power relations. The bill was withdrawn and indefinitely put on hold. Resistance to reforms in marriage laws proposed by the bill highlight the entrenched social norms and expectations of marriage, as well as a male bias..

## ZIMBABWE (INADEQUATE)

The **Maintenance Act (1971)** recognises both parents of a child as primarily and jointly responsible for child maintenance until the child reaches the age of majority or becomes self-supporting.<sup>98</sup> Fathers are obliged to pay maintenance, irrespective of relationship status or marriage. The policy’s language is not gender neutral, referring to “he” and “him” as well as “wife” when referring to maintenance orders.<sup>99</sup> Allowance is made in the **Guardianship of Minors Act (1961)** to award sole custody to the father, provided the court finds this in the best interests of the child. Accordingly, mothers can also pay maintenance as the court sees fit.<sup>100</sup>

Overall, the act favours mothers over fathers. It grants sole custody of the child to the mother by default in the case of a divorce or separation until an order regulating the custody of that minor is made.<sup>101</sup> The act appears to ignore single fathers, fathers taking care of other men’s children and fathers not in a legally acknowledged marriage. However, married fathers’ rights are regarded as equal to the mother, once guardianship has been achieved. The legalities are complex though, requiring extraordinary effort from the father, which could be prohibitive or discouraging. The act favors the mother in numerous ways. It states, “the rights of guardianship of the father shall be exercised in consultation with the mother, and if a decision of the father on any matter relating to guardianship is contrary to her wishes and in her opinion likely to affect the life, health or morals of the minor to his detriment, the mother may apply to a judge in chambers.” It also states that where the mother has a joint guardianship arrangement and there is a dispute affecting the welfare of the minor, the wishes of the mother take preference.<sup>102</sup>

## Policies demonstrate a commitment to ending violence against women and girls

UNICEF’s **Behind Closed Doors: The Impact of Domestic Violence on Children (2006)** notes that for “too many children, home is far from a safe haven. Every year, hundreds of millions of children are exposed to domestic violence at home, and this has a powerful and profound impact on their lives and hopes for the future.”<sup>103</sup> Incidents of violence against women and children often co-exist in families.<sup>104</sup> In each of the countries studied for this report,

incidence is exceptionally high. While there are protective policies in place, implementation plans, enforcement mechanisms and funding are weak. Often men who resort to violence were themselves victims of or witnesses to family violence as children. Research makes strong connections between family violence and couple conflict. In addition, a lack of male involvement in care work, gender roles and gender violence are linked, perpetuated and reinforced by structural and cultural forces.<sup>105</sup> “Men have a positive role to play in helping to end men’s violence, and men and boys [can] shape and send powerful messages about relationships, violence and power.”<sup>106</sup> “Only when sexual gender-based violence is recognised as a human rights violation and not a ‘private sphere’ will patriarchal attitudes that hamper protection, survival and redress for women be revitalised.”<sup>107</sup>



## ETHIOPIA (ROOM FOR IMPROVEMENT)

Violence against women in Ethiopia is widespread. Wife-beating and spousal rape are pervasive social problems, which are widely accepted. A **World Health Organisation (2009)** study found that 70% of Ethiopian women suffered physical violence from their husband or partner at some point in their life, and over 50% had suffered physical violence in the preceding year. In 2011, a **National Plan to Combat Violence against Women and Children** framed domestic violence as a crime under the **Criminal Code (2005)**. The punishments for offenders or how this law is meant to be implemented in practice remains unclear. The **2005 Penal Code** put in place penalties

for rape from five to 20 years of imprisonment. Men could avoid this charge if they married the victim (spousal rape was not considered a crime). The new code repeals this provision, but does not invalidate earlier marriages contracted on this basis, although it does allow prosecution to continue, regardless of the status of marriage.<sup>108</sup> [HYPERLINK “http://www.genderindex.org/country/ethiopia”](http://www.genderindex.org/country/ethiopia)<sup>109</sup> Sexual harassment is not criminalised under the **Labour Code**.



## SOUTH AFRICA (ROOM FOR IMPROVEMENT)

The **Constitution of South Africa** highlights the right to freedom from violence and the values of non-sexism. The **Domestic Violence Act (1998)** recognises domestic violence as “a serious social evil”, and provides for the issuing of protection orders. The act commits government to the prevention of domestic violence, which includes physical, sexual, emotional, verbal, psychological and economic abuse. In its definition, it includes stalking, intimidation, harassment, damage to property and any other abusive or controlling behaviour that causes harm to the safety, health or well-being of the complainant.<sup>108</sup> The South African **National Sexual Assault Policy (2005)** outlines factors that could cause men to become violent, including social norms of male superiority and male sexual entitlement, men holding attitudes and beliefs supportive of sexual violence, poverty – linked to perceptions of inadequacy as a man, and weak societal laws and policies related to gender equality and sexual violence.<sup>109</sup> The policy is

primarily concerned with improving the health care that victims of sexual assault receive. Furthermore, the **National 365 Days to End Gender Violence Action Plan** aligns itself with international commitments and findings such as the United Nations Secretary General’s study on **Ending Violence against Women: From Words to Action (2006)**, which notes that “men have a role, especially in preventing violence, and this role needs to be further explored and strengthened.”<sup>110</sup> The **Kopanong Declaration** committed 260 organisations across government, civil society, business and faith-based organisations to ensuring “men work together with women in eliminating patriarchy.”<sup>111</sup>



