

Perceptions of *Ulwaluko* in a Liberal Democratic State:
Is Multiculturalism Beneficial to AmaXhosa Women
in the Eastern Cape Province of South Africa?

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ABSTRACT

This exploratory qualitative study sought to investigate the views and perceptions of women on their experiences of *ulwaluko*, a traditional rite practised by amaXhosa in the Eastern Cape province of South Africa. *Ulwaluko* is also known as *isiko lokwaluka* or *ukoluka* in isiXhosa. The concept refers not only to the act of circumcision that occurs during the initiation ritual but the entire process a boy goes through in observing this practice. *Ulwaluko* is performed in the belief that it will transform boys into accountable and responsible citizens of the society who are fully committed and dedicated to the tenets and standards of nation building. All amaXhosa boys are expected to undergo this tradition to be considered men. Failure to go to the initiation school usually results in social stigma and complete banishment by the society.

There is an abundance of literature on studies that have been conducted on male circumcision (and not *ulwaluko*) which is performed for hygiene and religious purposes worldwide. With regards to *ulwaluko* of amaXhosa, research studies that have been conducted appear to lean mainly towards biomedical and public health aspects of the ritual. There seems to be an even bigger proportion of studies whose objective was to examine the relationship between circumcision and HIV/AIDS. From the literature review, it was not difficult to observe the pervasive paucity of research studies on women in relation to initiation (and that of amaXhosa in particular), with regards to their inclusion or exclusion in the practice, their feelings, perceptions, experiences and attitudes towards the custom. It is for this reason that I found it crucial to conduct this study.

The main research question I sought to answer in this investigation was: are the human rights and gender equality rights of women, as entrenched in the multicultural principles that underpin South Africa's liberal, democratic order, adequately protected? In other words, could the individual rights of women (or gender rights) that are endorsed by liberalism, be deferred in the interest of respecting traditions and cultural values associated with *ulwaluko*? And if they are, I further ask: could the deferral of such rights be legitimate in the face of South Africa's legal framework?

The nature of this study places it in the qualitative paradigm, and interpretive phenomenology was the most appropriate research design to carry out the investigation. Multiculturalism is a principle at the centre of liberalism, and as a framework for this study, I contrast and reconcile it with feminism. While multiculturalism is concerned with protecting traditions and cultures of minority groups, feminism is concerned about women's emancipation. I used the non-probability purposive sampling to select participants who were rich in information; and I made use of community structures to gain entry into research sites and to seek permission to carry out the investigation. I conducted the pilot study in Mdantsane, a township in the Buffalo City Municipality; and I gathered data in two research sites, namely: Flagstaff in Mpondoland and Grahamstown in the Makana Local Municipality. I employed two qualitative methods to collect information, namely: focus group discussions (FGDs) and semi-structured in-depth interviews. A total of 70 participants took part in the study. 60 women participated in 8 focus groups and 10 participated in-depth interviews. Their ages ranged between 31 and 82 years.

I recorded all the FGDs and semi-structured in-depth interviews that I conducted, for ease of transcription and translation. To interpret and analyze data, I applied the general inductive approach which I later substantiated with the use of NVivo 8, a computer assisted qualitative data analysis (CAQDAS). This resulted in the identification of four themes and their related sub-themes which I compared and contrasted with literature review and the theoretical framework, so as to make sense of the information I generated from the data collection process. I also discussed the results in line with the four goals of the study.

The findings of this inquiry suggest a number of factors about *ulwaluko*, the following being the most significant: that firstly, although the rite is espoused and celebrated by some women as a significant cultural practice among amaXhosa, for others it is synonymous with patriarchy and hegemony. Secondly, women felt largely excluded, claiming that they were relegated to a subordinate position in society. For this reason, as well as because of the biomedical and other socio-political concerns associated with the practice, some women resented the custom. Thirdly, participants were divided about

whether the practice should be continued or abolished; and these differences manifested within and between different regions. Fourthly, the results also demonstrated that the norms and values applied in *ulwaluko* are in contravention of the fundamental principles of a liberal state in that universal human rights are infringed upon through exclusionary practices. In this case the woman's voice is muted; and this results in the denial of human agency. The study however, also revealed the emergence of shifting patterns in some parts of the province where an effort to include women appears to be taking place. Fifth and last, the enquiry demonstrated that *ulwaluko* is deeply entrenched among amaXhosa; that it has stood the test of time and is unlikely to be discontinued.

Based on the results, I recommend that creative and transformative ways of addressing the evident clash between the provision of individual rights by the state and the recognition of *ulwaluko* as a cultural practice (which is perceived by some as harmful to women) be sought. To achieve this objective I make the following recommendations: 1) establishment and utilization of gender equality programmes; 2) modification of values and norms of the custom; 3) representation of women in decision-making structures; 4) establishment of collaborative networks; 5) widening of access to services (such as chapter nine institutions and national gender machinery); 6) documentation and sharing of effective and inclusive practices as well as; 7) creating awareness on initiation legislation.

Keywords

AmaXhosa, circumcision, liberal democratic state, feminism, multiculturalism, *ulwaluko*, women.

DECLARATION

I hereby declare that this thesis, which I am submitting for the degree of Doctor of Philosophy at Rhodes University, is completely my own work; that all the materials and sources I have made reference to have been acknowledged fully by means of citing and referencing; and that this piece of work has never been submitted by me to any university for qualification purposes.

Kholisa B. Gogela

A handwritten signature in black ink, appearing to read 'K. Gogela', with a stylized flourish at the end.

Signature

December 2017

DEDICATION

This thesis is dedicated to the two most important men in my life: my wonderful husband, Neil Smith, and the best son in the entire world, Usisipho Gogela.

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ABBREVIATIONS AND ACRONYMS

ACRWC	African Charter on the Rights and Welfare of the Child
AHSTCA	Application of Health Standards in Traditional Circumcision Act
ARVs	Antiretrovirals (antiretroviral therapy)
AU	African Union
AIDS	Acquired immune deficiency syndrome
CAQDAS	Computer assisted qualitative data analysis
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CGE	Commission for Gender Equality
CMIPB	Customary Male Initiation Practice Bill
Cogta	Department of Cooperative Governance and Traditional Affairs
Contralesa	Congress of Traditional Leaders of South Africa
CRC	Convention on the Rights of the Child
CRL	Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
DoH	Department of Health
DSD	Department of Social Development
FGD	Focus group discussion
HIV	Human immunodeficiency virus
HRCA	Human Rights Commission Act
IF	Initiation Forum
IYA	Imbumba yamakhosikazi akomkhulu
LGBTI	Lesbian, gay, bisexual, transgender and intersex
MEC	Member of the Executive Council
NGO	Non-governmental organization
NHTL	National House of Traditional Leaders
OAU	Organization of African Unity
OSW	Office on the Status of Women
PEPUDA	Promotion of Equality and Prevention of Unfair Discrimination

PUPA	Passionate Unlimited Peers in Action
RDP	Reconstruction and development programme
SADC	Southern African Development Community
SAHRC	South African Human Rights Commission
STIs	Sexually transmitted infections
THP	Traditional health practitioners
THPA	Traditional Health Practitioners Association
UK	United Kingdom
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
USA	United States of America
USANA	United South African Neonatal Association
VMMC	Voluntary medical male circumcision
WHO	World Health Organization

GLOSSARY

Abantu	People
Abadlezana	Plural for <i>umdlezana</i>
Abakhwetha	Plural for <i>umkhwetha</i>
Amadoda	Men
Amadoda ephepha	A derogatory term used to refer to men who underwent voluntary medical male circumcision or who visited the hospital during the initiation period
Amaphakathi akomkhulu	Traditional leaders working closely with the headman and the chief
Amarhewu	A home brewed sour beverage made of maize meal known to provide energy
Amabhoma (amathonto)	Plural for <i>ibhoma / ithonto</i>
Amakhankatha	Plural for <i>ikhankatha</i>
Amakhwenkwe	Boys (plural)
Amakrwala	Plural for <i>ikrwala</i>
Amathumbu (ulusu)	Tripe; sometimes loosely referred to as intestines
Amazibazan	Plural for <i>izibazana</i>
Emakhaya	Rural homes
Ibhekile	Enamel bucket used to carry the initiate's food from his home to the lodge throughout his stay in the initiation school
Ibhoma or ithonto	Initiation lodge
Iingcibi	Plural for <i>ingcibi</i>
Ikhankatha	Traditional nurse or lodge guardian
Ikrwala	A graduate from initiation school considered to be still in the process of manhood training
Ilulwane	In the literal sense the word refers to a bat, but the term here is used in a derogatory manner to refer to a man

	who opted for voluntary medical male circumcision rather than the expected customary initiation
Imifino	Wild vegetables
Imbola	Red ochre applied by a graduate from initiation school
Iinyamazane	Wild animals
Inggongqo	A coordinated, celebratory sound women make by hitting any available object made of metal with sticks
Ingeke (ifutha)	White clay applied by initiates from face to toes
Ingcibi	Traditional surgeon
Inkosazana	Princess
Intselo	Event where suitably qualified men participate in a social gathering characterized by drinking <i>umqombothi</i> to celebrate one's transition from one phase of manhood to the next
Inqalathi	A young boy who delivers food to the initiate and assists with chores at the initiation school
Isangqa	A circular shape
Isicamba	A woman that a man uses to have casual sex with
Isicwe	A wild plant used to dress the wound of an initiate following the circumcision operation
Isigezenga	Dense steamed bread made of a mixture of flour and maize meal
Isilimela	Singular for <i>izilimela</i>
Ixhego	Old man
Izibazana	A congenial term referring to the mother of the initiate
Izilimela	The number of years a man has been circumcised
Izinyanya	Ancestors
Oonongayindoda	A derogatory term referring to liberated women, implying that they see themselves as equal to men. This is based on masculine physical appearance, for

instance butch lesbians. The term is, however, not restricted only to lesbians.

Ubudoda	The state of being a man
Ubukhwetha	The act of being an <i>umkhwhetha</i> or an initiate
Ubuntu	An African philosophy that encourages respect, collectiveness and behaviours that benefit the community
Ubuxhego	The state of being <i>ixhego</i> or an old man
Ukudlala iinduku	Stick-fighting
Ukudlanga	The act of performing circumcision denoted by a swift removal of the prepuce using an instrument called <i>umdlanga</i>
Ukugawula	The process of cutting tree branches in preparation for initiation
Ukuhlolwa	A manhood test where one is made to reveal the scars on his penis to prove he had undergone initiation
Ukojiswa/ukosiswa/umojiso	Ceremony conducted 8-10 days after initiation
Ukukhupha ifutha (ukosula)	A practice where <i>amakwala</i> engage in sex with a woman they have no intimate relationship with (not necessarily with her consent) in the hope of eliminating any bad luck they may have acquired during initiation
Ukutshakwa	A manhood test where one is required to answer a series of questions to prove that he had undergone initiation
Ukuyalwa	Forewarning and sharing of wisdom and manhood experiences
Ukuziba	Escaping to the initiation school without the permission or knowledge of parents or family

Ulwaluko	The entire process that signifies male initiation in the way amaXhosa people conduct the custom. Also known as <i>isiko lokwaluka</i> or <i>ukoluka</i>
Umdlanga	Instrument used to perform the surgical operation
Umdlezana	Singular word which is used literally to refer to a breastfeeding woman. Here the term is used in a derogatory manner to refer to a man who sought medical attention during his time at the initiation school
Umgidi (umphumo)	A ceremony marking the return of the new man from initiation school
Umkhwetha	Singular for Initiate
Umkhondo	Bad spirit associated with the woman of the initiate, or women in general, visiting the initiate's burial site
Umlaza	A condition associated with uncleanness which prohibits a person from handling any item that will at some point come into contact with the initiate. This is based on folklore theories of sex and sexuality, as well as beliefs that genital fluids are "dirty"
Umngeno/ukungena	Ceremony performed on the day the boy goes to the bush
Umqombothi	Home brewed traditional beer
UQamata	This is a supreme being, or the almighty to amaXhosa people. It is the version of God in African spiritual/traditional religion

INTERCHANGEABLE TERMS

“Constitution of the Republic of South Africa (1996)” interchangeable with “the Constitution”

“*Ulwaluko*” interchangeable with “initiation”

“CRL Rights Commission” interchangeable with the “Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities”

“Gender equality machinery” interchangeable with “national gender machinery”

“Harmful cultural practice” interchangeable with “harmful traditional practice”

“Liberal state” interchangeable with “liberalism”

“Makana Local Municipality” interchangeable with “Makana”

“Multiculturalism” interchangeable with “cultural pluralism”

“Participants” interchangeable with “women”

“United Nations Convention on the Rights of the Child” interchangeable with “Convention on the Rights of the Child”

LIST OF TABLES

Table	Page No.
Table 1: Models of circumcision	59
Table 2: Reported cases of hospital admissions, penile amputations and initiate deaths in the Eastern Cape between 1995 and 2013	67
Table 3: Legal and illegal initiation schools and arrests related to transgression of initiation legislation between 2006 and 2013.	70
Table 4: Summary of legislative framework on human rights and gender equality	137
Table 5: Total number of participants per research site	166
Table 6: Number of FGDs conducted	167
Table 7: Summary of participation in FGDs	167
Table 8: Details of FGD participants in all sites	170
Table 9: Number of semi-structured in-depth interviews	170
Table 10: Details of semi-structured in-depth interviews per participant	171
Table 11: Number of initiated sons vs number of participants	175
Table 12: Triangulation methods	179
Table 13: Themes and sub-themes	185

LIST OF GRAPHS

Graph	Page No.
Graph 1: Reported cases of hospital admissions, penile amputations and initiate deaths in the Eastern Cape between 1995 and 2011.	68
Graph 2: Distribution of participants per research site	172
Graph 3: Participants' age distribution	173
Graph 4: Participants' level of education	174

LIST OF DIAGRAMS

Diagram	Page No.
Diagram 1: Dimensions of <i>ulwaluko</i>	61
Diagram 2: Screenshot of NVivo tree nodes	183

TABLE OF CONTENTS

1. CHAPTER ONE: INTRODUCTION TO THE STUDY

1.1	Introduction.....	1
1.2	The context of the research.....	2
1.3	Motivation for the study.....	7
1.3.1	Goals of the study.....	10
1.4	Researcher positionality.....	12
1.5	Methods, procedures and techniques.....	14
1.5.1	Population and sampling.....	14
1.5.2	Data collection.....	15
1.5.3	Data analysis.....	16
1.6	Presentation of the research report.....	16
1.7	Conclusion.....	18

2. CHAPTER TWO: *ULWALUKO* OF AMAXHOSA: THE HISTORY, RITUAL AND LEGISLATION

2.1	Introduction.....	19
2.2	General overview of male circumcision.....	19
2.2.1	Circumcision as a historical and anthropological subject.....	20
2.2.2	The religious, spiritual and missiological interpretation of circumcision.....	22
2.2.2.1	Jewish circumcision.....	22
2.2.2.2	Muslim circumcision.....	24
2.2.2.3	Christianity and <i>ulwaluko</i>	25
2.2.3	Circumcision in the legal and socio-political context.....	27
2.2.4	Circumcision as a public health issue.....	28

2.2.5 Neonatal circumcision.....	30
2.2.6 Attitudes towards male circumcision.....	32
2.3 What is initiation?	35
2.3.1 Initiation rituals.....	36
2.4 The history of <i>ulwaluko</i> in the Eastern Cape.....	37
2.5 The significance of <i>ulwaluko</i>	41
2.6 Initiation and masculinity.....	44
2.7 The Process of <i>ulwaluko</i>	48
2.7.1 Van Gennep’s model of social transition	48
2.7.1.1 IsiXhosa Model of <i>ulwaluko</i>	49
2.7.1.1.1 The preparation phase.....	49
2.7.1.1.2 The separation phase.....	52
2.7.1.1.3 The transition phase.....	54
2.7.1.1.4 The incorporation phase.....	56
2.7.2 Emerging male circumcision models.....	58
2.7.3 Dimensions of <i>ulwaluko</i>	60
2.7.3.1 Physical dimension.....	62
2.7.3.2 Psychological dimension.....	62
2.7.3.3 Social dimension.....	62
2.7.3.4 Educational dimension.....	63
2.7.4 Stages of manhood.....	63
2.7.4.1 <i>Ubukhwetha</i>	64
2.7.4.2 <i>Ubukrwala</i>	64
2.7.4.3 <i>Ubufana</i>	64
2.7.4.4 <i>Ubudoda</i>	65
2.7.4.5 <i>Ubuxhego</i>	65
2.8 Challenges associated with <i>ulwaluko</i> in the Eastern Cape.....	66

2.8.1	Statistics on botched circumcisions and deaths.....	66
2.8.2	Negative factors.....	68
2.8.2.1	Establishment and running of initiation schools.....	69
2.8.2.2	Declining appreciation of the cultural value of <i>ulwaluko</i>	70
2.8.2.3	Incompatibility of initiation seasons.....	71
2.8.2.4	Age of admission.....	71
2.8.2.5	<i>Ulwaluko</i> and Well-being.....	71
2.8.2.6	Physical and psychological harm.....	72
2.8.2.7	Deaths in initiation schools.....	72
2.8.2.8	Commercialization of initiation schools.....	72
2.8.2.9	Consent	74
2.8.2.10	Inadequate physical environment.....	75
2.8.2.11	Principle of secrecy and sacredness.....	75
2.8.2.12	Violence and abuse of initiates.....	75
2.8.2.13	Alcohol and substance abuse.....	76
2.9	Suggestions on curbing initiation problems.....	76
2.9.1	Parliamentary legislative framework (policy) on initiation rite.....	76
2.9.2	House of Traditional Leaders.....	76
2.9.3	Multi-sectoral response.....	77
2.10	<i>Ulwaluko</i> and legislative framework.....	78
2.10.1	Customary Law in South Africa.....	78
2.10.2	Key legislation affecting <i>ulwaluko</i>	79
2.10.2.1	South African legislation.....	79
2.10.2.1.1	The Constitution of the Republic of South Africa (Act No. 108 of 1996).....	79
2.10.2.1.2	The Human Rights Commission Act (No. 54 of 1994).....	83
2.10.2.1.3	The Children’s Act (Act No. 38 of 2005).....	84

2.10.2.1.4 The Application of Health Standards in Traditional Circumcision Act (No. 6 of 2001).....	85
2.10.2.1.5 The Traditional Health Practitioners Act (No. 22 of 2007).....	88
2.10.2.1.6 The Policy on the Customary Practice of Initiation in South Africa.....	90
2.10.2.1.7 Eastern Cape Customary Male Initiation Practice Bill.....	91
2.10.2.2 Regional and international legislation.....	92
2.10.2.2.1 The United Nations Convention on the Rights of the Child.....	92
2.10.2.2.2 The African Charter on the Rights and Welfare of the Child.....	96
2.11 Conclusion.....	98

3. CHAPTER THREE: MULTICULTURALISM IN LIBERAL DEMOCRACIES

3.1 Introduction.....	100
3.2 What is multiculturalism?	100
3.2.1 Multiculturalism as communitarianism.....	104
3.2.2 Patriarchy and masculinity in multicultural societies.....	105
3.2.3 Men's attitudes towards women's rights.....	108
3.3 Feminism.....	111
3.3.1 Okin's feminist critique of multiculturalism.....	113
3.3.1.1 Critique of Okin's essay.....	117
3.3.2 Liberal defense.....	122
3.4 The problem of binary constructions in liberalism.....	125
3.5 Important concepts relating to liberalism and multiculturalism.....	126
3.5.1 Politics of recognition.....	126
3.5.2 Cultural relativism.....	128
3.5.3 Legislation sanctioning multiculturalism.....	129
3.5.3.1 Gender equality and human rights laws.....	129
3.5.3.2 Culture and universal human rights.....	138