## TANZANIA (ROOM FOR IMPROVEMENT)

Domestic violence in Tanzania is widespread. It is severely under-reported because families and communities pressure women to remain silent. The 2009–2010 Demographic Health Survey found that 44% of women had experienced physical and/or sexual violence in their lifetime, while the Legal and Human Rights Centre estimated that the rate of gender-based violence in the country in 2012 was between 30% and 50%.<sup>112</sup> Despite these worrying indications of violence, there is no specific law addressing domestic violence. General provisions under the **Law of Marriage Act (1971)** provide that “no person has any right to inflict corporal punishment on his or her spouse” (though no definition of “corporal punishment” is provided). The Ministry of Community Development, Gender and Children sought to ensure that the **National Strategy for Growth and Poverty**



**Reduction (2010)** contains strong gender components, including a goal and corresponding activities on the elimination of sexual abuse and sexual violence.<sup>113</sup> The **National Plan of Action for the Prevention and Eradication of Violence against Women and Children (2007-2015)** calls for the reform of systems in all ministries and related sectors to prevent and respond to gender-based violence. Unfortunately, the plans are predominantly focused on the legal sector and are without funding. However, according to the United Nations Food and Agriculture Organisation, the Law Reform Commission in Tanzania published a report on gender-sensitive laws in 2012 that included the text of four draft laws – one law addressing sexual offences and another on the topic of gender violence. The Commission, when enacted, will provide greater rights for women in the country.<sup>114</sup> Furthermore, violence against specific groups of women

has also been reported, specifically older women or widows who are targeted as witches. Other reasons for violence against widows include inheritance and widow-cleansing – a practice where women are “inherited” by a male relative of their deceased husband, and in some cases raped by one of the husband’s relatives, supposedly under the auspices of being “cleansed” or “purified”.<sup>115</sup>

## UGANDA (ROOM FOR IMPROVEMENT)

**Uganda’s Constitution** guarantees gender equality and affirmative action for women, outlawing discrimination based on sex.<sup>116</sup> The country has also ratified numerous relevant international and regional human rights protocols that condemn sexual gender-based violence, including the **Convention on the Elimination of All Forms of Discrimination against Women**,

the **Protocol to the African Charter on Human and People’s Rights on the Rights of Women**, the **United Nations Commission on the Status of Women in 2004 and 2009**, and the **Global and Africa Symposium on Engaging Men and Boys on Achieving Gender Equality (2009)**.<sup>117</sup> Other national legislation such as the **National Gender Policy**, the **National Action Plan on Women**, the **Penal Code 2007** and the **Domestic Violence Bill (2009)** have been put in place to prevent and respond to sexual gender-based violence. Some internationally recognised sex crimes such as marital rape and the rape of men are not captured in domestic law in Uganda. Despite this enabling legal framework, the system itself – which includes a multi-sectoral framework of support across health, policing and social services – seems under-resourced and unable to manage the needs of a growing population.<sup>118</sup> At the same time, reports indicate that the incidence of



sexual violence in the country is well above the global average, making Uganda one of the most dangerous places in the world for women to live.<sup>119</sup> Furthermore, a **Ugandan Demographic and Health Survey (2011)** indicates that 58% of women believe that a husband is justified in beating her.<sup>120</sup> The **Anti-Pornography Act** passed by the Parliament of Uganda and signed into law in 2014 is worrying. Widely interpreted by the public as the banning of miniskirts and other revealing clothing, according to Amnesty International, it is contributing to “a climate of impunity for perpetrators of violence against women who are deemed to have transgressed traditional gender norms, related to dress or otherwise.”<sup>121</sup>



## ZIMBABWE (ROOM FOR IMPROVEMENT)

A new **Constitution** was adopted in 2013, recognising the rights of men and women to equal opportunities in political, economic, cultural and social spheres. It also guarantees the right to equal pay and voids all laws, customs, traditions and cultural practices that infringe on the rights of women. It calls for the state to ensure gender balance and fair representation of marginalised groups, and promote women’s participation in all spheres of society.<sup>122</sup> The **Domestic Violence Act (2007)** prohibits domestic violence, which is broadly defined to include abuse derived from any cultural or customary rites or practices that discriminate against or degrade women, such as forced virginity testing, FGM, malicious damage to property, forcible entry into the complainant’s residence where the parties do not share the same

residence, and the unreasonable disposal of household effects or other property in which the complainant has an interest. Abuse derived from the following cultural or customary practices that discriminate against or degrade women are also prohibited: pledging women and girls to appease spirits, abduction, child marriages, forced marriages and wife inheritance.

Since then, the government has introduced public awareness campaigns and an implementation strategy, including an **Anti-Domestic Violence Council** to monitor progress. However, progress has been slow, especially since many people view domestic violence as a private matter. The prosecution of marital rape requires the consent of the Attorney General, which may discourage women from reporting it. Entrenched institutional and societal attitudes that deny marital rape as a form of violence against women also prevent women from seeking justice. Other laws include the **Criminal Law Act (2006)**, which prohibits sexual violence, including marital rape, as well as the purposeful transmission of STIs, including HIV, and the **Labour Act**, which outlaws sexual harassment.<sup>123</sup>

Unfortunately, even within these established legal frameworks, reports indicate that incidents of sexual and physical violence against women and girls are exceptionally high in Zimbabwe.<sup>124</sup> With respect to domestic violence, the **Demographic Health Survey (2011–2012)** found that 30% of all women had experienced physical violence since the age of 15. Of those who had experienced physical violence from the age of 15 and who were currently

or previously married, the most common perpetrator of that violence was the current (66.4%) or former (23.7%) husband or partner. In other words, the vast majority of physical and sexual violence experienced by women in Zimbabwe is at the hand of husbands and partners. Furthermore, 13.3% of married women reported being physically forced to have sexual intercourse by a husband and 8.6% reported being forced to perform sexual acts against their will. Women’s lack of control over sexual interaction with their husbands is directly related to their greater vulnerability to HIV and AIDS.<sup>125</sup>

## Corporal punishment has been prohibited both in schools and the home, and policies support positive discipline

“Corporal punishment ... assault ... remains lawful in some or all settings of children’s lives in the majority of states worldwide so that girls and boys can legally be hurt by family members, teachers, carers and others in the name of ‘discipline’.”<sup>126</sup>

Corporal punishment is a human rights violation; it is a fundamental breach of children’s rights to respect for their human dignity,

and physical and mental integrity. However, it is widely practised throughout Africa, both in schools and homes. Corporal punishment places children at risk of harm and of growing up to perpetuate violence. Research establishes clear links between corporal punishment and partner violence.<sup>127</sup> While corporal punishment is banned in the education sectors in Ethiopia, South Africa and Uganda, this ban does not extend to the home. Tanzania and Zimbabwe, on the other hand, allow for the use of corporal punishment both in schools and the home. South African policy action plans include a recommendation to train parents to use positive discipline.



## ETHIOPIA (INADEQUATE)

In Ethiopia corporal punishment is prohibited in schools and educational institutions but not within the home. Article 258 of the **Revised Family Code (2000)** states that a “guardian may take the necessary disciplinary measures for the purpose of ensuring the upbringing of the minor.” Article 576 of the **Criminal Code (2005)** prohibits the maltreatment of children; however, parents or guardians are given some flexibility in the use of disciplinary measures. Paragraph 3 of the same article states that “the taking, by parents or other persons having similar responsibilities, of a disciplinary measure that does not contravene the law, for the purposes of proper upbringing, is not subject to this provision.” This is somewhat contradictory, resulting in uncertainty about protecting children from corporal punishment.<sup>128</sup>



## SOUTH AFRICA (INADEQUATE)

While the use of corporal punishment is unlawful in South African schools and other educational institutions, under common law parents have the power “to inflict moderate and reasonable chastisement on a child for misconduct provided that this was not done in a manner offensive to good morals or for objects other than correction and admonition.” Strangely, this power may be delegated to a person acting in a parent’s place, though this does not extend to teachers. Provisions against violence and abuse in the **Children’s Act (2005)**, the **Constitution (1996)** and the **Domestic Violence Act (1998)** are not interpreted as prohibiting all corporal punishment in child-rearing.