3.6	Conclusion.....	140
4.	CHAPTER FOUR: EXECUTION OF RESEARCH DESIGN AND METHODOLOGY	
4.1	Introduction.....	142
4.2	Research paradigm.....	142
4.3	Research design.....	143
4.4	Population and sampling procedure.....	146
4.5	Gaining entry into research sites.....	146
4.6	Description of research sites.....	149
4.6.1	Mdantsane in the Buffalo City Municipality.....	149
4.6.2	Flagstaff in Mpondoland.....	150
4.6.3	Grahamstown in the Makana Local Municipality.....	152
4.7	Data collection methods.....	153
4.7.1	Data collection instruments.....	153
4.7.2	The pilot study.....	154
4.7.3	Focus group discussions.....	155
4.7.3.1	Advantages of focus group discussions.....	158
4.7.3.2	Disadvantages of focus group discussions.....	159
4.7.4	In-depth interviews.....	160
4.7.4.1	Advantages of in-depth interviews.....	163
4.7.4.2	Disadvantages of in-depth interviews.....	164
4.7.5	Other sources of data.....	165
4.8	Participant biographical details.....	166
4.8.1	Focus group participant details.....	166
4.8.2	In-depth interviews participant details.....	170
4.8.3	Regional distribution.....	172
4.8.4	Age distribution.....	172

4.8.5 Educational qualifications.....	173
4.8.6 Number of initiated sons.....	174
4.9 Trustworthiness and credibility of the study.....	175
4.9.1 Data verification.....	175
4.9.1.1 Truth value.....	176
4.9.1.2 Applicability.....	176
4.9.1.3 Consistency.....	176
4.9.1.4 Neutrality.....	177
4.9.2 Triangulation.....	177
4.10 Qualitative data analysis.....	180
4.10.1 The coding process.....	180
4.10.1.1 Preliminary data analysis.....	180
4.10.1.2 Inductive coding process	181
4.10.1.2.1 First cycle coding.....	181
4.10.1.2.2 Second cycle coding.....	183
4.10.1.2.3 Third cycle coding.....	183
4.11 Ethical considerations.....	186
4.11.1 Informed consent.....	187
4.11.2 Anonymity and confidentiality.....	188
4.11.3 Accountability and professionalism.....	188
4.11.4 Risk management.....	191
4.12 Limitations of the study.....	192
4.13 Conclusion.....	194

5. CHAPTER FIVE: DATA PRESENTATION, ANALYSIS AND FINDINGS

5.1 Introduction.....	196
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5.2 Findings.....	196
5.2.1 Theme 1: Problems associated with injuries, fatalities and resentment of the practice.....	197
5.2.1.1 Prohibition of western forms of health intervention.....	197
5.2.1.2 Peer pressure and social pressure.....	198
5.2.1.3 Poor Construction of dwellings.....	200
5.2.1.4 Poor nutrition and dehydration.....	201
5.2.1.5 Physical violence.....	202
5.2.1.6 Alcohol and substance abuse.....	204
5.2.1.7 Intra-group tensions.....	204
5.2.1.8 Non-fulfilment of initiation objectives.....	205
5.2.2 Theme 2: Tensions between law and culture.....	207
5.2.2.1 Denial of the right to health and well-being.....	207
5.2.2.2 Exclusion of women.....	209
5.2.2.3 Democracy and its effect on initiation.....	215
5.2.2.4 Exposure to psychological trauma and emotional distress.....	220
5.2.2.5 Exploitation and sexual abuse of women.....	226
5.2.2.6 Social stigma and rejection.....	227
5.2.3 Theme 3: Factors enabling the preservation of <i>ulwaluko</i>	230
5.2.3.1 Acceptance of the custom and loyalty to the practice.....	230
5.2.3.2 Efficacy of traditional leadership.....	233
5.2.3.3 Celebration of the custom.....	234
5.2.4 Theme 4: Mechanisms to address the challenges	236
5.2.4.1 Safety of initiates.....	236
5.2.4.2 Re-evaluation of the initiation period.....	236
5.2.4.3 Inclusion of women in the practice.....	237
5.2.4.4. Implementation and reinforcement of the law.....	239

5.2.4.5 Timeous planning and proper organizing.....	240
5.2.4.6 Existence of a functional support structure.....	241
5.3 Conclusion.....	241

6. CHAPTER SIX: DISCUSSION OF FINDINGS

6.1 Introduction.....	243
6.2 Experiences and perceptions of women on the practice.....	243
6.2.1 <i>Ulwaluko</i> as a harmful practice.....	243
6.2.2 <i>Ulwaluko</i> as an espoused and celebrated custom.....	247
6.3 <i>Ulwaluko</i> and gender equality.....	251
6.4 Implications of <i>ulwaluko</i> in contemporary South Africa.....	254
6.5 Incorporation of women in <i>ulwaluko</i>	255
6.6 Reflection.....	258
6.7 Conclusion.....	262

7. CHAPTER SEVEN: SUMMARY, CONCLUSION AND RECOMMENDATIONS

7.1 Introduction.....	263
7.2 Summary.....	263
7.3 Conclusion.....	266
7.4 Recommendations.....	267
7.4.1 Establishment of gender equality programmes.....	268
7.4.2 Modification of values and norms of the custom.....	268
7.4.3 Representation of women in decision-making structures.....	269
7.4.4 Establishment of collaborative networks.....	270
7.4.5 Widening of access to services.....	270

7.4.6 Documentation and sharing of effective and inclusive practices.....	271
7.4.7 Creating awareness on initiation legislation.....	271
7.5 Implications for further research.....	272
REFERENCES.....	273
APPENDICES.....	295
Appendix A1: Participant letter and consent form (English).....	295
Appendix A2: Letter and consent form (isiXhosa).....	298
Appendix B: Focusing exercise pictures.....	301
Appendix C: Focus group guide.....	302
Appendix D: Interview schedule.....	304

CHAPTER ONE

INTRODUCTION TO THE STUDY

1.1 Introduction

This study is located within the field of politics of culture. It investigated the views of women concerning the traditional rite of amaXhosa known as *ulwaluko*, particularly in the current social, cultural and political milieu. As Ntombana (2011b, p. 31) aptly puts it, when a person talks about *ulwaluko*, also known as *ukoluka* in isiXhosa culture, “what comes to mind is not circumcision but the whole ritual process one goes through in the initiation.” It must be noted, therefore, that due to their inexperience with the language and intricacies of the custom, many scholars use the term “circumcision” when in reality they are referring to *ulwaluko*. In recent years the concept “traditional male initiation” has also been used to refer to *ulwaluko*. “Tradition” is not an easy term to hold down to one thing as different people interpret it differently. Some scholars view tradition as a long-standing way of life that has transcended many generations. For instance, Shils (1981, p. 13) defines tradition as “that which has been and is being handed down or transmitted... something which was created, was performed or believed in the past, or which is believed to have existed or to have been performed or believed in the past.” While Shils locates tradition largely in the past, Williams (1977, p. 115) emphasizes its relevance in the present. He states that tradition is “an actively shaping force - a deliberately selective and connecting process which offers a historical and cultural ratification of a contemporary order.” Williams thus underscores the pervasiveness of tradition in modern society. For other scholars tradition has more to do than just the historical-modern epoch many definitions appear to focus on, it is constituted for a specific role. Halpin, Moore, Edwards, George & Jones (2000), view tradition as “one way in which continuity is conferred upon experience: that is to say, it not only denotes a set of tried and trusted social practices, but also a process with a very specific *purpose*” (p. 135). *Ulwaluko* is a very old custom that is widely practised by amaXhosa in both rural and urban areas. The custom is passed down many generations to initiate boys into manhood (discussed in more detail in Chapters Two and Three),

hence it is referred to as traditional initiation. In this thesis I use *ulwaluko* interchangeably with initiation.

This enquiry is entitled “perceptions of *ulwaluko* in a liberal democratic state: is multiculturalism beneficial to amaXhosa women in the Eastern Cape of South Africa?” The objective here is to establish whether multiculturalism works for or against women who are mothers, sisters, aunts and grandmothers to boys who, at some point in their lives, are expected to undergo initiation in accordance with isiXhosa culture. It is common knowledge in South Africa that the Eastern Cape, where amaXhosa were confined prior to the new dispensation and mostly live today (Bottoman *et al.*, 2009; Vincent, 2008a), is one of the poorest provinces in the country (Lehohla, 2010; Lehohla, 2011; WHO, 2008). The province is largely rural in nature. In the last census of 2011, the Eastern Cape had a population of 6.6 million people, 78,8% of which were isiXhosa-speaking (Statistics South Africa, 2012a; Statistics South Africa, 2012b; Statistics South Africa, 2013; WHO, 2008).

1.2 The Context of the Research

Renowned for her conviction that gender issues should be central rather than peripheral to contemporary political discourse, Susan Moller Okin (1999), the late liberal political philosopher, questioned in her popular essay: *Is Multiculturalism Bad for Women?*, whether a critical discord exists between the need to advance gender equality in society and the importance of paying allegiance to group rights and thus cultural practices that contradict gender justice ideals. Ozoemena (2013, p. 77) defines gender justice as “the ending of, and the provision for redress for inequalities between men and women that result in women’s subordination to men.” Okin (1999) argued that the protection of the right to culture should never be seen as grounds for condoning practices that are oppressive to women. I discuss her standpoint in more detail in Chapter Three, Five and Six. In this study I explored whether multiculturalism – specifically the liberal, democratic South Africa’s regulatory regime with respect to the male initiation rites of amaXhosa – as a moral and democratic principle, is either beneficial or harmful to women. This

contemplation is based on the potential for conflict between the equality of women that is entrenched in the Constitution of the Republic of South Africa (1996) – here referred to as the Constitution – as well as other legislation, and the recognition that citizens may freely practice and express the culture of their choice.

Male initiation rites are practiced not only on the continent of Africa but in many countries throughout the world, and have been acknowledged by many authors as one of the most robust aspects of traditional cultures in Africa (Papu & Verster, 2006; Stinson, 2007; Vincent, 2008b). Circumcision frequently forms part of male induction into particular cultures of masculinity. When circumcision is performed for hygiene purposes or medical reasons, it is referred to as voluntary medical male circumcision (VMMC). In South Africa this form of circumcision was “the brainchild of Health Minister Aaron Motsoaledi” (Majangaza, 2016, unpaginated) and has been promoted as one of the methods to reduce the transmission of the human immunodeficiency virus (HIV). Circumcision is also performed during a boy’s infancy in many countries all over the world, usually for religious and hygiene purposes (Rizvi, Naqvi, Hussain & Hasan, 1999; Zoske, 1998). The latter is referred to as neonatal circumcision. In cases where the prepuce is removed for cultural purposes, it is referred to as ritual circumcision - and *ulwaluko* among amaXhosa - a prestigious social act viewed as a rite of passage that transforms boys to manhood (Bottoman, Mavundla & Toth, 2009; Tenge, 2006). While the term initiation refers to the complex rite of passage that admits boys into what it means to be a man in isiXhosa culture, circumcision basically refers to the surgical part of the rite of passage. The latter is therefore but a fraction of the entire process of the initiation among amaXhosa. I discuss these different models of circumcision in more detail in Chapter Two (refer to 2.7.2).

Ulwaluko is a deeply-rooted ritual for the isiXhosa-speaking people. It is cloaked in secrecy, and the aim of this privacy is to keep the ritual and all the initiation practices that go with it hidden from women, boys and other cultural groups. The participation of women in *ulwaluko*, or even the discussion of the subject, has for the longest time been considered taboo amongst amaXhosa (Nduna, Siswana, Ewing & Vilanculos, 2015; Siswana, 2015; Venter, 2011; WHO, 2008). What this translates to is a situation where

men are generally entrusted with a prominent role to play in the initiation process while women are largely left out of it. Traditionally there is a significant split between men and women's roles during the initiation of boys. To illustrate this divide, Nduna *et al.* (2015, unpaginated) describe it in this manner: "Save for girls, who are related to and who cook for the initiate, women are generally not involved in the traditional process. Women's role could be described as that of cheerleaders." It appears, however, that in some parts of the province a notable paradigm shift in how the custom is conducted has been gradually occurring over the years. For instance, Ntombana (2011b) observed that "[t]he reality is that initiation is no longer a male issue; it is a life, human right and health issue" (pp. 75 – 76). Nduna *et al.* (2015) support this notion, pointing out that the modern South Africa is characterized by a high rate of female-headed households which has had an influence on *ulwaluko* and changes the dynamic in that in the present day, the practice leans towards the inclusion of women.

Ulwaluko continues to occupy a place of great significance in the culture of amaXhosa in contemporary South Africa (Papu & Verster, 2006, p. 178). In recent years this initiation ritual has been the subject of considerable public scrutiny because of the spate of deaths and injuries that are a result of so-called "bush" circumcisions that have gone wrong. Medical complications caused by botched circumcisions include blood-borne infections such as gangrene and septicaemia which lead to, in the worst cases, amputation of the penis and the death of initiates (WHO, 2008). Many authors (including Bottoman *et al.*, 2009; Kanta, 2003; Mhlahlo, 2009; Ncayiyana, 2003; Ntombana, 2011a; WHO, 2008; Vincent, 2008a) have written widely about the causes of the disturbing number of deaths among initiates (refer to Table 2). Literature suggests that some of the reasons for hospitalization of initiates suffering from serious medical complications result from criminal behavior at initiation schools, which is associated with alcohol and drug abuse (CRL Rights Commission, 2010). The authors also cite nutritional inadequacies and the absence of parental consent to the initiation of underage boys.

According to Le Roux (2006), human rights activists who are concerned with the protection of human rights or individual rights that are promulgated by South African

legislation have argued that “when carried out in these circumstances, traditional male circumcisions have the potential to violate a number of rights... including the right to physical integrity and life” (p. 2). Some have gone so far as to call for the tradition’s abolition (Mcotheli & Myemana as cited in Ntombana, 2011a, pp. 632, 636; Venter, 2011). On the other hand, for many communities and traditional authorities, *ulwaluko* remains absolutely central to isiXhosa culture and its abolition would be unthinkable (Ntombana, 2011b; Papu & Verster, 2006; Venter, 2011). The findings of Venter’s (2011) study, for instance, indicate that although the women she interviewed demonstrated inner conflict and divergent views on how and where amaXhosa male initiation should be carried out, the majority of the women pointed out that they wanted the cultural practice to be upheld despite its health risks.

Motivated by the consequences of improperly performed traditional circumcisions, medical practitioners have called for “safer and proper” circumcisions to be performed in hospitals (Vincent, 2008, p. 81). At provincial level, the state introduced the Application of Health Standards in Traditional Circumcision Act (AHSTCA) - No. 6 of 2001 (refer to Appendix G) in the Eastern Cape, which was ratified in 2001. The policy on the Customary Practice of Initiation in South Africa – initially referred to as the draft National Policy on the Customary Practice of Initiation in South Africa – was drafted in 2011, amended in 2015 and sent out to all provinces for comment in the course of the same year. WHO (2008) reports that a host of challenges concerning the AHSTCA (No. 6 of 2001) have been experienced, including complications concerning the role of designated medical officers, the authority of traditional leaders, monitoring problems, information dissemination, lack of resources and lack of coordination. Some traditional leaders and organizations like the Congress of Traditional Leaders of South Africa (Contralesa) in the Eastern Cape have vehemently opposed regulation of *ulwaluko*. As reported by Vincent (2008, p. 87), these leaders insisted that problems were caused by “bogus” initiation schools, and not the practice itself. At the time, Contralesa rejected the Act outright due to the involvement of women in its drafting.

South Africa prides itself as a liberal, democratic, multicultural state that upholds gender equality ideals. Based on its significance in liberal states, I use multiculturalism as a conceptual framework on which this study is framed, and from which I ask whether state sanctioning of cultural rights that exclude women in this way – as argued by Okin (1999) – is compatible with gender equality. Multiculturalism is defined by Cohen, Howard and Nussbaum (1999, p. 4) as “the radical idea that people in other cultures... are human beings too – moral equals, entitled to equal respect and concern, not to be discounted or treated as a subordinate caste.” In essence, multiculturalism denounces prejudice and discrimination and promotes cultural diversity.

Over the last two decades, liberal democratic institutions have been engaged in raging debates on the question of individual rights versus collective rights (for instance Kymlicka, 1995; Nhlapo, 1995b; Okin, 1999). On one hand, communitarians emphasize the importance of forging a connection between individuals and their communities, claiming that such a stance promotes inclusion and social cohesion, amongst other ideals. They refute the idea that liberalism can uphold the collective rights of minority groups in view of cultural interests. On the other hand, scholars such as Okin worry about multiculturalism and the impact of group rights on the rights of minorities who they feel are relegated to a subordinate status in their communities because of cultural, religious and gender related practices. Central to Kymlicka’s argument for multiculturalism is the evident connection between gender and culture. He argues that gender inequality – a dominant force in patriarchal societies – cannot be overlooked when discussing cultural pluralism and believes that multicultural ideals within a liberal democratic framework can be safeguarded. Defending his multicultural position, Kymlicka makes a case for the need for liberal states to endorse group rights to allow minority cultures to practice their way of life freely, and to avoid the extinction of such cultures. However, he argues that for such rights to be justified, “a group that claims special rights must govern itself by recognizably liberal principles, neither infringing on the basic liberties of its own members by placing internal restrictions on them nor discriminating on them on grounds of sex, race or sexual preference” (Okin, 1999, p. 20). According to Maluleke (2012), despite their detrimental nature and their transgression of international and national human rights legislation,

traditional cultural practices remain intact because they are hardly ever contested and thus “take on an aura of morality in the eyes of those practising them” (p. 2). The need to look into cultural aspects that contribute to gender inequalities is becoming increasingly explicit, not necessarily in order to do away with culture itself, but to address the consternations within cultural practices that tend to be discriminatory and oppressive to women (Schalkwyk, 2000, p. 1).

1.3 Motivation for the Study

This study has been prompted by a number of factors. Firstly, the interest arose out of the experiences I had as a female lecturer in a higher education institution in the Eastern Cape. In this context, I observed that any attempt to discuss circumcision (and not *ulwaluko per se*), with regards to HIV/AIDS was met with a strong objection and open hostility from amaXhosa men in the lecture room, and sometimes complete withdrawal. They argued that it was inappropriate and against traditional rules to speak to women, boys and members of other cultural groups or races about *ulwaluko*. This stance triggered emotionally charged debates amongst students. While some amaXhosa women argued that it was important to respect the privacy of the tradition, others felt the cultural practice had become a health issue, a rights issue and a gender issue. They argued that it required open communication in all spheres of society. It would appear that such disputes were not uncommon in universities around the country as Venter (2011) for instance, mentions that she became aware of this contention during discussions with her students on initiation. She mentions that while some of her students expressed concerns about the mortality rates of initiates during the initiation period, others strongly defended the ritual despite its detriment to initiates.

Secondly, the study was also motivated by my experiences as a single mother raising a boy who had to undergo initiation as expected in the culture. I found myself constantly agonizing about his physical and psychological well-being throughout the initiation period. This fear and concern was a result of widely publicized problems surrounding initiation as well as my personal observations on exclusion of women from many aspects of the

practice, which in principle points to limited power on the part of women, or no authority at all, to intervene should problems arise for the initiate while at the initiation school. This sentiment is supported in Venter's (2011, p. 570) study where she reports that "incidences were shared where mothers feared for the well-being of their children, but felt powerless to do anything." It also appeared that women were fearful of speaking out against traditional authority since this could result in punishment (Venter, 2011). It is customarily not uncommon for women to be punished for transgressing the exclusion laws. For example, traditional leaders like Chief Mweliso Nonkanyana, the Chairperson of Contralesa, have reiterated that "traditionally, a woman found in the area near an initiation school would be killed, but because of the human rights thing she's detained and dealt with in another way" (Vincent, 2008b, p. 88). Such attitudes are formed because of the belief that women practice witchcraft, which is regarded as the main cause of the death of initiates (Vincent, 2008b).

The attitudes I refer to above tend to create a contradiction between South Africa's liberal constitutional legal order (which affords equal rights to men and women, including the parental right to have an opinion about the upbringing and well-being of one's children) and culture. These rights are reiterated not only in the country's Constitution but also in the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA), also known as the Equality Act; the African Charter on Human and Peoples' Rights, also known as the Banjul Charter and its Protocol; as well as the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and its Protocol. This raised a concern on my part, and I began to wonder whether multiculturalism as a principle of liberalism that aims to enhance the dignity, rights and worth of all marginalized groups (Fowers & Richardson, 1996) was achieving this objective in as far as women affected by *ulwaluko* were concerned. Against this backdrop, multiculturalism seemed to be an appropriate theoretical framework for this study.

Due to all the consternation that I bring to the fore above, I was subjected to feelings of desolation associated with a sense of unfair discrimination against women in isiXhosa culture, which led curiosity about: 1) the feelings of other women regarding initiation,

especially in female-headed households; and 2) the relevance of the exclusion of women from *ulwaluko* in communities where this was prevalent, and in the current political dispensation in South Africa.

There is also a third reason that led to this research study, and it requires some background explanation. Bearing in mind the distinction and interrelatedness between *ulwaluko* and circumcision, it is important to bring to the reader's attention that circumcision (again, not necessarily *ulwaluko*) has always been a subject of interest all over the world. This led to many researchers exploring the phenomenon from various angles in different disciplines. While some authors have written about it from a historical background (for instance Silverman, 2004; Doyle, 2005), others have conducted their studies from an anthropological stance (Ntombana, 2011b; Bank & Ntombana, 2012). Circumcision has also been studied from a biblical perspective (Glass, 1999; Mtuze, 2008) as well as from a legal position (Le Roux, 2006; Momoti, 2002). Literature also suggests a growing interest in the field of initiation in South Africa. Many studies have emerged on *ulwaluko* of amaXhosa boys in the last few years, including those conducted by researchers such as Duka-Ntshweni (2013), Nduna *et al.* (2015), Siswana (2015), Venter (2011) and Venter (2013). From the literature I reviewed, I made some noteworthy observations that have significance to this study, that: a) A lot has been written about circumcision worldwide; b) With regards to *ulwaluko* of amaXhosa, a considerable number of articles that have been published since the early 2000s were concerned with the biomedical and public health aspects. These studies had been prompted by the disquieting number of medical complications and deaths of initiates that have continued unabated over the years; c) Numerous other studies that have been conducted focused on the relationship between circumcision and HIV/AIDS; d) There appears to be a paucity of research studies worldwide conducted on initiation as it relates to women and their involvement in the practice, save for feminist literature on Jewish circumcision (for instance Goldman, 1999; Goodman, 1999).

There is also literature available on women's attitudes with regards to circumcision in relation to HIV/AIDS (such as Madhivanan, Krupp, Chandrasekaran, Karat, Reingold, &

Klausner, 2008). Venter (2011), who I referred to earlier, conducted a study on the views of amaXhosa women on *ulwaluko* in the Eastern Cape and Venter (2013) investigated the attitudes of isiXhosa speaking female teachers in the province on the same subject. The study conducted by Nduna *et al.* (2015) did not focus on women *per se*, although they observed a shift in gender norms in the manner in which *ulwaluko* is practiced, particularly that a steady increase has been observed on the rise of female-headed households in developing countries. This rise was also noted by Schatz, Madhavan & Williams (2011). These developments imply that women are increasingly stepping into roles that are traditionally considered the territory of men. Stinson (2007) has also referred to the concerns expressed by mothers of initiates on *ulwaluko*, albeit fleetingly. e) Lastly, I noted that literature was largely silent on *ulwaluko* as it relates to gender issues and democratic ideals. In present day South Africa this subject has become pertinent, if not exigent, and calls for scrutiny. So, the third and final reason that motivated me to conduct this study was the gap in scholarly research on the initiation of amaXhosa boys and its implications for women in a multicultural context.

1.3.1 Goals of the Study

This research study seeks to examine the following goals:

- 1) To explore and describe the experiences and perceptions of women with respect to *ulwaluko* as it is currently practiced by amaXhosa in the Eastern Cape.
- 2) To articulate ways in which current attitudes and approaches to *ulwaluko* of amaXhosa harmonize or contradict with the dictates of gender equality in South Africa's liberal constitutional order.
- 3) To suggest (based on goal 2 above) what consequences - be they positive or negative - may arise from the manner in which the custom is carried out, and in view of the contemporary South African socio-political context
- 4) To inquire what, if any, possibilities exist to legitimize the greater incorporation of the voice of women in all societal levels in line with the principles of multicultural communities in a liberal, democratic order.

Since goal 2 was concerned with the intersection between gender and culture in a liberal context, the enquiry landed itself in the multiculturalism milieu. Cohen *et al.* (1999, p. 4) view multiculturalism as the notion that all human beings of all cultures are “moral equals” that deserve equal respect irrespective of their background. For its concern about the voice of women, goal 4 suggested the need to use feminism as a basis for this study. Although the two modalities have been considered contradictory by some authors (for instance Kakuthas, 2001; Okin, 1999) other scholars found commonalities between the two (Phillips, 2009; Reingold & Baratz; 2009). It is this complementary angle (which I discuss in detail Chapter Three) that encouraged me to frame this study on multiculturalism and feminism.

In contextualizing *ulwaluko*, I sought to demonstrate that the practice occurs within a pervasive and intense cultural climate that is characterized by rich indigenous knowledge, and presents specific cultural connotations. I also sought to demonstrate the ways in which initiation among amaXhosa distinguishes itself from other circumcision rites. This study thus displays my interest in the politics of tradition and in the African cultural milieu in particular. The context in conjunction with the research methods I employed in carrying out the investigation (which I discuss briefly in 1.4 below and in more detail in Chapter Four) places the study within cultural anthropology.

The main research question I ask in this thesis therefore is:

- In the process of conducting *ulwaluko*, are the human rights and gender equality rights of women as entrenched in the multicultural principles that underpin South Africa’s liberal, democratic order adequately protected? In other words, could the individual rights of women (or gender rights) that are endorsed by liberalism be deferred in the interest of respecting traditions and cultural values associated with *ulwaluko*?
 - If they are, could the deferral of such rights be legitimate in the face of the provisions of South Africa’s human rights and gender equality legal framework?

It is important to note that it is not the intention of this study to attempt to present solutions to the multitude of problems presented by the custom. The focus is rather on how women perceive *ulwaluko* from their lived experiences, and whether universal human rights that are characteristic of liberalism sufficiently protect their interest. It is my belief that this study will make a major contribution to the knowledge base of *ulwaluko* of amaXhosa in South Africa, and I foresee that such a development would encourage open discourse about this revered rite of passage.

1.4 Researcher Positionality

Positionality has emerged as an important concept in feminist studies. England (1994, p. 248) views researchers as “instruments” in their own research studies who need to undertake an exploration of their own placement with the multiple layers of context, identities and subjectivities presented by conducting fieldwork. Keeping with the theme of instruments, I see positionality as the lenses we look through and the devices we employ when interpreting and analysing information. For this reason, it was imperative that I explored forces that shaped my opinions and insights about how the world operates. This is a critical step for any researchers to take since the awareness of one’s positioning is vital in understanding how their outlook could possibly affect the results of their study.

I traced my positionality back to my work and life experiences. My qualitative research involvement started largely in my Masters year of study and developed throughout my work in the higher education sector where I have occupied different positions in different institutions. My work experience includes the provision of counselling services, training and development, peer education, teaching, management as well as academic development, amongst other functions. In some of these positions I conducted action research and collaborated on other research projects with colleagues. I was also required to carry out regular evaluation and monitoring tasks. An integral part of my current and previous work thus commanded that in my interaction with people, I listen to their experiences, their views and their feelings. Furthermore, the research projects and

evaluation tasks I needed to carry out required the application of reflection and reflexivity. This is when I started becoming aware of my worldview, an understanding that is crucial in doctoral studies of this nature. I learnt, partly, through this self-discovery process that my positionality was shaped by a combination of three interrelated factors that originated in my childhood and progressed into my career and adult life. These are:

(i) Historical context

The historical context, or apartheid ruling system I was born into created a highly divisive and discriminatory environment for South African citizens. This form of governance favoured white people and disadvantaged the other races, and black people like me were the most affected. I learned from this experience that unfair discrimination was harmful and should not be tolerated. This made me despise unjust practices. I noticed in my adulthood that I reacted with anger when faced with unjust situations. This experience also influenced my personal values which I discuss next.

(ii) Personal value system

One of my strongest personal value systems and conviction is that everybody has equal rights and should be treated the same, irrespective of race, gender, social class etc. As a black woman, I am aware that I tend to ensure that the rights and needs of black people, and women in particular, are respected. I believe my need to conduct this study and attempt to illuminate the voices of women in isiXhosa culture was influenced by this personal outlook.

(iii) Feminist stance

I believe that the combination of the experiences I have had with social injustice and discrimination, as well as my conviction to challenge gender discrimination, inculcated an interest in me to get involved in projects that sought to empower women. This is when I developed a passion for gender justice projects that placed women at the centre,

challenged stereotypes against women and focused on their empowerment. Having been aware of my feminist views, I made an effort to stay conscious of my positionality throughout the study and realized that I needed to guard against my personal issues interfering with the interpretation and analysis of the research findings. I thus endeavoured to guard against researcher bias which I discuss later in the thesis (refer to section 4.11.3).

1.5 Methods, Procedures and Techniques

The study landed itself in the qualitative research paradigm since it sought to investigate the lived experiences of amaXhosa by sourcing data directly from participants. Owing to the limited literature on the experiences and perceptions of women on *ulwaluko*, this study can be categorized as exploratory in nature. It is located in the qualitative research realm and uses interpretive phenomenology where data is collected from the emic perspective.

1.5.1 Population and Sampling

The research participants in this study were isiXhosa-speaking women from the Eastern Cape province of South Africa. They were adult women above the age of 18 who had sent their sons (or those they looked after) to initiation school, or had observed or experienced *ulwaluko* in some way during the course of their lives. They spoke either isiXhosa or isiMpondo, the latter being a different dialect of isiXhosa spoken in Mpondoland. I used the non-probability purposive sampling method in selecting participants and the research sites comprised of 1) Mdantsane, an urban area close to where I live and where I conducted the pilot; 2) Flagstaff in Mpondoland, a rural area that has over the years become infamous for the worst initiation catastrophes in the province (Ntombana, 2011a) and, 3) The semi-urban Grahamstown (in the Makana Local Municipality) that has been heralded for its successes on the practice of *ulwaluko*, demonstrated by the rareness, if not absence, of cases of fatality and amputations in this region (WHO, 2008) and corroborated by findings from the data I collected in the area (discussed later in this thesis).

1.5.2 Data Collection

To acquire a comprehensive view of the participants' perceptions and experiences of *ulwaluko*, I used triangulation to collect data. This is a useful tool that entails using more than one method in carrying out the investigation. As Guion *et al.* (2011, p. 1) put it, "triangulation is a method used by qualitative researchers to check and establish validity in their studies by analyzing a research question from multiple perspectives." The aim of triangulation is to gather rich information on the subject, a concept Lambert and Loiselle (2007) refer to as data completeness. Triangulation aims to compare and substantiate data collected by one method with data sourced through a different method and is therefore instrumental in avoiding bias (Bloor *et al.*, 2001). The collection of diverse data is known to produce significant advantages in social research, such as limiting researcher bias and producing trustworthy results (Decrop, 1999).

During data collection I used two types of triangulation, namely: 1) different locations to collect data, as alluded to earlier, and 2) methodological triangulation where I combined qualitative data collection methods, namely focus group discussions (FGDs), and semi-structured in-depth interviews. The use of focus groups in conjunction with another data collection method is not an uncommon practice in social research. I used FGDs to investigate participants' feelings and perceptions of *ulwaluko*. This method allowed them to discuss the subject in a general manner, thereby producing a broad spectrum of viewpoints, as well as insights that would not have been accessible without the collaboration of participants and the interaction that is characteristic of FGDs. The semi-structured in-depth interviews aimed at exploring participants' lived personal experiences of the cultural practice from their point of view. I used these to reach participants who had sensitive experiences or those who did not wish to be part of FGDs for different reasons. Participation in the study was strictly voluntary.

Prior to data collection I conducted one pilot FGD and one in-depth interview for purposes of testing the data collection instruments. Based on the results of the pilot, I adjusted the instruments accordingly before I embarked on further data collection. I ensured that I

conducted the data collection process until I reached saturation point. I also collected other forms of data by making field notes, such as descriptions of the setting and relevant environmental aspects, group interaction among participants during FGDs, written summaries, audiotapes and video-clips.

1.5.3 Data Analysis

As a first step towards data analysis I studied and analyzed information as I was collecting it which culminated into what Charmaz (1996, p. 36) refers to as “emerging data.” As indicated in the discussion on the pilot study, I had the FGDs and semi-structured in-depth interviews transcribed verbatim in isiXhosa by typing directly from the audio tapes then translating these into English. Throughout data analysis I wrote analytical memos in order to stimulate my brain so I could apply critical thinking on how this process was unfolding. I later included these analytical memos in the final thesis as suggested by Saldana (2009). For purposes of analysis and interpretation of data I applied the general inductive approach which I later substantiated with the use of NVivo 8, a frequently used computer assisted qualitative data analysis system (CAQDAS). This resulted in the identification of four themes and their related sub-themes, which I then compared and contrasted with literature and theory to make sense of the data. I discussed the results in line with the four goals of the study while taking the research question into account.

1.6 Presentation of the Research Report

I have organized the chapters in this study as follows:

Chapter One: Introduction to the Study

In this chapter I introduce the reader to the study by providing information on the research topic itself and the paradigm within which the study is located. I provide the background of the study by contextualizing it, and unpacking its multiple goals. Furthermore, I explain the significance of the study. I also describe the qualitative data collection methods,

procedures and techniques that I used in conducting the study before I end off with an orientation to the rest of the chapters in the thesis.

Chapter Two: *Ulwaluko* of AmaXhosa – the History, Ritual and Legislation

The purpose of this chapter is to give an extensive account of the ancient male initiation custom of amaXhosa in the Eastern Cape. I look at a brief history of circumcision worldwide, as it is practiced by other cultures for initiation purposes. I then give a broad account of the ritual among amaXhosa to-date and describes the process from the beginning to the end. The chapter also outline the challenges surrounding *ulwaluko* and highlight South African prescripts of the law that govern initiation in the advent of liberal democracy.

Chapter Three: Multiculturalism in Liberal Democracies

In this chapter I examine multiculturalism in great detail, as the concept forms the theoretical framework for the study. I provide a framework that seeks to answer the question posed in the research topic on whether multiculturalism, and specifically *ulwaluko*, is a friend or rather an enemy to the women of South Africa as far as the country's liberal democratic order is concerned.

Chapter Four: Execution of Research Design and Methodology

In this chapter I take the reader through the research paradigm and research design that I employed in this study. Here I outline the methods I applied in carrying out the investigation and motivate the relevance of such methods to the nature of the study. I also describe in detail the approach I used in collecting data, the instruments I utilized, the processes I followed in collecting data and the tools and methods I used for data analysis. Furthermore, I examine the limitations of the study.

Chapter Five: Data Presentation, Analysis and Findings

In this chapter I present the raw data that emerged from research sites and go on to demonstrate the results of its analysis by presenting it in a meaningful classification.

Chapter Six: Discussion of Findings

In this chapter I outline what the results suggest with regards to the topic and goals of the study by bringing about the connection between a) the literature review on *ulwaluko*; b) the concepts, arguments and theories presented by various scholars on the theoretical framework I outlined in chapter Three and; c) the findings of the study.

Chapter Seven: Summary, Conclusion and Recommendations

In this concluding chapter I encapsulate the entire study into a concise but exhaustive synopsis. Here I also make recommendations and draw the study to a close.

1.7 Conclusion

The purpose of this chapter is to orientate the reader to the study, explain the rationale and motivation for the inquiry as well as to put the study into context. Through the goals of the study and the research question I posed, I elucidated on what the study seeks to achieve and how this would contribute to the knowledge base on initiation as it is practiced by amaXhosa in the Eastern Cape province of South Africa. In the next chapter, I discuss *ulwaluko* at length (as I indicated above under Chapter Two).

CHAPTER TWO

ULWALUKO OF AMAXHOSA: THE HISTORY, RITUAL AND LEGISLATION

2.1 Introduction

In the previous chapter, I introduced the topic and the context within which this study is located. I put forth an argument that in the heated deliberations and academic discourse on initiation, that have engrossed not only the province but the entire nation, the voice of women has largely been silent. The purpose of this chapter is four-fold: firstly, I start off by orientating the reader to the work that has been carried out by various scholars on *ulwaluko*. In so doing I look at the concept of male circumcision in general (here I am not referring to the initiation of amaXhosa) and explore available literature on the subject from a global perspective and through multi-disciplinary lenses. Secondly, I look at the history of circumcision as a rite of passage throughout the world and explore *ulwaluko* as practised by amaXhosa. Here I attempt to help the reader get a deeper understanding of this ancient custom by bringing to the fore its intricacies and dynamics. I also explain what *ulwaluko* is to amaXhosa, how it is performed, its significance and what it seeks to achieve. Furthermore, I look at existing models of circumcision and compare them with *ulwaluko*. Thirdly, I demonstrate the challenges associated with this rite by looking at the extent to which circumcisions have been botched in the province through the provision of statistics on amputations and fatalities between 1995 and 2011. Fourth and last, I outline the legal framework that guards against the rights of boys undergoing initiation.

2.2 General Overview of Male Circumcision

Circumcision is one of the most controversial surgical interventions the world has seen. It has been investigated for many years by many researchers and from different perspectives. De Vincenzi and Mertens (1994) point out that many reasons have been brought forth for the advocacy behind circumcision, including religious reasons, cultural causes, hygiene and therapeutic purposes. While proponents claim benefits such as improved hygiene and reduced risks of urinary infection, sexually transmitted infections

(STIs) and penile cancer, opponents deny or minimise the benefits of circumcision and cite substantial complication rates and reduced penile sensation (Arie, 2010; Malone & Steinbrecher, 2007). Below I give an account of how different scholars have studied this practice from various angles.

2.2.1 Circumcision as a Historical and Anthropological Subject

I observed from literature that the practice of male and female circumcision is a literary subject that has fascinated social and cultural Anthropologists for a long time. My point of departure would be to state outright that the historical and anthropological account of male circumcision that I write about in this chapter is based mainly on the works of anthropologists Silverman (2004) and Doyle (2005), since no records of the history and culture of amaXhosa people appears to be in existence. Circumcision has existed since time immemorial, and has long been written about (Doyle, 2005). As the author puts it, it is “arguably the oldest surgical procedure, performed since before recorded history” (p. 279). Silverman is, however more specific about the emergence of historical writings on circumcision. He states that although there seems to be no documentation of how and where male circumcision originated, accounts of this rite were recorded from about the 1880s through the early decades of the twentieth century. He suggests that in Anthropology, circumcision was first documented by Frazer in 1904. According to Doyle, this rite had been practiced all over the world by various traditional cultures, including “South Sea Islanders, Australian Aborigines, Sumatrans, Incas, Aztecs, Mayans and Ancient Egyptians” (p. 279). Drawing from Jews and Muslims, Australian Aborigines and South Sea Islanders, as well as African people, Doyle gives a comprehensive historical account of circumcision. He explores the reasons for its spread and how it continued to grow to different areas over time. He also looks at circumcision in developing countries from a medical stance. Silverman also gives a historical account of male and female circumcision over the past century. He analyses male circumcision from the sociocultural and psychodynamic perspectives and, like Doyle, he looks at Jewish circumcision from its religious angle. Other literature suggests that circumcision was practiced in other parts

of Africa including Sub-Saharan Africa many years ago (Glass, 1999; Silverman, 2004; UNAIDS, 2007 & Vincent, 2008b).