The **Children’s Act** was amended in 2007 to provide for prevention and early intervention programmes, which must focus on, among other things, “developing appropriate parenting skills and the capacity of parents and caregivers to safeguard the well-being and best interests of their children, including the promotion of positive, non-violent forms of discipline.”<sup>129</sup> Furthermore, the **White Paper on Families** prioritises the promotion of healthy family life, family strengthening and family preservation. Discouraging parents from using corporal punishment promotes healthy family life.<sup>130</sup>



## TANZANIA (INADEQUATE)

Corporal punishment is legal in both the home and schools in Tanzania. Under Article 13 of the **Law of the Child Act (2009)**, “justifiable”

correction is permitted on the Tanzanian mainland. Similarly, under Article 14 of the **Children’s Act** in Zanzibar, parents are “allowed to discipline their children, as long as it does not lead to injury.” Clarity around this issue is poor, and both of these instruments are open to interpretation.<sup>131</sup>



## UGANDA (INADEQUATE)

Article 106A of the **Children’s Act**, which was added in 2016, outlaws corporal punishment in schools. However, corporal punishment is lawful in the home, and a right to administer “reasonable chastisement” is recognised under common law. Provisions against violence and abuse in the **Children’s Act (2003)**, the **Constitution (1995)**, the **Penal Code (1950)** and the **Domestic Violence Act (2009)** do not prohibit all corporal punishment in child-rearing.



## ZIMBABWE (ROOM FOR IMPROVEMENT)

Corporal punishment is not prohibited in the home or schools in Zimbabwe. Article 15 of the **Constitution** and Article 241 of the **Criminal Law (Codification and Reform) Act** authorise “moderate corporal punishment” of children by parents and others such as guardians who hold parental authority. This right that parents have to “administer reasonable punishment” is also echoed in Article 7 of the **Children’s Act**.

**Policies map out the eradication of harmful cultural practices affecting children, noting the key role of men and fathers**

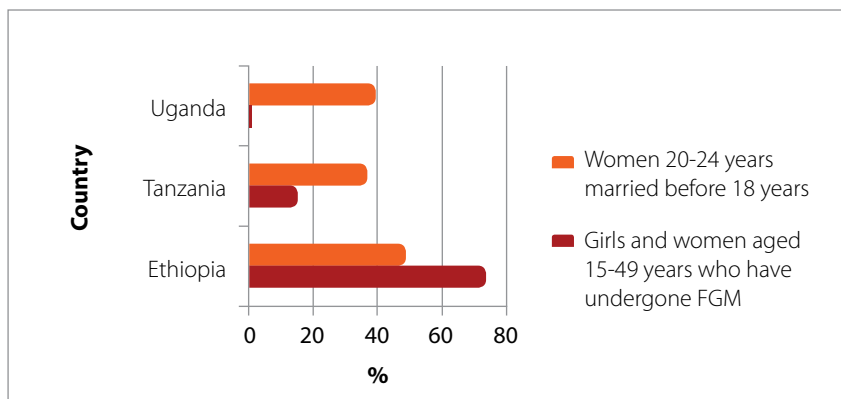
**“The abandonment of FGM/C is framed not as a criticism of local culture but as a better way to attain the core positive values that underlie tradition and religion, including ‘doing no harm to others’ ... Addressed in this way, efforts to end FGM/C contribute to the larger issues of ending violence against children and women and confronting gender inequalities.”<sup>132</sup>**

While cultural or customary practices in Africa may intend to protect families and children, child marriage and FGM/C are human rights abuses, which compromise the development and well-being of girls and, it is argued, boys. About 39% of girls living in sub-Saharan Africa are married by the time they turn 18. Poverty and the low value placed on girls are cited among the reasons for this practice. Child marriage – as with all gender discriminatory practices – does not only harm girls, it also has negative consequences for boys.<sup>133</sup>

Some figures from the 2013 UNICEF report on FGM/C<sup>134</sup> are cited below.



Figure 1: Prevalence and support of harmful cultural practice (FGM/C and Child marriage) in Ethiopia, Tanzania and Uganda<sup>135</sup>



Some figures from the 2013 UNICEF report on FGM/C are cited below. Note that statistics for South Africa and Zimbabwe were not included in this report.

African human rights instruments ratified by the countries in this report that condemn harmful cultural practices include the **African Charter on the Rights and Welfare of the Child** (Article 21), the **Protocol**

**to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa** (Article 6), the **African Youth Charter** (Article 8) and the **SADC Protocol on Gender and Development**.