With regards to the initiation of amaXhosa, Silverman (2004) recommends a number of research areas that could be investigated, such as: 1) Does the [ama]Xhosa initiation practice play a role in building the moral life of men in the society? 2) Has the initiation school lost its traditional and educational meaning? 3) Can *ulwaluko* contribute to addressing the moral reconstruction process in South Africa? 4) Can the initiation practice be redefined to address the moral and socio-cultural challenges we are faced with? 5) Is calling for the discontinuation of the initiation practice a solution to the problems associated with it? Some of these questions (and more) have been examined by different scholars and through various angles over the years since Silverman brought them up. In their quest to uncover the reasons behind the persistent and precarious problems associated with *ulwaluko*, specifically in the Mpondoland region of the province, Bank and Ntombana (2012) briefly traced the history of initiation back to the nineteenth century. They highlight the problems associated with the practice in the area (which I mentioned in Chapter One and discuss in detail later in this chapter) and recommended VMCC as one of the intervention strategies that could be considered in addressing these challenges. Their proposal for the uptake of VMCC adds to numerous calls that have been made by various people and organizations across the country. Ntombana (2011b) had also conducted a study on the role of *ulwaluko* of amaXhosa in moral regeneration where he focused on socio-cultural, educational and religious aspects of the custom in relation to moral values. He found that instead of contributing positively to the country's degenerating moral state, the practice was further exacerbating the situation. Ntombana argues that in its evolution, the culture has lost its value of "building up the moral fibre in the community" (p. 108). Having lived and experienced the culture in the Eastern Cape, I have often listened, and sometimes participated in informal dialogues about the meaningfulness of *ulwaluko*, or lack thereof. Such discussions, and which are highly charged in nature, are not uncommon around the country. While the defenders of the culture usually oppose Ntombana's views, often citing cultural misrepresentation, many people would agree with his findings.

2.2.2 The Religious, Spiritual and Missiological Interpretation of Circumcision

According to Mhlahlo (2009) male circumcision is mainly observed on two levels, namely the sacred and secular level. He states that the sacred level is mandatory in nature, as it is expected in isiXhosa culture, and which I discuss later in the Chapter, whereas the secular level is discretionary. Researchers such as Glass (1999) and Mtuze (2008) have undertaken a critical analysis of male initiation from a religious, spiritual or missiological perspective which demonstrates some concurrence with Anthropology in that circumcision is one of the longest existing traditions in the world. According to Glass, the Book of Jeremiah (9: 24–25) provides evidence that the people of the Middle East, Edomites, Moabites and Ammonites, practised circumcision, and the Pharaohs of Egypt are reported to have observed the same practice. Although not specific about the period, Mtuze (2008) alludes to circumcision having existed for a very long time in his thesis on African culture where he briefly explores *ulwaluko* in relation to Christianity. He states that “the missionaries brought a double-agenda of introducing Western religion, Christianity, on the one hand, and civilisation, on the other, to the so-called raw natives” (p. 1). He also argues that during that time initiation was heavily denounced by early missionaries without them making any significant effort to gain a deeper understanding of the ritual, and that this attitude has persisted amongst Christians many years later. It can thus be argued that the dispute and consequent rejection of *ulwaluko* that seems to have arisen in recent years is in reality not a new phenomenon. Literature shows that circumcision has become an essential component in the practice of many religions, most notably Judaism, Islam and Christianity. Below I give a brief illustration of how male circumcision rituals are practiced in said religions.

2.2.2.1 Jewish Circumcision

Authors such as Glass (1999) assert that in the Jewish community, circumcision – which is known as *brit milah* – has been an integral part of Judaism from the very earliest days of religion over 4000 years ago. The practice has remained constant throughout the years. It is a very important practice carried out purely for religious purposes – an

observation of the Jewish people's covenant with God, commanded to Abraham in the book of Genesis (Glass, 1999; Goodman, 1999; Mhlahlo, 2009; UNAIDS, 2007). The operation is performed on a boy when he is eight days old, a period which is still within the neonatal phase. The circumcision can be postponed on health grounds. The ritual usually takes place in the morning in the family home. It is carried out by a *mohel*, a practicing Jew who has received training in Jewish law and surgical techniques, or a *mohelot* in the case of a female (Terkel & Greenberg, 2012). As Glass puts it, it is the responsibility of each father to ensure that the boy is circumcised. Jews believe that failure to observe this obligation will lead to the father having his life reduced as punishment. In the case of an uncircumcised boy, the obligation to carry out the circumcision rests first with the religious court of that area, and then the boy himself when he has his *bar mitzvah* at the age of thirteen, a stage where he becomes fully responsible for the observation of all laws. When the boy is circumcised, no anaesthetic is used, which according to Goodman (1999) results in severe pain. Glass (1999) argues that circumcision is a fundamental part of Judaism in that even unorthodox Jews persist on getting their children circumcised. Orthodox Jews consider circumcision that is performed by a physician who is not a *mohel* invalid, even if it was done in the presence of a rabbi.

In recent years, authors such as Goldman (1999), Goodman (1999) and Pollack (1995) have started questioning the Jewish circumcision ritual for a number of reasons such as the pain, trauma and complications associated with the operation, the deficiency of assumed health benefits related to circumcision and the effects of circumcision on the circumcised baby's mother. According to Goodman, research shows that there are physiological indicators that point to circumcision in babies causing severe pain. She further cautions that the belief that some of the circumcised babies experience circumcision as painless – denoted by not crying or going to sleep after the cut – may well be an indicator of a “lethargic, semi-comatose state” resulting from tremendous stress. Goodman argues that “circumcision is so painful that it has now become a model for the analysis of pain and stress responses in the newborn”, which contradicts a Jewish belief that it is actually painless, and “only a little snip that doesn't hurt” (Goodman, p. 22). Circumcision is considered to be so traumatic that in addition to the pain, it puts babies in

a state of helplessness and powerlessness since there is nothing they can do about the situation (Goldman, 1999; Goodman, 1999). Furthermore, Goodman argues that medical benefits purported by non-Orthodox Jews have long been brought into disrepute. She maintains that Jewish circumcision is a patriarchal ritual that, when conducted by Orthodox Jews, excludes women. In her view, mothers and grandmothers of boy children often find themselves faced with a dilemma. On one hand they want to protect their children from the pain and misery of circumcision, but on the other they want to remain loyal to their tradition. According to the Goodman, people in and outside of the Jewish community do not challenge the ritual for a number of reasons, including the fact that the majority of people usually carry out their traditions without questioning them, and because some people fear that going against the ritual may lead to the exclusion of their children in the society.

Of interest is that not all literature supports the negative views about Jewish circumcision. In agreement with many other proponents of neonatal circumcision (refer to 2.2.5), Glass (1999) claims that there are limited complications related to neonatal circumcision. The author argues that these are uncommon when the operation is carried out by a *mohel*, and further points out that in countries like the United Kingdom “the training of *mohelim* today is highly regulated” (p. 21).

2.2.2.2. Muslim Circumcision

Like in many other cultures, circumcision for Muslim people dates back to ancient times. According to Rizvi, Naqvi, Hussain & Hasan (1999), Islam is divided into different schools of thought with divergent views on religious laws. Muslims are divided into the Hanafite, the Jafarite, Malikite, Hanbalite, Shafiite and the Zaidite. The authors state that it is only the Shafiite sect that considers circumcision compulsory and that the others consider it a *sunnah*, meaning an approved way of life for Muslims. They argue that circumcision among Muslims is undertaken mainly for hygiene purposes and is not considered a condition to becoming a Muslim - even by those who practice it strictly - so any man will still be considered a Muslim even if he is not circumcised. Like with the Jewish community,

the authors report, circumcision is generally performed in the neonatal period or during childhood but there is no strict adherence to age. It is done by cutting the prepuce, and the procedure can be repeated if for some reason it was not done properly.

Rizvi *et al.* (1999), state that “90 – 95% of circumcisions are performed by traditional circumcisers, village barbers, paramedical theatre staff and technicians” (p. 14). The authors argue that “only 5–10% have access to a proper medical facility where a doctor performs the circumcision under strict aseptic technique” (p. 14). They are of the opinion that in many instances, complications are usually unreported and that the data from developed countries shows minimal complications. According to Mhlahlo (2009), although a Muslim circumcision is sometimes accompanied by substantial celebrations, it is less formalized in nature in comparison to that of Jewish people, or even that of amaXhosa which is full of festivity.

2.2.2.3 Christianity and *Ulwaluko*

In 2.2.2.2 I alluded to the view that missionaries deplored African customs. According to Ntombana (2011b) it appears that African people continued to conduct their cultural rites – albeit in secret - despite the missionaries having denounced such acts. He states that “[t]hose who were in urban areas often secretly went to *emakhaya* (rural homes) to perform their rituals and come back and proceeded with their Christian duties” (p. 120). The call to abolish the ritual has clearly not been heeded by some Christians as many are still practising it (Papu & Verster, 2006; Ntombana 2011a, 2011b). Papu and Verster observed that:

...most Xhosa-speaking Christians still believe in the efficacy and the life-changing virtue of circumcision. The jury is still out on the impact that this compromise has for the Xhosa speaking Adventist church. At a time when even the traditional Xhosa-speaking people are looking for a solution to the problems currently being experienced concerning this ritual, the church is

preaching and defending, by default, the value and importance of this ritual” (p. 195).

I have observed that the question of whether to practice, or not to practice *ulwaluko*, has persisted relentlessly in the Christian community. Judging by the incidence of Christians still practising initiation, divergent views on *ulwaluko* seem widespread among amaXhosa. Those against the custom usually express their disdain on public platforms. For instance, Andile Myemana, a Pastor in the Jesus Christ Family Church, has written and spoken against this ritual, advocating for its abolishment. In his book, Myemana (2004) argues that the practice involves connecting initiates with ancestors, which, in his opinion, is against the ethos of Christianity. He argues that Christians tend to advocate for *ulwaluko* even in their churches, an act he finds unacceptable. Like many other people, Myemana thus suggests that VMMC be taken up since, in his view, it is a more suitable alternative to *ulwaluko*. As I alluded to earlier, resistance towards initiation among amaXhosa is not a new phenomenon, albeit for different reasons. As reported by Mtuze (2008), the early missionaries discouraged the practice. In fact, Mtuze puts it in a more vehement way when he states that they “went out on a full scale on war against circumcision” without properly understanding the practice (pp. 71 – 72). Encouraged by the conflict on *ulwaluko* among Christians, Papu and Verster (2006) evaluated the implications of the custom among amaXhosa and asked whether the Christian community should endorse the ritual or condemn it in all its forms. Ntombana (2011a) also asked whether this custom should be abolished. Papu and Verster concluded that “from a Christian perspective total rejection is not possible, but the church should remain faithful to the truth of the gospel” by ensuring that they have “an honest encounter with the rite from a biblical perspective” and that it was important that resolutions taken should be made, analyzed and explained (p. 178). Like Papu and Verster, Ntombana (2011a) argues that calling for the total elimination of *ulwaluko* will not be a workable solution, due to its significance among amaXhosa. He thus calls for the redefinition of the practice in the view that the custom would “contribute to the broader challenges of moral regeneration” (p. 631). This is an age-old debate that has, throughout these years, not succeeded in convincing amaXhosa to abolish the practice. The authors’ shared opinion,

that *ulwaluko* will be hard to eradicate is a valid point. What their arguments also highlight is the complexity faced by amaXhosa in their search for ways to manage various aspects that create conflict in the culture. The ongoing nature of these disputes characterize *ulwaluko* as a controversial culture.

2.2.3 Circumcision in the Legal and Socio-political Context

While many South African researchers who conducted studies on initiation make reference to legislation governing the practice, very little research has been conducted on *ulwaluko* of amaXhosa in relation to the law. On one hand, Le Roux (2006) investigated the ritual in relation to children's rights, while Momoti (2002) on the other hand, studied the practice as a cultural right and in the context of equality and human rights. Momoti also looked at the need for the protection of the rights of children and questioned whether morality can be regulated. Furthermore, he explored the effects of the AHSTCA (No. 6 of 2001) that was introduced for purposes of regulating *ulwaluko* in the province and concluded that this piece of legislation had failed considerably in achieving its objectives. Momoti's argument is for the most part correct, but cannot be generalized to all parts of the province. Since the enactment of this policy, it has become compulsory for parents to give consent for their children to undergo initiation, and for the prospective initiates to undergo medical screening at their local health facility. Furthermore, traditional surgeons are required to have gained experience, and be registered before they can be sanctioned to perform circumcision. These are some of the requirements of the law. While these rules appear to be followed religiously in some communities, there is evidence that initiation laws are generally ignored in many parts of the country, including the Eastern Cape (CRL Rights Commission, 2010). I discuss this view in more detail in section 2.8.2.

Although not purely from a legal perspective, Vincent (2008b) investigated the clash between the conventions of a democratic liberal state and the conception of traditional leadership as this played out in the realm of initiation in the South African context. She found tensions existing in a binary position; that of the African communal culture vs the Western liberal individualist orientation. Vincent's findings point to the incongruence that

exists between a multicultural stance and isiXhosa cultural norms that prioritize collective good over individuality. For instance, when *ulwaluko* takes place, it is usually undertaken as a collective project, where a group of boys are initiated at the same time and all the men in the community are charged with the responsibility to look after them while they are at the initiation school. Contrary to this outlook, liberal principles emphasize individualism over a communitarian approach to living. This contradiction implies that one of the two doctrines will emerge stronger than the other, possibly causing substantial imbalance and even more problems on the initiation of amaXhosa.

2.2.4 Circumcision as a Public Health Issue

The different forms of circumcision that exist throughout the world have not only been studied from anthropological and religious positions, but have been widely debated in the medical field and the public health fraternity in general. According to MacInnis (2008), in Africa there is evidence of high rates of medical complications resulting from circumcision. She states that the figures range between 18% in public health facilities to 35% when performed traditionally. She also argues that the high rates among traditional practitioners are due to lack of training, as well as less than adequate and/or unhygienic equipment. Many studies have shown that initiation can result in minor or grave complications, and that the latter can be fatal (for instance Bottoman *et al.*, 2009; Kanta, 2003; Mhlahlo, 2009; Ncayiyana, 2003; Peltzer *et al.*, 2008a, 2008b; Vincent, 2008; WHO, 2008). Malone and Steinbrecher (2007) observed that complications related to the operation may result in marginal problems including “bleeding, excess skin remaining, glanular adhesions, cosmetically poor appearance, skin granuloma formation, denuding of the penis, abnormal rotation or chordee of the penis, and meatal stenosis” and, in the case for serious complications, it may lead to “partial or total penile amputation and formation of urethral fistula” (an abnormal hole in one’s bowel or the bladder), or even a diminished or changed penile sensation (p. 1209). MacInnis (2008) adds infection, unbearable pain, and erectile dysfunction and problems extending over one’s life to the list. Peltzer *et al.* (*Ibid*), reported to have found “excessive bleeding” (p. 348), removal of excessive skin and damage to the penis as some of the complications they found in a study they

conducted in the Eastern Cape. They also indicated that in some cases an unsterilized instrument was used to perform the cut (*Ibid*, 2008b)

A study conducted by Meel (2005), also in the Eastern Cape, brings a different dimension to the debate on health risks associated with *ulwaluko*. This study investigated the perceptions of males between the ages of 10 and 65 years regarding the risks associated with initiation among amaXhosa. His findings indicated that the majority of his subjects were unaware of risks associated with this practice. It is interesting to note that in the face of the raging debate throughout the country, fewer respondents in Meel's study seemed aware of the dangers of initiation. Could the young age of some of his respondents have skewed his findings perhaps? Based on the regularity of news and discussions happening around *ulwaluko* in the province, my sense is that to-date more people would be aware of the challenges associated with the practice. Physical problems are not the only complications men may suffer from undergoing *ulwaluko*. According to Bottoman *et al.* (2009), circumcision can lead to "long-term unrecognised psychological effects on men" (p. 29). In their study exploring psychological effects associated with the practice, Bottoman *et al.* (2009, pp. 31 - 33) found that initiation exposed men to a host of psychological issues, some of which included:

- The fear of misfortune associated with non-involvement of family in the initiation process which was more pronounced for those initiates whose parents did not take full responsibility for their (initiates) needs;
- Anxiety related to being in an unfamiliar environment with strangers and away from one's family;
- The fear of ostracization should they fail *ukutshakwa*, or the manhood test that is normally conducted at any stage during manhood (discussed later in this chapter);
- The fear of failing to follow the expected traditional ways of initiation to the end, and avoiding hospitalization, which would result in harassment and rejection by one's peers.

Bottoman *et al.* (2009) argue that there is a lack of literature on the psychological effects of circumcision on adults, and that many such studies are limited to infancy and data from Western countries.

2.2.5 Neonatal Circumcision

Like adult male circumcision, neonatal circumcision is practised all over the world. As seen in Jewish and Muslim practices (refer to 2.2.2.1 and 2.2.2.2), male circumcision is often performed during the boy's infancy in the belief that at that stage the operation is less complicated and unlikely to cause problems (Arie, 2010). Gluckman, Stoller, Jacobs and Kogan (1995) and Zoske (1998) argue that the circumcision of infants is a common phenomenon in the United States of America (USA). Literature shows that this practice was popular in the USA in the past, up until about the 1970s (Carpenter & Casper, 2009). Zoske maintains that infants had been circumcised for hygiene reasons in the USA in 1980s. Arie (2010) believes that every year an estimate of 15000 infants undergo neonatal circumcision in the Netherlands. In Equatorial Guinea people have also taken to neonatal circumcision over the last few years (Martí, 2010), making use of modern health facilities. Smith *et al.* (2011) argue that although neonatal circumcision is performed in South Africa, it is not a regular practice.

Like Glass (1999), Arie (2010) maintains that although there are differences in available statistics on the health risks associated with infant circumcision, literature predominantly suggests that this type of circumcision is significantly safer than when performed on adults. She states that the complication rate is generally below 1%. She further points out that in the USA and in Israel the rate is between 0.2% and 0.4% (p. 370). She acknowledges, however, that the results of a study conducted in twelve countries on neonatal circumcision in 2010 indicated that medical complications such as swelling and bleeding affected about 1.5% of operations undertaken by medical staff. Weiss, Larke, Halperin and Schenker (2010) support this view as they state that results of studies conducted on neonatal circumcision report few serious problems. They do mention, however, that minor problems do arise, particularly when the procedure is undertaken by

those without adequate experience, in unhygienic conditions or when the circumcision is done at an older age. Bottoman *et al.* (2009) as well as Hinchley and Patrick (2007) maintain that no real vigorous body of research is available on long-term psychological implications of neonatal circumcision. The latter is, however, not without concerns. There is growing evidence in literature pointing to existing uneasiness about the practice, as demonstrated by authors such as Goldman (1999), Goodman (1999) and Pollack (1995) (refer to 2.2.2.1). Because of these concerns, some countries have instituted legislation to protect children from infant circumcision – for example, the Royal Dutch Medical Association (Arie, 2010). Smith *et al.* (2011, p. 50) state that “Western countries” have rejected this practice of non-therapeutic, non-religious, prophylactic circumcision of newborn males to protect against the possible acquisition of HIV/AIDS in later life. As the Executive Committee representing the United South African Neonatal Association (USANA), the authors strongly emphasize that:

Routine neonatal male circumcision to prevent later-in-life acquisition of HIV is reasoned to be unethical. It takes advantage of the infant's inability to refuse and submits him to a medically unnecessary surgical procedure that a competent adult might refuse. The sexual transmission of HIV depends on adult lifestyle choices that cannot be determined in the neonatal period. The infant is unable to provide informed consent and proxy consent is invalid because of the lack of medical necessity (p. 50).

Smith *et al.* (2011, p. 50) strongly believe that the public health benefits associated with neonatal circumcision do not outweigh the “human rights burden posed to the individual infant.” They also claim that there is insufficient evidence “to recommend routine/mass roll-out of non-therapeutic prophylactic neonatal male circumcision for the prevention of HIV in later life” (p. 50). Sidler, Smith and Rode (2008, p. 764) also ascribe to this view, questioning the need for non-therapeutic neonatal circumcision, arguing that it “is neither medically nor ethically justified as an HIV prevention tool.” They maintain that since the publication of the Cochrane Collaboration’s Review in 2003, which concluded that

evidence to roll out circumcision for the prevention of HIV was insufficient, non-therapeutic circumcision has become illegal in South Africa, resulting in growing controversy on the subject. Smith *et al.* recommend that once parents have been advised about the benefits and risks associated with neonatal circumcision, they should be the ones to decide on the best interests of the child.

2.2.6 Attitudes Towards Male Circumcision

Literature demonstrates that research studies have been carried out worldwide to determine whether male circumcision does yield any benefits. According to Gonik and Barrett (1995), evidence exists that circumcision can be successful and thus beneficial when performed for the prevention of conditions such as paraphimosis (the inability for the foreskin of an uncircumcised man to return to its normal location once retracted), phimosis (where the foreskin cannot be pulled back over the glans), and balanitis (inflammation of the glans). Many studies also allude to the fact that male circumcision can be used as a preventive strategy against the spread of not only HIV but other STIs (Arie, 2010; Bailey *et al.*, 2007; Castro-Vazquez, 2013; Carpenter & Casper, 2009; MacInnis, 2008; Mati, Adegoke & Salihu, 2016; Maughan-Brown & Venkataramani, 2012). Notwithstanding the fact that there is an abundance of literature that disputes the view that circumcision can reduce HIV prevention by up to 60% - claiming that these findings are inconclusive, overstated and even misleading (Garenne, 2006; Mills & Siegfried, 2006; Sidler *et al.*, 2008; Smith *et al.*, 2011) - many scholars further investigated the acceptability of male circumcision in the context of HIV/AIDS. These studies were carried out all over the world in countries or regions such as South Africa (Auvert, Taljaard, Lagarde, Sobngwi-Tambekou, Sitta & Puren, 2005; Lagarde, Dirk, Puren, Reathe & Bertran, 2003), Kenya (Mattson, Bailey, Muga, Poulussen & Onyango, 2005), Malawi (Ngalande, Kapondo, & Bailey, 2006), Zambia (Lukobo & Bailey, 2007), Sub-Saharan Africa (Westercamp & Bailey, 2007), Dominican Republic (Brito, Caso, Balbuena & Bailey, 2009) and Uganda (Mati *et al.*, 2016) to name but a few.

What, then, about studies focusing on the acceptability of male circumcision among women in particular, if not their perception and attitudes towards the practice? Interestingly, Madhivanan *et al.*, (2008) investigated the acceptability of circumcision among mothers of male children in India, but this study was also in relation to the prevention of HIV infection. To-date there are not many research studies that seek to establish the acceptability of initiation in South Africa, most of these studies focus on VMMC. What information exists on the subject of *ulwaluko* among amaXhosa was available mostly in the media. Mavundla *et al.* (2009) point out that at the time they conducted their study on the initiation of amaXhosa boys in the Eastern Cape, information was limited to newspapers. This picture has not changed much.

Although in the last few years women have been advocating for their involvement in *ulwaluko*, there is still a vacuum with regards to scientific research in this area, in that there is very little that has been written about women's views on the subject. Nomboniso Gasa for instance (who is a researcher and analyst on gender, politics and culture, who was born in the Eastern Cape and who has experienced the tradition first-hand), is known for her public interventions on initiation. She has championed this cause for over a decade now (Zvomuya, 2013; Solomon, 2014). Even this kind of dialogue is confined to mainstream and social media.

It is refreshing to see, however, that since the early 2000s when *ulwaluko* started receiving heightened attention, scholarly work on the subject has been on a steady rise. In my view, the public outcry can be attributed to the escalation of the number of deaths of initiates we have seen over the years. Statistics show that from 1999 the number of fatalities has been on the increase, except for 2004 where figures dropped significantly (refer to 2.8.1). By 2009 fatalities had skyrocketed and were at an all-time high since 1995 (no statistics are available prior to this date) and remained high in the following years. In spite of these developments, the focus of scholarly publications remains largely on the biomedical and socio-cultural aspects of the ritual. There are, however, a few scholars who have made reference to *ulwaluko* in their work as it relates to women. In Chapter One for instance I referred to Nduna *et al.*'s (2015) finding, that women are usually

excluded in the practice and assigned the role of “cheerleader” (unpaginated). In a study they conducted in Mpondoland, the authors indicate that they did however observe a gradual shift from this stance in some areas of this region. My observation of *ulwaluko* is that this cultural rite varies throughout the Eastern Cape, which is indicative of two things: firstly, (and this may sound like a rare case), that the existence of communities where initiation may be more inclusive of women is possible. However, no research studies were available to confirm or dispute this view. Secondly, that the diverse nature of *ulwaluko* in relation to the shift identified by Nduna and colleagues implies that what aspects of the rite change in one area may not necessarily change in another. In other words, while the status quo may be changing in some areas of the province, it could remain the same in others. This therefore means that *ulwaluko* should not be considered a homogenous culture, and any systems and processes applied in dealing with it should take this fundamental attribute into consideration.

Although Stinson (2007, unpaginated) has also written about *ulwaluko*, she only makes a fleeting statement in her article with regards to women, stating that “mothers in particular are concerned for their sons, yet their traditionally enforced social distancing from the ritual has resulted in a lack of influence on events.” What Stinson is alluding to seems to reflect a general feeling amongst amaXhosa women. In my experience, and in support of Stinson’s claims, I cannot recall any woman who, during informal discussions on initiation, would express full satisfaction about the nature and extent to which women are involved in the practice. Under such circumstances it can be expected that women who feel marginalized would want to voice their concerns, or at the very least demonstrate discontent about the situation in some way. According to Venter (2013) who investigated the attitudes of isiXhosa speaking female teachers on *ulwaluko*, as I mentioned in Chapter One, this practice rejects criticism and dissension. She also adds that it dispossesses people of their right to make their own decisions. Venter concludes that despite its challenges, “women support the ritual in the same way that men do” (p. 139). Venter (2011), another scholar who writes about the views of women on *ulwaluko*, notes in her report that although women were concerned about mortality rates around the custom, “others vehemently defend the ritual” (p. 561). This author however, points out that that

there has been a decrease in the number of women who support traditional initiation, stating that they would prefer the incorporation of VMMC into the practice. Both authors' arguments present *ulwaluko* as a serious challenge and seem to insinuate a form of peculiarity that characterizes the endorsement of a culture that appears unsafe to its people. While there may be a number of reasons to rationalize this position, the most obvious, in my opinion, has to do with the threat of physical violence (Vincent, 2008b) that I alluded to in Chapter One. Furthermore, the belief that initiation is a very powerful rite that may be hard to defeat may be another deterring factor.

2.3 What is Initiation?

Initiation has been acknowledged by many authors as one of the most robust aspects of traditional cultures in Africa (for instance Papu & Verster, 2006; Stinson, 2007; Vincent, 2008a). Initiation rites are practiced not only on the continent of Africa but in many countries and by different populations throughout the world. These rituals come in various forms. Common examples of initiation rites include the birth of a child, reaching the age of 21, graduation from high school or university etc. The act of circumcision – a physical process that involves the cutting of the foreskin – often forms part of induction into particular cultures as is the case in isiXhosa culture. Among amaXhosa, it facilitates a male's passage from one stage of life to the next, or from group to group, and more specifically the transition from boyhood to manhood (Bottoman *et al.*, 2009; Kanta, 2003; Van Gennep, 1960; Vincent, 2008a) which earns one an improved social status, and privileges determined through the norms and values of the custom (Ntombana, 2011b).

The word circumcision means different things to different people. In literature a distinction is often made between VMMC and ritual circumcision or *ulwaluko* (Caldwell *et al.*, 1997; Hellsten, 2004; Mavundla *et al.*, 2009; Taylor *et al.*, 1996). VMMC is normally performed in a health facility like a hospital or clinic where an anesthetic is administered as part of the procedure (Arie, 2010; Martí, 2010). In contrast, for initiation purposes, the prepuce or foreskin is cut without the use of anesthesia (Caldwell *et al.*, 1997, Mavundla *et al.*, 2009; Taylor *et al.*, 1996). Hellsten (2004) points out that one of the essential elements

of *ulwaluko* is the demonstration of one's ability to endure the pain, which is seen as a test of the boy's boldness and courageousness. The focus of this study, as I mentioned in Chapter One, is not just on circumcision but rather the entire process that is conducted for cultural reasons by amaXhosa.

2.3.1 Initiation Rituals

Many societies and cultural groups all over the world practice various traditions and rituals to celebrate the phases of human life, and these are often denoted by rites of passage. Literature demonstrates that there are several ways of describing what rituals in general seek to achieve. Van Gennep (1960) points out that the life of a person in any society is characterized by a series of passages from one age to another and from one group to another, where each progression is marked by special rituals. According to Stinson (2007), a ritual is "a way in which members of a society communicate values and ways of living through psychological, social and symbolic interactions and teaching" (unpaginated). In the view of Hobsbawn and Ranger (1983), rituals are a means of inventing tradition so as to afford a sense of legitimized continuity with the past and to experience tradition as fixed. They define the term 'invented tradition' as a set of values, usually symbolic in nature, that are based on overtly or implicitly accepted systems and conventions that aim to regulate behavior through repetition, thus ensuring adherence to the past ways of doing things. According to Venter (2011) tradition refers to "the handing down of opinions, principles, doctrines or customs from ancestors to posterity by means of oral communication" (p. 562). With reference to initiation rituals, Mhlahlo (2009, p. 39) points out that these are "events that are performed in a community in order to mark the passage into a new stage in life of an individual." He further asserts that the basis of initiation rituals is to bring about transformation, thereby turning boys and girls into young adults. According to Titus (2008), "initiation rites seem to include any ceremony that indicates the transition into adulthood or that marks the acceptance of a young adult into one special social organization or another" (unpaginated). In Barton's (2007) view, rites of passage are "characterized by elaborate symbolic ceremonies and/or by simple practical events" (p. 339).

The description of initiation rituals above demonstrates that these are embedded in culture, and seem to be hinged on the pluralistic and relativist views of culture. Radaŷ (2003, p. 666) defines the concept of culture in two ways; that is “how people interact and organize themselves in groups” (social culture) and “what people think, value, believe and hold as ideals” (ideological culture). According to Mhlahlo (2009), the definition of culture has changed gradually over time, in that it is now considered to have both an old and a new meaning. Pluralistic and relativist theories embraced the old view, which asserts that people are products of the culture in which they have lived. This implies that different populations have different cultures which should be preserved and protected from those who might want to weaken it. Radaŷ’s definition of “traditionalist culture” seems to be in tandem with the pluralistic/relativist view (p. 667). She contends that traditionalist culture is perceived to be “a relatively static and homogenous system, bounded, isolated and stubbornly resistant” (p. 667). Radaŷ agrees that there is another view to culture, one that considers the phenomenon as not something that people are born with but rather a way of doing things. She argues that it is the “static, resistant” culture that tends to lead to conflict with gender equality ideals (p. 667).

2.4 The History of *Ulwaluko* in the Eastern Cape

The historical account of male initiation of amaXhosa that I give here is based on the works of a number of scholars including Lamla (2005), Meintjies (1998), Ngxamngxa (1971) and Ntombana (2011b). Every society is characterized by various distinct groups and sub-groups. In South Africa, various ethnic groups practice initiation as a rite of passage from boyhood to manhood, and these include amaXhosa, Bapedi, Basotho, amaNdebele, VhaVenda, VaTsonga and amaSwazi (Nduna *et al.*, 2015). AmaXhosa are a South African ethnic group that is known to take great pride in their traditional practices and customs. They practice initiation religiously as part of their culture, and they view this ritual as their primary form of male induction (Magubane, 1998). According to Reeves and Baden (2000, p. 2), culture refers to “the distinctive patterns of ideas, beliefs and norms which characterise the way of life and relations of a society or group within a society”.

Njogu and Orchardson-Mazrui (2013, p. 1), on the other hand, see it as “the total sum of a people’s way of life. It includes norms and values of a society: their religion, politics, economics, technology, food habits, medicine, rules of marriage, the performing arts, law and so on.” The importance of culture in any nation cannot be denied. As Albertyn (2009) puts it, “culture is important; it is an inescapable part of being human and helps us make sense of the world. It shapes our identity and is central to the way we experience ourselves, our collectivities, and the world” (p. 170). Ayton-Schenker (1995) echoes this view as she argues that cultural background is one of the primary sources of identity. It is the source for a great deal of self-definition, expression and sense of group belonging.

According to South African History Online (2017), amaXhosa are part of the South African Nguni group that originated from the African Great Lakes region in East Africa during the 17th century. The Nguni group includes amaZulu, amaNdebele and amaSwati. SAHO (2017) mentions that these tribes travelled gradually to the south of the continent during the great southern migration and, upon disintegrating into various regions, each sub-group created a distinct territory for itself. For example, the Zulu-speaking people settled in KwaZulu-Natal (formerly known as Natal), while some Nguni people proceeded in-land and settled into today’s Zimbabwe (formerly Rhodesia) and others moved towards the Kalahari Desert, inhabiting today’s Namibia (previously called South West Africa). When the Dutch arrived in the Cape in 1652, the Nguni people had already settled on much of the eastern region of South Africa – from the Great Fish River in the south region to what is now known as Durban in the north (Ntombana, 2011b). As SAHO puts it, over time the Nguni people broke up into several sub-groups and clans that have the same background, but that hold different legacies. The authors state that the EC, which was formed out of the amalgamation of the previous homelands of the Transkei and Ciskei, was occupied by amaXhosa people (SAHO, 2017; Countries and their cultures, 2017) and that this group has different chiefdoms and major sub-groups such as amaBomvana, amaMpondo, amaMpondomise, abaThembu and amaXesibe. All these groups speak isiXhosa in dialects that vary according to their respective demographic areas (Ngamngxa, 1971). Growing up in the community of amaXhosa, one would often hear stories about amaBhaca and amaMfengu having adopted the isiXhosa language.

There is evidence in literature that *ulwaluko* has undergone noteworthy and challenging changes over the years, starting from the colonial era, through the apartheid period and currently in the democratic dispensation and post-modernism era (Ntombana, 2011b). According to the author, colonialism can be traced as far back as the early 19th century. He states that the colonial and apartheid eras suffered “the influence of urbanisation, industrialisation, westernisation, Christianity and social instability” (pp. 22 - 23) which led to inadvertent consequences such as the total eradication of the ritual, as in the case with some Nguni groups (also Lamla, 2005). Holomisa (2009, p. 32) agrees with this view when he states that “colonialism, missionary education and apartheid all conspired against African cultures and customs.” Other unintended changes to the tradition that are cited by Ntombana include the ongoing emergence of new information from research characteristic of the post-modernism era, as well as the onset and spread of HIV/AIDS that was first seen globally in the 1980s. The latter has affected *ulwaluko* in both a positive and negative way. Since HIV can be transmitted through the use of surgical equipment, the use of unsterilized equipment in carrying out circumcision has become a contentious issue in South Africa. However, the existing evidence that circumcision can significantly curb the transmission of HIV has increased its acceptability (see section 2.2.6) resulting in further uptake of VMMC, and even the re-introduction of the ritual. This is, for example is the case with the amaZulu tribe who are known to have had abandoned the practice in the past because King Shaka “felt that too many men were unable to take part in war because they had septic wounds from circumcision” (CABSA, 2017, unpaginated). King Goodwill Zwelithini has since revived the practice particularly for the health benefits circumcision is known to offer with regards to HIV prevention (McQuoid-Mason, 2013; Ntombana, 2011b), which I discussed earlier in 2.2.6. As I mentioned earlier (refer to 2.2.3), the introduction of legislation pertaining to human rights resulted in some tensions and led to the manner and conditions under which *ulwaluko* is carried out being contested. A case has been made that the custom is in stark contrast with the prescripts of the law, and that it results in the violation of human rights as well as the rights of the child (Le Roux, 2006, Momoti, 2002; Ntombana, 2011b; Vincent, 2008b). The AHSTCA (Act No. 6

of 2001) that was promulgated to regulate *ulwaluko* has also introduced some changes in the manner in which the practice has to be conducted.

Prior to the democratization of the country in 1994, amaXhosa were mostly found in the Eastern and Western Cape provinces of South Africa, where most of them still live today (Bottoman *et al.*, 2009; Vincent, 2008). The Eastern Cape is one of the country's nine provinces, situated on the south eastern coast. The capital of this province is Bhisho. At 168 966 square kilometres, the Eastern Cape is roughly the second-largest province after the Northern Cape (Lehohla, 2011b). It constitutes 13.8% of South Africa's land and 12.5% of South Africa's population. By midyear 2013, South Africa had a population of 52.98 million. Black Africans constituted 79.8% of the population, Coloureds 9%, Whites 8.7% and Indians/Asians 2.5% (South Africa.info). The Eastern Cape boasted an estimated population of 6.6 million people, made up of 3.5 million women and 3.1 million men, by mid-2013. The province is largely rural and is one of the poorest provinces in the country (Statistics South Africa, 2012a; Statistics South Africa, 2012b; Statistics South Africa, 2013; WHO, 2008).

According to Meel (2005), the first reports of *ulwaluko* among amaXhosa go as far back as 1789. However, it is not clear where and when the custom started. Citing Weiss, Ntombana (2011b) states that there are no adequate documents or archaeological records in existence that provide evidence of the original purpose or the basis of initiation. He adds that attempts to investigate the practice seem to have led to a dead end. Because the ritual is believed by some to have originated in the Middle East, there are claims that "the Bantu-speaking tribes of Africa adopted it as a result of contact with the Arabs who had built stations along the shores of Africa where the Indian Ocean meets the East Coast of Africa" (Momoti, 2002, p. 30). Papu and Verster (2006) state that even though *ulwaluko* is a custom that is generally practiced by amaXhosa, there were times and places in the Eastern Cape where the ritual was not practised by the whole community, as in the case of Mpondoland, inaccurately referred to as the Pondoland (SAHO, 2017). This area encompasses Bizana, Libode, Ngqeleni, Port St Johns, Tabankulu, Lusikisiki and Flagstaff. In this region, Chief Faku, who died in 1867, is said

to have prohibited the ritual. Citing Van der Vliet, Ntombana (2011b) acknowledges that the chief discarded the custom in the nineteenth century, and that it was re-introduced in the early 1990s. Bank and Ntombana (2012) observe that although Monica Hunter found – an anthropologist who studied circumcision among amaXhosa – found existence of female circumcision in Mpondoland in the 1930s, there was no concrete data alluding to the practice of male initiation in that area at the time, which then pointed to a stark cultural difference between the amaXhosa sub-groups of the Nguni people. The authors further argue that during the ethnic nationalism period in South Africa, the people of the Transkei (made up mainly of amaXhosa and amaMpondo) were persuaded to homogenize their male initiation rituals, which caused amaMpondo to gradually adopt *ulwaluko*.

Ulwaluko is considered a sacred, spiritual rite, and is known for its unflinching principle of secrecy (Vincent, 2008a). The developments that have taken place around *ulwaluko* have altered this fiercely guarded custom. It would thus be unrealistic to pretend that initiation is still a matter of secret. Although privacy and sacredness have always been central to the initiation of amaXhosa, some of its most intricate parts have been exposed through the media in recent years. This can be attributed to the difficulties associated with the custom which have motivated researchers, the media and the general public, to try and find out more information about what was largely unknown about the ritual in the past. For this reason, *ulwaluko* has lost one of its fundamental cornerstones, that of secrecy. This is a very sensitive matter for traditional leadership and amaXhosa men who feel violated and disrespected as custodians of the culture.

2.5 The Significance of *Ulwaluko*

According to Meintjies (1998), boys normally undergo initiation between the ages of 15 and 25 years; however, in the present day the AHSTCA (Act No. 6 of 2001) legislates that initiates be at least 18 years old, or 16 if his parents specifically request his initiation to be earlier (see 5.2.1.4 p. 24). Although the majority of boys appear to undergo initiation around the age of 18 in line with legal requirements, it is not uncommon for boys to be initiated at a younger age. In most areas of the province, it is also no longer common for

boys to go to the bush when they are much older, possibly due to the societal expectation that one needs to be initiated “before they get too old”. The ritual often takes place during school holidays, in June and December of each year (Momoti, 2002). Initiation is practiced for traditional purposes, in the belief that it produces socially responsible men (Tenge, 2006; Vincent, 2008a). This objective of constructing socially-dependable male identities through initiation has come under scrutiny over the last few years, with people criticising the custom for failing to achieve its intended purposes. Today, men are often condemned for not displaying the manhood traits they are expected to acquire during initiation, and equated to boys that have not yet undertaken the rite. In other words, and with reference to Tenge’s purpose of *ulwaluko*, men are no longer viewed as socially responsible. This, for some people, results in lesser conviction in the custom.