Two approaches for regulating child marriage in the countries under review are:

- ▶ Criminalisation of child or early marriages (Ethiopia and Zimbabwe).<sup>136</sup>
- ▶ Banning marriage below the legally prescribed minimum age and invalidating child marriages<sup>137</sup> (South Africa, Tanzania and Uganda).<sup>138</sup>

Positive parenting is about the rights of the child, their protection and well-being. Ensuring children are protected from harmful acts and developing alternative, non-violent methods of discipline to achieve the same upbringing goals is central to eliminating all forms of violence against children, as is the involvement of men and fathers both in challenging these practices as well as protecting their daughters against harm.<sup>139</sup>



## ETHIOPIA (INADEQUATE)

Telefa is a traditional Ethiopian practice by which a man kidnaps, hides and rapes a girl and then, as the father of her unborn child, can claim marriage. One study found that the average age of an abducted female at first marriage was 13 years.<sup>140</sup> While the **Family Code** sets the minimum age of marriage at 18 years for both sexes (Article 7) and removes the concept of betrothal, the statistics in Figure 1 indicate an exceptionally high incidence of child marriage and FGM/C. In 2013, Ethiopia launched a **National Alliance to End Child Marriage and Female Genital Mutilation, as well as the National Strategy and Action Plan on Harmful Traditional Practices against Women and**

**Children in Ethiopia**,<sup>141</sup> which prioritises the elimination of child marriage and FGM/C.<sup>142</sup> The Action Plan acknowledges under-reporting on gender-based violence, and encourages men to support victims. It also recognises the need for the increased involvement of men in “all gender work”, but does not offer any specific plans to encourage or support action.<sup>143</sup> As a result, the potential to use male role models and spokespeople, such as community leaders and traditional leaders, to publicly speak out against gender-based violence or harmful cultural practices is not realised.<sup>144</sup>



## SOUTH AFRICA (ADEQUATE)

In South Africa, a form of forced child marriage – *ukuthwala* – has re-emerged recently in a few rural areas. This resurgence is related to the increasingly commercialised lobola (or bride price) as an income source. Virginity testing is regulated by the **Children's Act (2005)** – girls under the age of 16 may not be tested, and if they are tested, there are numerous regulatory requirements imposed to protect their dignity, equality, privacy and health. That being said, anecdotal evidence indicates that this practice is happening contrary to the requirements of the **Children's Act**.<sup>145</sup> The World Health Organisation does not list South Africa as a country where FGM/C is a practice and the South African government does not report that it occurs in the country, despite engaging in initiatives to curb FGM. Any information on FGM/C in South Africa is thus based on data from individuals or international organisations.

Subsidiary legislation does exist to address the issue: the **Promotion**

**of Equality and Prevention of Unfair Discrimination Act** outlaws discrimination of any person on the grounds of gender and culture, including FGM/C. Section 12(3) of the **Children's Act** explicitly prohibits genital mutilation or circumcision of female children. In contrast, section 12(8)(a) of the act allows male circumcision for children under the age of 16 if it is performed for religious practices. It is worth noting, however, that FGM/C is one of the cultural practices embedded among communities in the far north-east of the country. There are also anecdotal reports of the practice among immigrant communities from other African countries.<sup>146</sup> The study did not find any specific mention of the role of fathers in the policy framing. This could be explained by the low-priority status given to this issue in South Africa. Parents are the facilitators of this practice and the gatekeepers of social norms, and thus have the power to transform these practices.



## TANZANIA (ROOM FOR IMPROVEMENT)

An average of two out of five girls in Tanzania marries before their 18th birthday. In rural areas, girls who have the least formal education, and are affected by poverty, are the most likely to be affected. “61% of women aged 20-24 with no education and 39% with primary education were married or in union at age 18, compared to only 5% of women with secondary education or higher.”<sup>147</sup> The **Law of Marriage Act (1971)** allows for boys to marry at 18 and girls to marry at 15, or even at 14 if courts approve their request. Girls under 18 must obtain permission from their parents. Customary laws

run parallel to statutory laws. **Local Customary Law (Declaration) Order (1963)** allows each ethnic group to follow and make decisions based on its customs and traditions, while the **Constitution** does not cite a minimum age for marriage. In addition, the **Sexual Offences Special Provisions Act (1998)** recognises that gender-based violence takes various forms such as attempted rape, verbal sexual assault or other forms of sexual harassment, the sexual exploitation of children and human trafficking. The act considers female circumcision to be a sexual offence, as well as an act of cruelty to children. The **Tanzanian National Plan of Action for the Prevention and Eradication of Violence against Women and Children (2001–2015)** recognises that traditional, cultural and religious belief systems often perpetuate damaging normative behaviours. It aims to “eradicate” these and to increase “gender awareness” on gender-based violence, although it does not explain how it will do this or what “gender aware” means.<sup>148</sup> The **National Strategy for Gender Development** proposes that in order to address the harmful traditional practices that are recognised as gender-based violence, both men and women should be sensitised to the negative impacts of these practices. It is important that parents stop these practices themselves.



## UGANDA (INADEQUATE)

Child marriage is common in Uganda. In 2006, more than half (53%) of women aged 20 to 49 were married before the age of 18.<sup>149</sup> In 2013, Uganda was ranked 16th among 25 countries with the highest rates of early marriages,

with 46% of girls marrying before the age of 18 and 12% before 15. The Ministry of Gender, Labour and Social Development, together with UNICEF, published a national strategy: **#InvestinUGchildren**. In particular, the strategy notes the lack of effective policy to protect girls against early marriage and the negative impact of this practice on the capabilities of boys. It also criminalises child marriage, stressing 18 years as the minimum age at which men and women should marry. The **National Strategy** further prohibits forced marriage and provides for free consent of men and women to enter into marriage.<sup>150</sup> Other Ugandan laws that are potentially useful in the prevention of harmful cultural practices, such as child marriage, include the **Anti-Trafficking Act (2010)**, the **Domestic Violence Act (2010)** and the **Anti-Female Genital Mutilation Act (2009)**. The laws protect girls from early sex and penalise coerced sexual intercourse and forced marriages.<sup>151</sup>

However, while these laws protect adolescent girls from child marriage, they operate alongside other Ugandan laws that are lax in regard to the age of marriage. For example, while the **Marriage Act (1904)** sets 21 years as the age of consent, it allows for the written consent of father, mothers, guardians or registrars for the marriage of minors – those below the age of 21 years. The **Marriage of Africans Act (1904)** also permits marriage for minors on consent of their parents or guardian. The **Marriage and Divorce of Mohammedans Act (1906)** is silent on the age of consent. The **Constitution** stipulates that where any other law or custom is inconsistent with any of the provisions in the Constitution, the

Constitution shall prevail; the laws are nevertheless still in operation.<sup>152</sup> Such contradictions in the laws hinder effective enforcement of prohibitions against child marriage, and in the long term, serve to perpetuate child and forced marriage in Uganda. Since 1987, efforts to amend the old marriage laws have been met with stiff resistance. The **Domestic Relations Bill** has been split into three laws, one being the **Marriage and Divorce Bill**. Among other marital and sexual rights, it calls for the establishment of a national statute that consolidates the old laws, sets 18 years as the official minimum age of marriage and prohibits marriage without the consent of both parties. The situation is even worse for girls in conflict situations, where informal marriages are common because the boys are not able to pay bride wealth, and therefore sanctioned marriages are rare.

As parents set up arranged marriages, they must provide consent if their child is under age. One can only assume that this is the case with the many children who have been married as children in Uganda. The **National Strategy to End Child Marriage – A Society Free from Child Marriage 2014/2015–2019/2020** notes boys and girls as beneficiaries and key actors, while men and women are noted as gatekeepers of social norms and practices, and therefore contributors to and advocates for change.<sup>153</sup>



## ZIMBABWE (INADEQUATE)

The results of the **Zimbabwe Multiple Indicator Cluster Survey**, published in 2014 by Zimbabwe's National Statistics Agency, claims that 32.9% of women between

20 and 49 married before the age of 18. The main reasons cited for the persistence of child marriage include economic survival strategies, traditional beliefs, socio-cultural and religious values, value of virginity and protection of young girls, and gender discrimination. The minimum marriageable age law in Zimbabwe (**Marriage Act 19**), which was 16 for girls and 18 years for boys, was challenged in the Constitutional Court and found to be unlawful in January 2016. The court thus banned child marriage and the minimum age at which both men and women can marry was raised to 18.<sup>154</sup> The **Criminal Law (Codification and Reform) Act** makes it a criminal offence for anyone to promise a girl under 18 in marriage or to force a girl or woman to enter into a marriage against her will. It also makes it a criminal offence to use cultural or customary rites or practices to force a woman to marry. However, the practice of early marriage continues, as customary law (**Customary**

**Marriages Act 21**) has no minimum age and is widely practised.

### **Marriage for all sexual orientations is recognised; parental and family rights are equal for all families and parents**

Homophobic and transphobic attitudes are widespread in Africa. These attitudes may be related to concerns that homosexuality is inconsistent with, and threatens, traditional constructs of masculinity, and that these attitudes can lead to discrimination and violence. This becomes even more problematic when discriminatory laws criminalise consensual same-sex conduct, and deprive people of non-conforming sexual orientations and gender identities legal entitlements and protection that apply to cis-gendered heterosexual people. Prohibitions that adversely affect non-conforming

parents are same-sex marriages, step-child adoption by same-sex couples, joint adoption by same-sex couples, a lack of anti-discrimination laws in employment, a lack of anti-discrimination laws in the provision of goods and services, and recognition of same-sex couples.

## **ETHIOPIA (INADEQUATE)**

Homosexuality is criminalised in Ethiopia. According to Article 629 of the **Criminal Code**, same-sex activity is illegal for both males and females.<sup>155</sup> As a result, same-sex marriage is also considered to be a criminal offence, and adoption by anyone in a same sex relationship is not allowed. While there may not be explicit laws denying services to non-conforming people, social stigma and discrimination of these citizens greatly reduce, or even eliminate, their access to services.