In Papu and Verster’s (2006) view, *ulwaluko* is performed to “transform the irresponsible and intractable boy into a man with an adult dignity and self-respect” (p. 181). I find this definition of initiation somewhat distorted in that it suggests one of two things, that: 1) all amaXhosa boys are wayward in nature, or 2) the custom is intended only for a particular type of boys. Both suggestions are flawed in that people are different, like in all other cultures. Furthermore, *ulwaluko* is a right of passage that all amaXhosa boys are expected to undergo when they reach a certain phase in their lives, in order to be regarded a man (Ngxamngxa, 1971). I believe however, that what the authors seek to explain is the view that *ulwaluko* is regarded as a means of modifying the boy’s persona into that of a man with high moral values. As Ntombana (2011b) puts it, this belief of socially responsible men has not faded even amongst present day kings and leaders of amaXhosa. He quotes Prince Burns-Ncamashe saying, “[The] initiation school has a moral obligation and customary duty to produce accountable and responsible citizens of society fully committed and dedicated to the value of nation building.”

In the case where older men have not undergone *ulwaluko*, they are usually taken to the initiation school forcefully, and circumcised against their will. Such occurrences are not uncommon, and are usually reported in the media. A case in point is that of Fikile Mbalula, the Minister of Police in South Africa, who, in 2008, was abducted by his fellow African

National Congress members and initiated forcefully (Mbambato, 2008) because he was deemed past the age of initiation. According to Mbambato, at the time Mbalula was 37 years old. Another case is that of a 45-year-old Khayelitsha man in Cape Town who was kidnapped by his family members – including his wife – and circumcised without his consent (Gophe, 2005). In what came to be known as a ground-breaking judgment in the Eastern Cape, the Bhisho Equality Court ruled in a case of a boy who had been circumcised forcefully, that “circumcision is unlawful unless done with the full consent of the initiate” (Democratic Alliance, 2009, unpaginated). According to Kepe (2010), traditional leaders do not agree with the outlawing of forced initiations, arguing that “the government is creating legislation that undermines their roles and powers [and they] are not happy with the government interventions” (p. 734).

One of the benefits of earning a manhood status is the right it gives one to take part in the decision-making process in the family and in community matters. As the Cape Town Project Centre (2015, unpaginated) puts it, “with this newly earned respect comes the expectation that initiated men will demonstrate greater knowledge in the areas of socialization, language use, courtship, marriage, employment, traditional dancing, hunting, and civic duties.” Any male who does not undergo initiation is not accorded this status and is considered a boy, regardless of his age. He runs the risk of being looked down upon and discriminated against in different ways. For instance, in the area where I grew up, an uninitiated man is considered unqualified to marry, and women are discouraged from dating such a man. Should any woman marry him, she is seen as lacking self-respect. Furthermore, a man who has not undergone initiation is placed in the periphery and cut off from any decision-making platforms in the community (Meissner & Buso, 2007, Mavundla *et al.*, 2009). This kind of exclusion is known to cause immense pain and can be embarrassing and frustrating to the affected (Vincent, 2008a). Finding oneself in this position is likely to result in tremendous pressure.

Ntombana (2011b) writes about the humiliation a person can be subjected to if their claim of initiation is suspected to be untrue. He states that under such circumstances the suspect is made to take a test known as *ukutshakwa* where one is asked a set of specific

questions to validate his claims to have been through the initiation. This test can perhaps be linked to what Vincent (2008a, p. 436) refers to as “training in the secret code of the bush, which will serve as a mechanism of control in later years.” In the same breath, Mhlahlo (2009) asserts that “men who have been through initiation are distinguishable by their social behaviour and a particular vocabulary they learn during their time in the bush” (p. 75). According to Ntombana, if a person does not pass *ukutshakwa*, he has no choice but to show the men his circumcision scar – known as *ukuhlolwa* - as proof of initiation, a reveal that is conducted in public (Mavundla *et al.*, 2010). It is believed that the scar from a traditional form of circumcision is different to that performed in hospital. It is also common belief, as demonstrated in Ntombana’s study, that men who had undergone VMMC are “physically recognisable among men” (p. 222). The author explains that “if one fails *ukutshakwa* and he is not circumcised, or the circumcision scar is not according to the expectation, then that person is regarded as a boy” and is thus rejected in manhood circles. The information given above is one example of the closely guarded secrets around *ulwaluko* which in the past, have been hidden from the public, and especially from women. Growing up in isiXhosa culture, a woman attempting to find out details about *ulwaluko* is usually met with scorn, even by members of her own family. The availability of this restricted information on what transpires in the process of transforming boys into manhood marks a different era in the history of *ulwaluko*, and a major shift in the culture. It poses a serious threat to those who believe in its preservation and original form. For women, the availability of information should be viewed as a welcome gesture as it gives answers to many of the questions some have been asking about the ritual, and not making any breakthrough.

2.6 Initiation and Masculinity

Raewyn Connell (1995), an Australian sociologist who is considered the pioneer of the concept of masculinity, described the term as various forms in which being a man is defined by the society. There appears to be a growing interest on the part of researchers, both locally and internationally, to investigate the concept and define its construction and application even further. The works of Morrell (1998), and work which he has conducted

with colleagues Jewkes and Lindegger (2012), Ratele (2008, 2013, 2014), Vincent (2008a), Siswana (2015) and lately Mfecane (2016), have increased knowledge and encouraged debate on the subject of masculinity in the South African perspective.

The scholarly works of Vincent (2008a), Siswana (2015) and Mfecane (2016) have paid attention to masculinity in relation to the *ulwaluko* among amaXhosa. Vincent investigated how the cultural and social meaning of this practice has evolved over time with particular reference to the role played by the initiation school in the sexual socialization of initiates. She concluded that the role played by *ulwaluko* on sexual socialization of initiates has disintegrated in exchange for the view that men have an undisputed right to sex. She also states that self-restraint is not seen as an important skill that one should acquire for purposes of managing one's lifestyle. According to the author, this sets the tone for a forceful and violent environment for young women. Vincent's argument underlies the construction of masculinity that is based on manhood acts that are premised on instilling a sense of fear, intimidation and sexual violation of the opposite sex. This is a reflection of hegemonic masculinity - acts that promote male dominance over women - that, in my opinion, characterizes isiXhosa culture in general.

Mfecane (2016) however proposes a different approach on the manner in which *ulwaluko* and its norms shapes masculinity. Although he contests the approach in which masculinities are depicted in the African context, he does not dispute the hegemonic underpinnings of *ulwaluko*. He writes about the "nuanced meanings" of being a man in relation to other existing masculinities in isiXhosa culture, such as uninitiated boys and men who had undergone VMMC (p. 204). Mfecane advocates for a shift from Western ways of describing masculinity, suggesting that determining masculinity among amaXhosa has to be done in two ways. Firstly, he suggests that attention should be given to the body as it is "the principal way through which hegemony is achieved (p. 212)." He makes some examples that demonstrate the grounding of masculinity "primarily in the physical body" (p. 2017). One such example is the act of *ukuhlolwa*, also known as *ukutshakwa* which is used to prove or disprove the status of a male person whose manhood is somehow questionable (refer to section 2.5). Using his theorisation of

masculinity through the use of the body (the circumcised penis in this case) and aligning it with Vincent's (2008a) views of forced sex by young men on women, one can argue that this is another way through which the body is used as an assertion of manhood. There are also documented cases of newly graduated men who, in the Eastern Cape, force themselves on young women in the name of *ukosula* (which I discuss in more detail in Chapter Five). A gap I find glaring in Mfecane's theorisation of the construction of masculinity through *ulwaluko* is its vagueness on the significance of socio-cultural dynamics, and the manner in which men stamp their authority over women in isiXhosa culture. I discuss masculinity in more detail in Chapter Three.

Secondly, Mfecane calls for the re-examination of the classification that positions "heterosexual men at the top of the masculine hierarchy and homosexual men at the bottom" (p. 12). Citing Connell's (1995) model that describes the relations of power between groups of men, ordered by race, class and culture in South Africa (Morrell, 1998). Mfecane argues that this classification positions homosexuality in a subordinate level to other masculinities, and in his opinion, a misrepresentation of isiXhosa culture which engenders masculinity through initiation rather than the focus on one's sexual orientation. For this reason, Mfecane argues that Connell's theorization of masculine hierarchies does not apply in *ulwaluko*. He asserts that among amaXhosa the idea of manhood incorporates homosexual men, and that "being gay on its own does not lead to a lower social placement in Xhosa masculine hierarchies" (p. 211). However, he hastens to add, and correctly so, that not much research has been conducted on *ulwaluko* and homosexuality in South Africa. I note however that the results of a study conducted by Ntozini and Ngqangweni (2016) on gay men's experiences of *ulwaluko* in the Eastern Cape are in stark contrast with Mfecane's claim that *ulwaluko* confers an equal status to gay men as that of their heterosexual counterparts. Ntozini and Ngqangweni report that although gay initiates were able to challenge "certain aspects of hegemonic masculinity" during initiation, they were still expected to "negotiate their identities in relation to dominant ideas of what it means to be a man within a particular cultural context" (p. 1311). They argue that in the context of initiation among amaXhosa, cases where gay men would contest certain features of the custom, or where they deliberately underwent initiation to

challenge shared norms and values of manhood, are considered a nullification of masculinity and such men are often equated with femininity. They further argue that the hegemonic nature of *ulwaluko* encourages the marginalization and subordination of gay men as they are afforded “little power within these heteropatriarchal contexts” (p. 1311). Ntozini and Ngqangweni concluded that in isiXhosa culture, gay men are consigned to a position of “vulnerable men who take up the subjugated position of masculinity”, in that they are perceived as vulnerable not only to the overseers of the custom but to their heterosexual counterparts as well (p. 1316). These claims suggest that *ulwaluko* is a hierarchical patriarchal system, the latter defined by al-Hibri (1999) as one “in which control flows from the top” and where “men oppress other men and not only women” (p. 45).

Mfecane (2016) is correct in arguing that *ulwaluko* does not deter homosexual men from undergoing initiation. In fact, in many instances, men who usually reject the practice because of their sexuality - such as being gay, bisexual, transgender or intersex – are known to be forcefully initiated in some communities. The common belief behind the coercion is that initiation has the power to transform them into “real men”. However, my experience is that men who do not identify as heterosexual, are still subjected to homophobic and transphobic attitudes, and assigned derogatory labels, even after they have been initiated. Contrary to Mfecane’s argument, and in support of Ntozini and Ngqangweni (2016), I believe that men who are not heterosexual are consigned to a lower position in isiXhosa masculine hierarchies, despite their initiation status. These divergent views on the construction of masculinity illuminate the complexity of the concept and dispute the outmoded binary notion of gender that is ingrained in male-female *loci*. This is further illustrated by Siswana (2015) who studied the experiences of initiated amaXhosa men by getting their first-hand account of *ulwaluko* while assessing the impact of the ritual on their sense of masculinity. He acknowledges the complexities associated with defining masculinity, and he concluded that the notion of masculinity is characterized by many viewpoints.

Although she did not interrogate masculinity with its intricacies and to its entirety, Duka-Ntshweni (2013) did – consciously or inadvertently – explore to some degree the application of masculinity in the case of *amakrwala* (plural for *ikrwala*) attending secondary school in Buffalo City. In her study, she was interested in the implications of their newly acquired status on leadership and management in the schooling system. Her results indicate that the young initiation graduates were dismayed that their new identity was deliberately not recognized by the schooling system, and that they were not accorded the manhood status they deserved. Duka-Ntshweni also states that *amakrwala* further alluded to incidents of discriminatory practices they faced at the school. In Chapter Three, I revisit the concept of masculinity and discuss it as it relates to patriarchy in multicultural societies.

2.7 The Process of *Ulwaluko*

2.7.1 Van Gennepe's Model of Social Transition

Anthropologists such as Jean La Fontaine (1985), Victor Turner (1966; 1969) and Arnold van Gennepe (1960) are known for their major contribution to the development of theories on rites of passage. In this section, I examine *ulwaluko* of amaXhosa and how this rite of passage unfolds in following the complex succession from one stage to the next, using the ethnographer Arnold van Gennepe's model of social transition. Barton (2007) observed from Van Gennepe's work that whilst the substance of social transitions differed from population to population, the pattern these rituals followed was common. Van Gennepe also believed that some stages are more prominent in certain initiation rituals than others.

In his book *The Rites of Passage*, Van Gennepe (1960) analyzed ceremonies that are performed during rituals, and classified these into three main phases, namely: 1) separation, 2) transition and 3) incorporation. Gwata (2008) agrees with the notion of universal patterns, stating that Van Gennepe's "three-fold classification is observed among most circumcising ethnic groups" (p. 6). I observe, however, that in his analogy Van Gennepe (1960) overlooked an important stage in the process of initiation; that of preparation. This is a critical and distinct phase in the initiation of amaXhosa. For this

reason I have adapted Van Gennep's theory into a four-phase framework, which for the purpose of this study I will name "isiXhosa Model of *Ulwaluko*". In outlining this model I will be making reference to the works of authors like Turner (1966, 1969), the findings of various studies I have consulted, as well as literature that I have reviewed on the topic.

2.7.1.1 IsiXhosa Model of *Ulwaluko*

2.7.1.1.1 The Preparation Phase

Before I start describing the processes and methods involved in the transitioning of amaXhosa boys into manhood, I must indicate that the practice is heterogeneous in nature. As Bank and Ntombana (2012) put it, the methods and processes used in carrying out the custom tend to vary depending on the regions, the different groups and different clans. I also observed, having lived in different areas in the Eastern Cape, that these differences can be so wide-ranging that they can be found within what on face-value would appear to be homogeneous groups, such as among Christians or even within the same clans. So, the phases I am going to outline are not neatly packaged and will not be practised exactly as outlined in this model.

The first phase in *ulwaluko* is marked by a host of activities that culminate into extensive preparation. The days prior to the ceremony are characterized with singing and dancing. During this period all prospective initiates are required to participate in preparation activities such as learning songs appropriate for the occasion, collecting firewood and cutting sprigs and ropes for construction of the initiate's hut known as *ibhoma* (Afolayan, 2004; Cape Town Project Centre, 2015). The process of cutting tree branches and sprigs is known as *ukugawula*. A site for initiation is chosen where the *ibhoma* will be constructed, and it is traditionally a place away from the community. This is where the initiate will be residing during the initiation period. The frame of *ibhoma* is constructed in a circular shape, or *isangqa* in isiXhosa. In days gone by the hut used to be built by both the men and women in the community. Initiated men would start off by constructing the frame and women would cut grass and do the thatching necessary to keep the hut warm

(Gasa, 2013). In many areas of the province, this arrangement has changed over time, and the *ibhoma* is now built mainly by men.

During the preparation phase boys also carry out symbolic activities. For instance, it is known among amaXhosa that when a boy goes to initiation, he will abandon all his old clothes and give them to a younger brother or relative as an indication of leaving his life of boyhood behind. This is followed by the shaving of the head which according to Mhlahlo (2009) symbolizes “a separation from the previous environment (p. 48).” This takes place in the family’s kraal and is done by a brother or male relative that has already undergone initiation (Duka-Ntshweni, 2013). It is important for the hair to be buried, as it is believed that the boy could go mad if his hair is used, for instance, by birds to build their nest. Historically boys used to wear a headdress and they roamed around, bellowing in their villiages. As the Cape Town Project Centre (2015) puts it, this is the last time initiates can act in an irresponsible and immature manner, and these activities would be their last acts of boyhood.

Preparation also includes the appointment of an *ikhankatha* (traditional nurse) who will be responsible for looking after the *umkhwetha* (initiate). In identifying the traditional nurse, the family looks for a man of good stature in the community who has knowledge and experience of initiation and traditional values (Momoti, 2002; Kanta, 2003). The preparation phase extends further than just the tangible aspects of planning. It is essential that the boy’s readiness to undergo initiation is examined. In the olden days the judgement on whether a boy was ready to undergo initiation or not depended on a number of factors including “maturity, readiness of the person, recommendation of the father and elders, or when the boy had come back from working in urban areas” (Ntombana, 2011b, p. 225). Furthermore, certain traditional rites may have to be performed to honour the ancestors. *Imbeleko* is an an example of such rituals. This ceremony is usually performed after the birth of a baby and a white goat is slaughtered to thank the ancestors for safeguarding the child. It is believed that failure to perform this ceremony will cause the child to to be rebellious and to frequently continue wetting his bed (Bogopa, 2010). It is critical that this ritual be conducted prior to initiation if it was not done at the time the child was born. In

the isiXhosa culture, a boy is considered not fully ready to undergo initiation if this rite is outstanding. Other types of readiness that must be considered prior to the boy's initiation is his psychological strength, as well as the financial fitness of the person(s) taking the financial responsibility for the initiation. In the olden days this responsibility was that of the the initiate himself. When boys still underwent initiation later in their lives, they were expected to migrate to the city in search of a job so they could pay for all costs associated with their initiation. They also needed to save money so they could take care of their wives when they got married. Johannesburg and the mining sector was at the time a popular choice since it was one of the only that offered jobs. Todate it is usually the parents, and sometimes the family, who finance the initiation, which is arguably a costly exercise.

One of the activities involved in the preparation phase is the slaughtering of an animal, usually a goat, which is accompanied with the brewing of traditional beer. According to Momoti (2002, p.32), the slaughtering of a goat is a "form of sacrifice for the ancestral spirits (*izinyanya*) from whom spiritual protection is sought, and regarded as a direct link between man and God (*Qamata*)." A special part of the goat, usually the right leg, is given to the initiate to eat. Once these activities have been completed, the boy is sent to the bush. Qbona (2014) captures the atmosphere on the day of initiation in this fashion:

Some families prefer sending their sons in the morning whilst others prefer doing it in the afternoon. At this point in time, one has varying feelings such as excitement, fear, anxiety and joy all at once. But before the boy goes there is a carnival atmosphere at his home. There is ululation and singing from the women. But it is mostly the man who capture[s] the spotlight with the famous song Somagwaza. This song has been sang [sic] for many decades and is true indicator that one is really going to be a man. It is sang [sic] with such gusto and the boy will feel a sense of pride as he has been waiting for this moment all his life.

(2014, p. 2)

Ntombana (2011b, p. 85) supports the notion of the song's significance to amaXhosa and gives us a glimpse of the lyrics which go like this:

Somagwaza! Ndakugwaza ngalo mkhonto!
("Somagwaza! I'll stab (cut) you with this spear!")

"*Somagwaza*" is so meaningful and popular that every person among amaXhosa knows that when they hear this song it means there is initiation going on in their community.