## SOUTH AFRICA (ADEQUATE)

Homosexuality, same-sex marriage,<sup>156</sup> and adoption by gay couples are legal in South Africa – section 9 of the **Constitution** states that “everyone is equal before the law and has the right to equal protection and benefit of the law.”<sup>157</sup> South Africa’s hate crime law is primarily concerned with upholding the stipulations of equality, as defined by sections 9 and 10 of the Constitution. While the legislation acknowledges that there are many forms of discrimination, the law most prominently advocates for a non-racist and non-sexist society.<sup>158</sup> Although sexual orientation is not specifically mentioned in the preamble or in the objectives of the document, it is included in the law’s definition of harassment,<sup>159</sup> as well as in the definition of “prohibited grounds” for discrimination (section 9(3))<sup>160</sup>. This is vitally important for the rights of people with all sexual orientation and gender identities because these rights are often ignored, even when constitutions state that all citizens are equal before the law. While gay people are not denied access to health services and it is legal for same-sex couples to adopt, parenting leave is not yet made available to them in the Basic Conditions of Employment Act (2002). South Africa’s laws regarding homosexuality are largely progressive; however, social acceptance in some communities and cultures is somewhat less so, and discrimination and homophobic violence still occurs.



## TANZANIA (INADEQUATE)

Tanzania explicitly criminalises homosexual acts between men,

but not between women,<sup>161</sup> and as a result same-sex marriage is not recognised. Under section 154(1) of the **Tanzanian Penal Code (2002)**, consensual same-sex sexual acts fall under “unnatural offences”, and carry a sentence of 20 to 30 years (the second harshest in Africa). Although a person in a same sex relationship is not expressly prohibited from adopting, only married couples can adopt, effectively barring same sex people and couples.<sup>162</sup> While homosexuality is criminalised in Tanzania, there are no explicit laws denying services to people of non conforming sexual orientations. However, social stigma and the discrimination of non-conforming citizens greatly reduce their access to services.<sup>163</sup> Zanzibar also explicitly criminalises homosexual acts (for both men and women),<sup>164</sup> as well as same-sex marriage.<sup>165</sup>



## UGANDA (INADEQUATE)

In Uganda people with non-conforming sexual orientations and gender identities face exceptionally high rates of discrimination, intolerance and violence.<sup>166</sup> Both male and female same sex activity is outlawed in Uganda under the **Penal Code**, and as a consequence, marriage and adoption of children by same sex parents is not allowed.<sup>167</sup>



## ZIMBABWE (INADEQUATE)

Laws in Zimbabwe are discriminatory and foster an environment where homophobia is a major obstacle to healthy living for people with non-conforming sexual orientations and gender identities.<sup>168</sup> Zimbabwe criminalises homosexual acts between men but not between

women.<sup>169</sup> Thus, same-sex marriage between men is also illegal; however, same-sex marriage for women is not explicitly prohibited. Laws that were passed in 2006 and added to the **Criminal Code** prohibit any actions perceived as homosexual.<sup>170</sup> While homosexuality is criminalised in Zimbabwe, there are no explicit laws denying services to people with non-conforming sexual orientations and gender identities; however, social stigma and discrimination greatly reduce their access to services.<sup>171</sup> Only married couples can adopt in Zimbabwe, thus excluding people with non-conforming sexual orientations and gender identities from adopting.<sup>172</sup>

## Policies provide wider support for parents affected by poverty through social grants, cash transfers or poverty alleviation

Poverty in early childhood can negatively affect children for the rest of their lives. This realisation, together with serious concerns about persistent poverty, resulted in a significant increase in providing income support to increase family income, place economic resources in the hands of women and reduce parental stress.<sup>173</sup> Given that a key element of enabling positive parenting is building not just their capacities but also their capabilities, poverty alleviation programmes are part of a general drive to support parents, and achieve social protection and constructive child outcomes. They have been well received and are being tested in several countries across the continent, including South Africa, Ethiopia, Uganda, Tanzania and Zimbabwe. Many investors identify



the cash transfer programmes as potentially gender transformative, based on the assumption that empowering female beneficiaries reduces the gap between men over women who control the household budget.<sup>174</sup> A Save the Children evaluation study (2012), pursuing this idea, found there were mixed positive benefits for women. The study showed that power relations and gender roles within households and the community are culturally and geographically specific. Thus, the impact of the cash transfers on women depended on the implementation setting. From their interventions, they learnt that they could not assume cash transfers would be gender transformative. Without a clearly articulated and negotiated intention, they actually ran the risk of reinforcing gender power dynamics.<sup>175</sup> An Oxfam and Concern study found similar results, noting that outcome measures should be specific and target-focused, shifting the power dynamics within households.<sup>176</sup> Given the newness of this focus area, evidence is still being collected, especially in Africa. This section touches on this practice as a potential contributor to positive parenting, but does not offer definitive findings in this regard.