2.7.1.1.2 The Separation Phase

Van Gennep (1960) defines this phase as the act of separating the initiate from "the previous environment, the world of women and children" (p. 74). At this point the boy is removed from his physical environment through a ceremony called *umngeno* or *ukungena*, literally translated as "entering" or "going in". This means that during this phase the initiate is isolated in an *ibhoma* in a bushy area (Mhlahlo, 2009; Van Gennep, 1960). Mhlahlo (2009) correctly points out that the separation phase is usually a period marked with sadness, as the boy may be taken away forcefully from his mother while she is overcome with emotion. According to Gitywa as quoted by Papu and Verster (2006), "the ritual core of initiation is circumcision, meaning the actual surgical operation, and it is an irreversible symbol of the social maturity of the individual" (p. 180). The task of severing the initiate's prepuce is known as *ukudlanga* (Ntombana, 2011b) and is done by *ingcibi* (Meintjies, 1998; Mhlahlo, 2009), the traditional surgeon who is usually a skilled senior male. He uses an instrument called *umdlanga* (Meintjies, 1998) to perform the operation. Ngxamngxa (1971) refers to this phase as the surgical operation phase, whereas Mavundla and Netswera in Tenge (2006) call it pre-circumcision. The circumcision takes place outside the *ibhoma*, also known as *ithonto* (thatched hut). Qbona (2015) defines the process as very quick. As soon as the severing has been done, the initiate shouts: "I am a man!" and the *ingcibi* replies: "You are a man!" (Qbona, 2015, unpaginated). It is believed that it is reprehensible to scowl or show the least bit of pain when the operation is performed as the initiate has to display bravery and fortitude (Afolayan, 2004; Mavundla

et al., 2009). Once the boy has been circumcised, the foreskin is handed to the initiate to bury in a secret place, usually in places like in an ant heap where it can be eaten by the ants or in the centre of the *ibhoma* where a fire will be kept burning. This is an attempt to keep it away from witches and evil spirits. Many authors point to the symbolic nature of the surgical operation. In agreement with Van Gennepe (1960), Mhlahlo (2009) states that “circumcision is not just a cut” (p. 50) but is indicative of the disengagement of the boy from being mothered, and his introduction to paternal ways of living. It is also a symbol that the initiate can never return to being a boy. Duka-Ntshweni adds that this is “an example of permanent bodily alteration which signifies membership to a particular group” (p. 3).

After the cut has been performed, the wound is not stitched but bound in herbs to help in the healing process (Momoti, 2002; Papu & Verster, 2006). These fresh leaves of a wild plant called *isicwe* or *helichrysum appendiculatum* are known to have antibiotic and pain-relieving properties (Bhat, 2013; Cape Town Project Centre, 2015; Dilika, Nikolova & Jacobs, 1996; Plaatjie, 2010).

What follows next is a game of stick-fighting, known as *ukudlala iinduku*. Traditional correspondent, Lulamile Feni (2013, unpaginated), describes stick-fighting as “a martial art that was developed hundreds of years ago in rural parts of the Eastern Cape where it served as an important rite of passage in Xhosa culture.” The object of the game is to determine the stronger of the two fighters; and after the fight one fighter is declared the winner. The game usually takes place in the morning after the circumcision has been performed, and it lasts anything between 35 minutes to an hour. Feni asserts that in the Nguni culture stick-fighting is synonymous with celebration of traditional rites; and that due to its fatality in recent years, it has been denounced as brutal. Feni attributes this to “modernization and abuse of the game by people holding grudges against each other” (unpaginated).

The separation phase requires that the boy be placed in an isolated, bushy area where he will learn behavior associated with being an adult. Van Gennepe (1960) also mentions

that this period of isolation comes with certain prohibitions, like the imposition of a certain diet or cutting ties with the mother, “who often weeps for him” (p. 75). Van Gennep explained that the aim of separation is “to make a momentous change in the boy’s life; the past is to be cut off from him by a gulf which he can never re-pass. His connection with his mother as her child is broken off, and he becomes henceforth attached to the men” (p. 75). In an attempt to train the initiates to become tougher, during the separation phase they are treated in a harsh manner. In Momoti’s (2002, p. 48) words, initiates “are treated like *iinyamazane*; wild animals. They are not considered to be *abantu* or human beings with a status or a say. Corporal punishment is common to which initiates have no redress.” All the sports and games of childhood are to be abandoned. The boy is now becoming a man. According to Stinson (2007), the agonising pain endured by initiates after their circumcision demonstrates bravery and prepares them for the difficulties they will be facing in their lives in the future.

2.7.1.1.3. The Transition Phase

Referring to Van Gennep’s model, Turner (1966) mentions that during the transition phase the person acclimatizes to the environment and changes to match the new roles ascribed to them. He describes the transition phase as the margin or liminal phase, a term derived from the Latin word “limen”, meaning “threshold” (p. 95). Turner states that during this stage the ritual subject “passes through a cultural realm that has none or few of the attributes of the past or coming state” (p. 94). He is in social limbo, a time between a previous and an imminent status. As Turner puts it, the initiate is “neither here nor there” (p. 95). According to Mhlahlo (2009) the initiate “does not belong in the previous life of being a child, while he does not yet belong to the new life of adult people” (p. 49). Citing Birx, Mhlahlo points out that the liminal phase symbolizes a process of transformation where the initiate “is neither a student nor a graduate, neither a child nor an adult, not married nor unmarried” (p. 49). This stage seeks to inculcate principles of adulthood into initiates so that they can behave responsibly and in a manner expected of an adult.

Turner (1966) writes that through symbolic acts the liminal phase is often equated to “being in the womb”, “darkness” or “an eclipse of the sun or moon” (p. 95). He further argues that initiates at this stage are depicted as having no status, being insignificant and having to comply with instructions and punishment without question. This phase is also characterized by uncertainty, which in turn creates an indistinct identity and a sense of bewilderment for the initiate. However, Turner observed positive factors that are produced by liminality, including the fact that the subjects tend to develop a concept of fairness amongst themselves and also a strong bond of friendship. Barton (2007) posits that this process leads to the formation of a new social relationship. Van Gennep (1960) noticed that during this phase “a special language is employed which in some cases includes an entire vocabulary unknown or unusual in the society as a whole, and in others consists simply of a prohibition against using certain words in the common tongue” (p. 169).

Once the operation has been performed in the initiation schools of amaXhosa, the isolation period begins. This phase is viewed as the core of the initiation ritual (Mhlahlo, 2006). Ngxamngxa (1971) refers to this period as the seclusion phase. There is no specific time limit for the seclusion period. According to Papu and Verster (2006), it can take anything between a month and twelve months. In recent years the length of stay has become shorter than it once was. This has been influenced by various factors, including school holidays and the time it takes for the wound to heal.

During the translocation, the *umkhwetha* is isolated and lives in his *ibhoma* while constantly covered in *ingceke*. He does not wear clothes but is instead wrapped in a certain type of blanket. It is here and during this period that the traditional nurse will provide nursing care to the initiate. The first seven to ten days of the operation are the most precarious and excruciating for the initiate; and they require close attention on the part of the traditional nurse (Papu & Verster, 2006). During the first seven to ten days the diet consists of mainly dry starch; and no fluids are allowed (Kanta, 2003; Papu & Verster, 2006). A young boy (sometimes more than one) known as *inqalathi* resides with him in the lodge. The duty of the *inqalathi* is to deliver food to the initiate every morning and evening, and to assist with any chores that need to be performed around the initiation

school. There are certain rules that the boy has to observe while playing this role, such as going straight to the lodge without stopping at any point. He is even forbidden from putting the *ibhekile* – enamel bucket containing the food – down as this is considered a window of opportunity for evil spirits to contaminate the food.

At the initiation school boys are taught various things, such as surviving in the forest, respect and obedience, relationships and so on. As mentioned, one of the skills that a young man is expected to perfect during initiation is stick-fighting. According to Feni (2013) traditionally “a young Xhosa man who carried himself well with “the sticks” won a lot of respect wherever he went in life” (unpaginated). This phase is known to be grueling to the initiates. In an attempt to train them to become tougher, initiates are subjected to unusual, uncomfortable and harsh treatment which often includes physical brutality.

To mark the cessation of the period of deprivation, a ceremony known as *ukojiswa* (Ntombana, 2011b) *umojiso* or *ukosiswa* is performed where an animal, such as a sheep, is slaughtered. At this point initiates are allowed to eat its meat. This ritual is an indication that the initiate is almost healed, can be fed any kind of food and be allowed liquids (Mhlahlo, 2009). Initiates are at liberty to visit other initiates where they can engage in traditional games, hunting, dancing and other social activities (Papu & Vester, 2006). This group of initiates will come to be known as *oosaluka*, which refers to a group of initiates who went to initiation school during the same time, or who graduated in the same period and in different regions (Ntombana, 2011b, p. 227). In this case, such men would be equal in terms of their manhood age or *izilimela*, hence they are considered peers.

2.7.1.1.4 The Incorporation Phase

During the incorporation phase, the ritual is seen as complete and the person is reintegrated back into society where he assimilates the newly-acquired status into the self (Van Gennep, 1960). Turner (1969) refers to it as reaggregation or reincorporation. Mhlahlo (2009) contends that the incorporation phase is in contrast with the liminal phase as at this stage the initiate has clearly defined rights and obligations, leading to a much

more structured and stable environment. As Turner puts it, the subject now has an obligation to behave according to certain norms and standards that are expected of someone in their category of manhood. When the seclusion period is over, initiates leave the initiation school. Ngxamngxa (1971) refers to this phase as the coming out ceremony, while Tenge (2006) call it “post-circumcision” (p. 3). As a symbolic way of terminating initiation, the *ibhoma*, together with the initiate’s possessions that he had at the initiation school, are burned. He is then taken to a stream or river to bathe so as to remove the *ingceke* before being sent home.

The young man is welcomed home through a celebratory ceremony known as *umgidi* or *umphumo* (Mhlahlo, 2009). This is a very important and exciting activity for most communities; one of the greatest marvels for amaXhosa people. It is characterized by singing, dancing, ululating and lots of food and drinking. Most people adorn their traditional garb. As part of this feast, the young man is presented with gifts, including new clothes and blankets, a room of his own, usually with a new bed, and sometimes even a new name. He has definitely earned a higher status in the community. During this ceremony, he goes through a process of *ukuyalwa* (Ntombana, 2011; Siswana, 2015) where he is harangued by senior people from the community in an attempt to pass down their wisdoms and values onto the new man. For a period of time, about three months in earlier days, but less today, he applies *imbola* (red clay) on his face and has to dress in a certain way. He is now referred to as *ikrwala* or a graduate from initiation school (Duka-Ntshweni, 2013). More importantly, as a man he is expected to be presentable and act in a dignified way. All *amakrwala* are expected to adhere to a special dress code. In the olden days they wore brown, khaki or check clothes. They donned a cap on their heads and carried a special stick known as *umnquma*. Since they are regarded as men in training, they are referred to as “*ubhuti omtsha*”, meaning “a new, young man.” From this point onwards, his age as a man is measured by *izilimela* (Momoti, 2002; Ntombana, 2011b).

Unlike during the liminal phase, the *ikrwala* is in an established chapter of his manhood where he is expected to observe customary ideals and shared norms. Expectations,

responsibilities and obligations at this point are unambiguous; there is no role confusion on the part of the young man. The object of *ulwaluko* – showing young men direction in life and encouraging responsible behavior – has at the end of this phase been concluded. Surviving initiation has great significance for those who underwent it and negative consequences for those who shun it. “If a man is found to bear ‘cat’s claws’ – the scars from stitches that point to a hospital circumcision – he risks assault later for avoiding the pain of the traditional rite while masquerading as one of its graduates” (Vincent, 2008a, p. 435).

As is the case with Van Gennep’s (1960) first two phases of initiation, the incorporation phase of the social transition model is clearly demonstrated in *ulwaluko*. The rituals and practices undertaken during the last stages of the initiation, such as being awarded a higher status and the new ways of carrying oneself, all point to reintegration into the community and acceptance as a new man. It is interesting to find that in a study conducted by Mhlahlo (2009), participants described the pattern of the initiation process in a similar way to Van Gennep’s model. In Mhlahlo’s report the incorporation phase was split into two phases, thereby classifying the ritual into four stages, namely: 1) the entering phase; 2) being an initiate; 3) the coming out phase; and 4) being a graduate.

2.7.2 Emerging Male Circumcision Models

There are many examples denoting different forms of male initiation across the world. While van Gennep (1960) described rites of passage according to distinct stages that the initiated person undergoes, I have, through an extensive literature review, observed that circumcision rites that are practised worldwide do not only occur in phases but also rest on acutely pronounced but very distinctive principles. Underlying these practices is a set of determinant factors that are strictly adhered to in carrying out different circumcision rituals. It is these elements that give the phenomenon its distinct position. Below I describe three models in which circumcision is undertaken, namely: medical, religious and traditional. The traditional model refers mainly to *ulwaluko*, the focus of the study.

MODEL DESCRIPTORS	MODELS OF CIRCUMCISION			
	Neonatal		VMCC	Traditional
	Religious	Medical (Routine)		
Purpose	<ul style="list-style-type: none"> Sanctity Prophylaxis Rite of passage 	Prophylaxis	Prophylaxis	Rite of passage
Period	<ul style="list-style-type: none"> Infancy Childhood 	<ul style="list-style-type: none"> Infancy Childhood 	Adulthood	Adulthood
Site	Religious setting, medical setting or private home	Medical or health facility	Medical or health facility	Initiation school (<i>ibhoma</i>)
Key Roleplayers	<ul style="list-style-type: none"> Medical and health professionals (doctors, nurses etc) Religious practitioners (<i>mohel/ mohelot</i> for Jews or trained community member in Islam) 	Medical and health professionals (Doctors, nurses)	Medical and health professionals (Doctors, nurses)	<ul style="list-style-type: none"> Traditional health practitioners (<i>ingcibi, ikhankatha</i>) Boy's father or uncle(s) Elderly men <i>Amanqalathi</i>

Table 1: Models of circumcision

The model shows that some similarities exist between the medical (routine) and religious models of circumcision in that both procedures use neonatal circumcision for the purposes of prophylaxis to ensure cleanliness and, consequently, disease prevention. Although it is not done at infancy, as is the case with the other two models, VMCC is undertaken for the same purposes as the medical model and is performed in the same setting by medical/health professionals. VMCC is, however, performed during adulthood and requires the consent of the patient. The difference between the neonatal models, i.e. medical and religious, is that when performed for religious purposes circumcision is undertaken as a rite of passage to make the boy holy (as described in 2.2.2.1 and 2.2.2.2). In such a case, traditionally the operation is done during infancy by a trained religious person in a religious setting or in the home of the boy. In recent times, it has become common for religious circumcisions to be performed when the boy is older in a medical facility, as is the case in medical circumcisions. There is, however, a major difference between initiation and the other models. This places *ulwaluko* on the opposite end of the continuum. On one hand, for amaXhosa the desire to undergo initiation is communicated by the boy to his parents (usually the father) when he reaches initiation age rather than the parents making that decision at his birth. The state of readiness for the Xhosa boy is, however, determined by his father and permission to undergo initiation is granted or denied on that basis. In the medical and religious models the infant is in no state to make the decision. Furthermore, while circumcision is a quick and minor operation in the other two models, in the initiation custom it is part of a long-drawn event that is implemented through a number of phases as demonstrated in the isiXhosa Model of *Ulwaluko* (refer to 2.7.1.1.). The models of circumcision I discussed above demonstrate that initiation is a culturally entrenched concept for amaXhosa, one that cannot be examined outside indigenous knowledge or its significant cultural connotations.

2.7.3 Dimensions of *Ulwaluko*

Van Gennep's (1960) model, as well as the other models of circumcision I presented above, crystalize Peltzer's (2007) definition of initiation as "a holistic concept with multiple and interconnected dimensions – religious, spiritual, social, biomedical, aesthetic and

cultural” (p. 659). Initiation is known to influence the boy’s life in various ways impacting on various dimensions of their lives. Papu and Verster (2006) and Duka-Ntshweni (2013) have made reference to four dimensions that *ulwaluko* rests upon, alluding to the fact that when a boy undergoes the ritual, the experience does not only bring about a discernible physical outcome but also has effect on other dimensions, which I discuss shortly below. The afore-mentioned dimensions of initiation are evident throughout the phases I outlined in the isiXhosa Model of *Ulwaluko* (refer to 2.7.1), as well as in the stages of manhood that I discuss in section 2.7.4. Below I present an illustration of the interconnectedness and the holistic nature of *ulwaluko*:

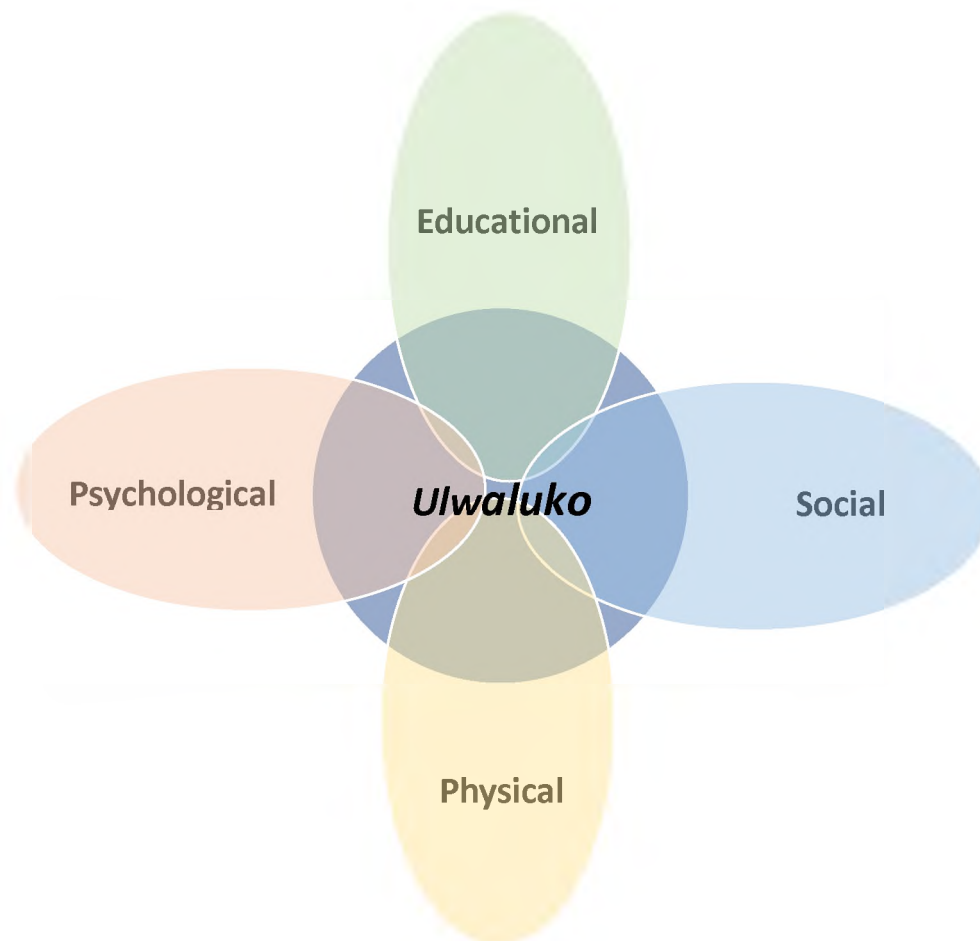


Diagram 1: Dimensions of *ulwaluko*

2.7.3.1 Physical Dimension

The physical dimension of *ulwaluko* is what Van Gennep (1960) refers to as the separation phase in his model of initiation. It is the symbolic act of cutting the prepuce or *ukudlanga*; the actual operation that is performed at the initiation school (Ntombana, 2011b) which I elaborated on under section 2.7.1.2.

2.7.3.2 Psychological Dimension

The objective of *ulwaluko* is to introduce a positive change in the personality of the young man (Papu & Verster, 2006; Duka-Ntshweni, 2013), so he can become a community member that bears high values and morals. It is a way of demonstrating that he has learned some important lessons at the initiation school. This change is also validation that the young man has abandoned the wayward behaviour characteristic of boyhood, and that he is now acting in a mature and responsible manner. This new image is symbolised by the new dress code that *amakrwala* adopt upon their graduation. It is evident in Van Gennep's (1960) model that the psychological dimension is given expression in the incorporation phase (refer to 2.4.2.4) which in terms of Ntombana's (2011b) framework is referred to as *ubukrwala* phase (discussed in 2.5.2).