## ETHIOPIA (ROOM FOR IMPROVEMENT)

The **Productive Safety Net Programme**, Ethiopia's primary vehicle for social protection since 2005, aims to provide transfers to poor and food-insecure rural households. In 2014, Ethiopia launched its **National Social Protection Policy**. This introduced the concept of a "sustainable social protection system". Various

strategies and programmes support the policy, although it is frequently implemented in a fragmented manner. However, the country aims to move towards a systematic approach to increase access to basic services for the poorest and promote child protection measures.<sup>177</sup> Funding institutions in Ethiopia found that cash grants "allowed individuals and communities to decide and make informed decisions about their livelihoods, giving them the power to prioritise needs for their families and presenting them with a creative way to receive relief assistance with dignity."<sup>178</sup> Other positive outcomes noted were that the cash transfer increased access to, and control over, resources by female-headed households, allowing them to hire labourers rather than depend on male sharecroppers; reduced child labour activities and time spent by young children doing household work (farm and family chores); and improved enrolment and schooling efficiency for girls. In male-headed households, time spent by girls doing work on household non-farm businesses was reduced by a small amount.<sup>179</sup>



## SOUTH AFRICA (ADEQUATE)

South Africa has a strong social protection system, the widest reach of which is a monthly cash transfer to individuals with particular needs. It was introduced in the 1990s as a mechanism for poverty reduction and an expression of the state's commitment to the constitutional right to social security and social assistance.<sup>180</sup> The number of social grants recipients since the start of the programme has increased exponentially, from an estimated 4 million in 1994 to HYPERLINK "[http://www.sassa.gov.za/index](http://www.sassa.gov.za/index.php/knowledge-centre/statistical-reports?download=440:statistical-report-no-9-of-2015&start=30)

php/knowledge-centre/statistical-reports?download=440:statistical-report-no-9-of-2015&start=30"16.9 million by 30 September 2015. A sum of R350 per month is transferred to the main caregiver of a child aged 18 or younger. The majority of child-grant beneficiaries (96%) are women. A study by the Centre for Social Development in Africa at the University of Johannesburg highlights the impact of the grant on women's empowerment, claiming it enhances their control over household decision-making and spending, impacting positively on child well-being.<sup>181</sup> Having said that, South Africa can still significantly improve its social cash transfer system. The unemployment burden, and the lack of a credible welfare strategy for those between the ages of 18 to 59 years in the country, should be acknowledged.



## UGANDA (ROOM FOR IMPROVEMENT)

Uganda's Ministry of Gender Labour and Social Development, with funding from the Department for International Development, has been testing a cash transfer scheme focused on chronically poor households. Social transfers have been tried in the past, with varying levels of success. The approach is being tested as part of a multi-country research strategy, which seeks to build the knowledge base on unconditional cash transfers for different target groups.<sup>182</sup> The study outlines effects on the local economy and relationships between beneficiaries in the community. In addition, beneficiaries claimed that their sense of self-worth had improved, as had their social status. Furthermore, the cash transfer

allowed them to become active members of their household and communities, and so reduced their sense of burden.<sup>183</sup> No specific mention is made of men and fathers, but the general improvement in the household would most likely have a positive impact on their parenting capacities.



## TANZANIA (ROOM FOR IMPROVEMENT)

Formal social security and health insurance covers a negligible, mostly urban-based and relatively well-off portion of the population, albeit with modest benefits. About 90% of the population has no protection in cases of life contingencies, livelihood shocks or severe deprivation.<sup>184</sup> The community-based conditional cash

transfer is intended to provide cash transfers to poor and vulnerable families, conditional on increased family access to education and health services.<sup>185</sup> Social assistance coverage is also limited. Only about 8.1% of the population is covered by the existing mandatory social security schemes, leaving over 90% of the population vulnerable to life contingencies, which critically influence the ability of parents to care for their children and families. The government is trying to stabilise the fragmented and poorly implemented policies.



## ZIMBABWE (ROOM FOR IMPROVEMENT)

Zimbabwe had a national social protection system; however, it is no longer active, leaving children extremely vulnerable to exploitation, violence and abuse, and with little access to justice and social welfare.<sup>186</sup> In 2011, the Ministry of Public Service, Labour and Social Welfare launched the Harmonized Social Cash Transfer, which is an unconditional cash transfer to “strengthen the purchasing power of 55 000 ultra-poor households, who are labour constrained.” The cash transfer aims to reduce the number of ultra-poor households, and therefore, reduce risk-coping strategies such as child labour and early marriage.<sup>187</sup>



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