2.7.3.3 Social Dimension

As I mentioned earlier, *amakrwala* are bound by the code of behaviour associated with the social status of manhood. Citing Gitywa, Duka-Ntshweni (2013) states that these young men "are expected to show a more decent, responsible and proper behaviour guided by the norms and values of the community" (p. 8). An important part of this code is that they are no longer allowed to socialize with boys or get involved in any activities concerning boys. They are also not allowed to associate with girls or women, at least not in public. Men in general are discharged from roles or duties that are considered girls' or women's chores. Furthermore, to appear strong and to act like a proper man, they are not allowed to eat foods which only females are expected to eat. Examples of such foods

include wild vegetables known as *imifino* and *amathumbu* or intestines. Just like newly graduated men are not allowed to associate with boys or uninitiated men, they have to strictly observe the social order or seniority levels that exist in the grouping of young men in this isiXhosa culture, which Ntombana (2011b) refers to as *ubufana*. It is during this phase of manhood (discussed in section 2.5) and the incorporation phase (outlined in 2.4.2.4) that the social dimension of initiation can be clearly displayed.

2.7.3.4 Educational Dimension

The educational dimension begins during the transition phase and carries on throughout the incorporation phase. *Ulwaluko* is known to mark the onset of a period where a man is introduced to a world where he can acquire knowledge that is not available to those that have not undergone initiation (Duka-Ntshweni, 2013). Citing Hammond-Tooke, Ntombana (2011b, p. 201) states that the significance of the rite was observed as early as the nineteenth century. As Stinson (2007) puts it, the object of this practice is to pass on to initiates information about their culture, inculcate a sense of social responsibility and to teach them about respect and discipline as well as about issues of courtship and marriage. Mhlahlo (2009) points out that when still at the initiation school, initiates are taught a certain vocabulary that distinguishes them from boys or uncircumcised men. This form of education is meant to prepare the man for the responsibilities associated with manhood. As Mtuze (2008) puts it, there are set functions and roles that only men who underwent initiation can perform, such as discussions over family and community matters, getting married or raising a family of his own.

2.7.4 Stages of Manhood

Proponents of *ulwaluko* usually justify its existence and significance as a system that promotes social order in the community (Vincent, 2008a; Ntombana, 2011b). Undergoing initiation marks the beginning of a journey into the hierarchy of manhood and its regulation for amaXhosa. Mhlahlo (2009) and Ntombana (2011b) outline the process *amakrwala* have to undergo to become fully-fledged men and to preserve their status in society. They

can now start counting their manhood age (*izilimela*). Ntombana (2011b) explains that “*isilimela*” (singular of *izilimela*) means the month of June in isiXhosa (p. 225). According to the author, in earlier days initiation used to take a year to complete; and initiates went to initiation school in June and graduated the following June. Ntombana (2011b) identified five stages of manhood in his study which are, to some degree, connected with the dimensions of *ulwaluko* that I discussed in section 2.7.3. I outline the stages below:

2.7.4.1 Ubukhwetha

This stage refers to the period of initiation marked by the separation and transition phases where the boy is taken to the bush to get circumcised and to learn about manhood (refer to 2.7.1.1).

2.7.4.2 Ubukrwala

Any initiation graduate who has been reintegrated back into the community for a period of less than a year is referred to as *ikrwala*. Ntombana (2011b) posits that such a graduate is now undergoing *ubukrwala*, the state of being a new graduate. Van Gennep (1960) refers to this phase as the incorporation phase. During this stage, the graduate is expected to behave in an impeccable manner as dictated by the rules of this stage of manhood (refer to 2.4.2.4). Ntombana maintains that it is the most disheartening thing for any *ikrwala* to be told that “he behaved like a boy” (p. 226).

2.7.4.3 Ubufana

This period ranges from one year after initiation up to about ten years of manhood (Ntombana, 2011b). In the region where I grew up, the progression from this phase to the next is marked by a social event called *intselo* where men in that stage, and beyond, gather together to celebrate with those who have reached the time to move to *ubudoda*. It is a joyful event characterized by the drinking of lavish amounts of home brewed traditional beer known as *umqombothi*. Citing Pauw, Ntombana states that the *ubafana*

category of manhood is characterized by a caste of seniority defined by the number of one's *izilimela* where "the most junior members normally respect and serve the senior members" and "the most senior members enjoy more privileges, such as being entitled to the most delicious meat and beer and larger quantities of them" (p. 228). The men in this category are expected to carry out responsibilities associated with manhood in their families and the community at large.

2.7.4.4 Ubudoda

In isiXhosa the word *ubudoda* directly translates to the state of "being a man", a stage considered to start from about ten years following one's initiation up to the age of fifty-five (Ntombana, 2011b). Men in this stage are known as *amadoda*, meaning "men". According to Ntombana, this category of men can no longer be expected to get involved in the day-to-day business of *ubufana*. Their main role is to give guidance to younger men and oversee physical activities that the latter are required to perform in the community. The transition from this stage to the next is also marked by *intselo*, as discussed earlier in 2.7.4.3.

2.7.4.5 Ubuxhego

Ixhego in isiXhosa means "old man" and *ubuxhego* refers to the state of "being an old man". This is the final stage of manhood which sets in at about the age of fifty-five (Ntombana, 2011b). Having lost some of their physical strength due to age, this category of men hold a high status in the society, which comes with respect and benefits such as being served the best parts of meat during traditional functions (Mhlahlo, 2009). They are not expected to perform substantial duties; their main role is that of providing wisdom to the younger generation of men (*Ibid*).

The stages of manhood I presented above point to a linear progression from one stage to the next, underscored by *ulwaluko* as the beginning phase. These stages are evident in most rural areas of the Eastern Cape. I am however hesitant to admit that this organized

system is fully endorsed in the urban areas, as the rules of engagement on hierarchy appear to be somewhat relaxed in the townships. Notwithstanding these differences, one needs to exercise caution in discerning between rural and urban, as the boundaries of these two settings have, over the years, become blurred. The latter can be attributed to modernity and what seems to be a growing inclination towards the endorsement of a rural-urban lifestyle among amaXhosa, particularly among the middle age and younger generation. What this implies is that two different lifestyles of the past are gradually becoming enmeshed thereby introducing notable changes in the practice of *ulwaluko*, and in this case, some form of blending of the stages of manhood.

2.8 Challenges Associated With *Ulwaluko* in the Eastern Cape

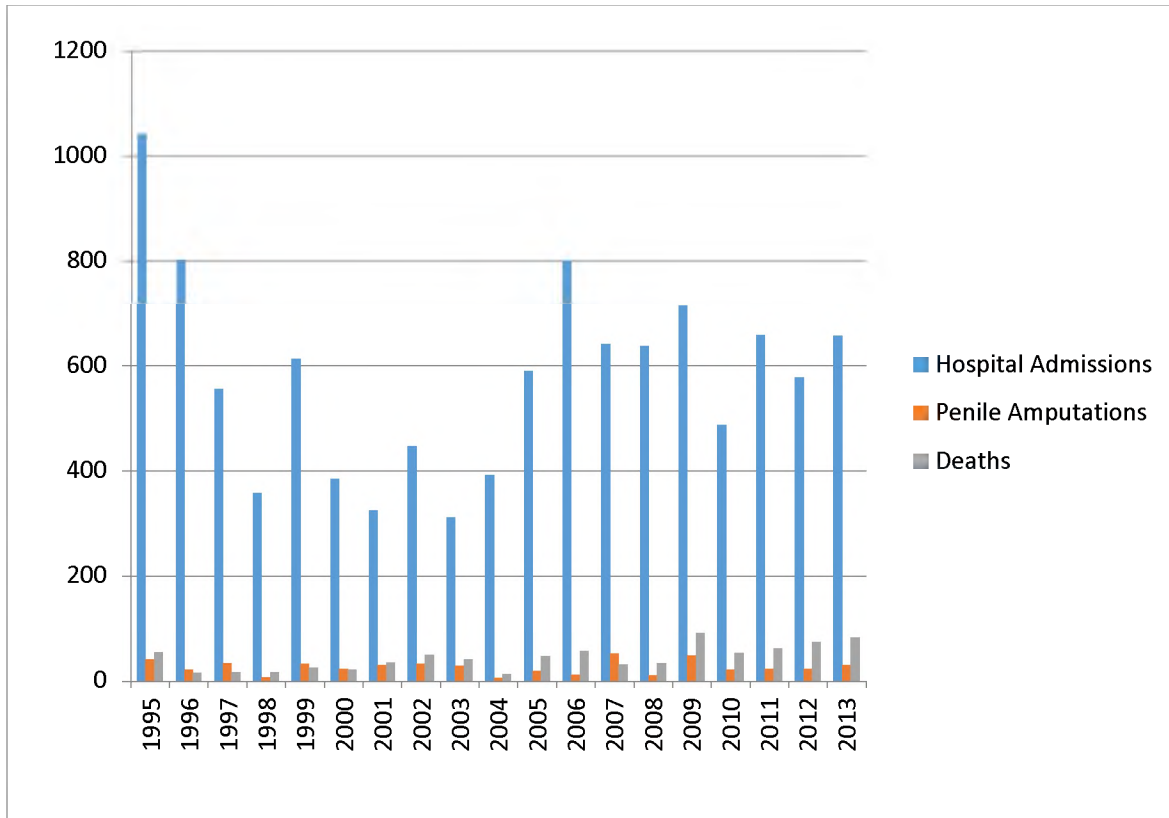
2.8.1 Statistics on Botched Circumcisions and Deaths

Kepe (2010) posits that the dark cloud hanging over *ulwaluko* is nothing new as researchers started reporting on the phenomenon as early as in the 1970s. He asserts that the numbers began to reach alarming proportions during the 1980s. However, literature is unclear on the reasons for this upsurge. According to Meintjies (1998), between 1988 and 1989 up to 34 initiates were hospitalized at Cecilia Makiwane Hospital in Mdantsane. He states that this number had climbed to 743 by early 1995 and that 34 deaths and 36 mutilations of the penis had been reported in the same period. Kepe believes this is about the time when *ulwaluko* started receiving wide media coverage locally. Below is statistical information on the hospital admissions, penile amputations and deaths of initiates between 1995 and 2013.

Year	Hospital Admissions	Penile Amputations	Deaths
1995	1042	42	55
1996	801	22	16
1997	555	34	17
1998	357	8	17
1999	612	33	26
2000	384	23	22
2001	324	31	36
2002	447	33	50
2003	311	29	41
2004	391	6	14
2005	589	20	48
2006	800	12	58
2007	640	52	32
2008	637	11	34
2009	713	49	91
2010	487	22	54
2011	658	23	62
2012	577	23	74
2013	656	31	83
Total	10981	504	830

Table 2: Reported cases of hospital admissions, penile amputations and initiate deaths in the Eastern Cape between 1995 and 2013 (Sources: Kepe, 2010; CRL Rights Commission, 2010; Eastern Cape Department of Health Annual Report 2011; Ntsaba, 2016).

Over the years we have witnessed a steady rise in casualties and fatalities resulting from initiation in the Eastern Cape. The statistics demonstrates that over a period of 18 years just under 11000 initiates were admitted to hospitals around the province, 504 had their genitals amputated and over 830 died. Below is a graphic representation of the statistics.



Graph 1: Reported cases of hospital admissions, penile amputations and initiate deaths in the Eastern Cape between 1995 and 2013 (Sources: Adapted from CRL Rights Commission, 2010; Eastern Cape Department of Health Annual Report 2011; Kepe, 2010; Ntsaba, 2016).

The 2010 figures covered the June initiation period and only part of the December initiation period. It is important to note that accuracy of these statistics cannot be guaranteed due to the possibility of under-reporting. I must also point out that although Ntsaba (2016) states that the death of initiates was a result of initiation, this has not always been demonstrated clearly in the other sources.

2.8.2 Negative Factors

Prompted by these justified concerns around initiation in the country, SAHRC, the National House of Traditional Leaders (NHTL) and the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities conducted public hearings on male initiation schools in South Africa in 2010. In this report they

identified factors that influence initiation and classified these into twelve categories. Below is an extract from the report:

2.8.2.1 Establishment and Running of Initiation Schools

According to the CRL Rights Commission (2010), concerns have been raised regarding the setting up and running of initiation schools, which were seen as being non-functional or compromised in some parts of the country. The report states that those in authority were criticized for not regarding the practice of initiation as an important matter for policing, which allows a “loophole for so-called ‘fly-by-night initiation schools’ and principals” (p. 22), namely those charged with overseeing the initiation schools. Furthermore, the report indicates that such schools were sometimes created without permission and often overseen by people with no authority or experience. Also noted in this report was the evident irregular functioning of authority structures which allowed for misconduct to take place in initiation schools.

Illegal initiation schools and illegal practices still create a major challenge in the province. According to the Eastern Cape DoH’s Annual Report (2011), there were 21 766 initiation schools that were established between 2010 and 2011 in the province. 370 (1.7%) of these schools were deemed illegal. Below is information on the status of illegal initiation schools found in the province between 2006 and 2013.

Year	Legal Initiates	Illegal Initiates	Arrests
2006	14713	993	
2007	45568	2787	
2008	55272	2399	74
2009	57119	3366	38
2010	18450	1429	12
2011	71578	2781	20
2012	37913	1097	21
2013	43795	2916	40
Total	344408	17768	176

Table 3: Legal and illegal initiation schools and arrests related to transgression of initiation legislation between 2006 and 2013 (Sources: Adapted from CRL Rights Commission, 2010; Eastern Cape Department of Health Annual Report 2011; Kepe, 2010; Ntsaba, 2016).

No figures were reported for arrests in 2006 and 2007, or prior to this period, possibly an indication that none were made. The 2010 figures covered the June period and only part of the December period. The statistics in Table 3 demonstrates that there were 284127 initiation schools established between 2008 and 2013. Of these schools 4.92 % (13988) were illegal. What is troubling about these figures is that the incidence of arrests does not mirror the volume of illegal initiation schools that are established each year around the province, as depicted in the high number of illegal initiates that we see yearly. The statistics illustrate that far too many people are responsible for setting up illegal initiation schools; and seemingly, most are somehow not brought to book.

2.8.2.2 Declining Appreciation of the Cultural Value of *Ulwaluko*

According to the CRL Rights Commission (2010, p. 22), some of the problems affecting initiation were aligned with the concept of “Westernization” – the assimilation of Western values into African ways of life. This is believed to have contributed to the decay of cultural and moral values at the heart of *ulwaluko*. Some believe that this is partly why certain

parts of the country, including some areas in the Eastern Cape, have completely or partly discontinued the practice.

2.8.2.3 Incompatibility of Initiation Seasons

According to the CRL Rights Commission (2010), autumn and spring are traditionally seen as the most suitable seasons as this period bears some advantages for *ulwaluko*. The authors state that this is usually harvest time, and that the straw used to thatch initiates' dwellings is ready for gathering. They argue that the South African schooling system however works against these customarily preferred seasons, thus shifting initiation to the period between November and January, which is usually a very hot time in the country. As the authors put it, such high temperatures can have an adverse effect to the wound and recovery of the initiate.

2.8.2.4 Age of Admission

A common concern in all the provinces was that the age of boys going into initiation is one of the factors that have grave consequences for the practice. In some communities, boys aged 16 and younger are forced to undergo initiation as a way of addressing their untoward behavior. This action, is illegal under the AHSTCA (No. 6 of 2001) which, as I stated before, governs *ulwaluko* in the Eastern Cape and sets the age of admission at 18 years.

2.8.2.5 *Ulwaluko* and Well-being

Various health conditions were reported to have an adverse effect on initiation in the Eastern Cape, including “pneumonia, meningitis, gangrene, dehydration, hunger and abuse of initiates by *amakhankatha*” (CRL Rights Commission, 2010, p.24). Furthermore, the report stated that initiates faced the risk of contracting diseases such as HIV, Tetanus, as well as Hepatitis A and B as a result of the use of a single surgical instrument in performing the operation on all the initiates. The same report also refers to the lack of

clean water, initiates' sometimes weak immune systems and physical violence at the initiation school as other causes for concern.

2.8.2.6 Physical and Psychological Harm

Denniston (2013) has written widely on both male and female circumcision. He takes a strong stance against the ritual and considers it a harmful practice. He argues that male initiation causes “deleterious physical, sexological, psychological and cultural sequelae” (p. 59), or disorders resulting from the injuries. He also maintains that exponents of initiation either refuse to accept the existing body of scientific evidence; or turn a blind eye to the negative consequences of this practice. He further states that these advocates tend to downplay the magnitude of the long-term and short-term dangers the operation brings about which in turn leads to the public’s lack of awareness of the seriousness of the matter. Denniston refers to initiation as a “human tragedy” (p. 68). He had called for the abolishment of the practice since as early as 1996.

2.8.2.7 Deaths in Initiation Schools

A major concern is the operation being performed incompetently, leading to amputations and death of initiates (WHO, 2008). At the heart of this problem is the use of inexperienced traditional surgeons who have just graduated and who are allowed to work without the necessary experience and in the “absence of an authority structure overseeing the process” (CRL Rights Commission, 2010, p. 25).

2.8.2.8 Commercialization of Initiation Schools

A strong view exists that there are people who operate “initiation schools that are neither authorized nor monitored”, particularly in townships (CRL Rights Commission, 2010, p. 26). The authors argue that people running such schools tend to flout “cultural codes or the cultural practices of establishing schools in secluded areas far from communities” (p. 26) Furthermore, it appears that in recent years initiation has become commercialized

(Bank & Ntombana, 2012; Douglas & Hongoro, 2016; Gasa, 2013; Kepe, 2010) and as such, financial rewards and the benefits of running an initiation school have become a driving force for those who run such establishments. Consequently, fees have become exorbitant and unaffordable for many parents or guardians of prospective initiates. Kepe (2010) states that in some parts of the province fees ranging between R100 and R300 had been charged during 2010. There is an indication that initiation fees have increased significantly over time. According to Bank and Ntombana (2012), there were reports that traditional surgeons were charging R1600 for each operation they performed during that period, and that “boys were crammed into lodges like sardines to increase profits” (unpaginated). Keeping the prevalent differences on how the custom is conducted in various regions in mind, the difference in costs suggests an escalation of R1300 in just a period of two years. Let me hasten to add that the payment of such high fees was not a common phenomenon in the past. Gasa (2013, unpaginated) speaks to this view as she argues that:

What began as a search for the best man to handle a young man’s delicate transition gradually became a booming business. Boys became numbers. Those who performed circumcision started competing and pushing numbers to make money.

Another disturbing trend is the emergence of touts who go around recruiting and kidnapping potential initiates for a fee. Douglas and Hongoro (2016) argue that the results of their study on *ulwaluko* in the Eastern Cape showed that in some cases, people were unable to pay what they considered steep fees. As the authors put, in its origin among amaXhosa, initiation was never about making profit. They argue that it was common practice for people not to pay traditional surgeons in cash but rather show their appreciation for the services rendered by offering them meat from the animals that had been slaughtered during initiation. The CRL Rights Commission (2010) supports this view, arguing that “traditionally, the initiation schools were not run on the basis of profit” but rather to “pay respect to culture and the collective belongings of communities” (p. 26).

They maintain that *ulwaluko* was viewed as an important role of men in their respective communities, “to socialize and train young boys into responsible adults, a responsibility they fulfilled without expectation of remuneration” which village elders considered an honour (p. 26).

This outlook has gradually changed over time as the traditional health practitioners are “paid in cash or a combination of cash and alcohol” (Kepe, 2010, p. 734). Having witnessed parts of the custom where I grew up, it can be argued that from the isiXhosa perspective *iingibi* and *amakhankatha* used to perform their services in the spirit of *ubuntu* without expecting much compensation – hence the current dissatisfaction about current initiation costs. This dynamic has resulted in competition at the expense of “cultural ethics and accountability” (CRL Rights Commission, 2010, p. 26). The inflated initiation fees bring about ethical challenges for *ulwaluko*, which as discussed earlier, is not for commercial gain but public good purposes. This creates a financial burden for parents and also “undermines the necessary consent of guardians, because principals lobby to assemble as many initiates as they can without consulting their parents or guardians prior to admission into the school” (CRL Rights Commission, 2010, p. 28).

2.8.2.9 Consent

In the report of the CRL Rights Commission (2010), consent was divided into two categories: 1) that which should be given by authority structures; and 2) that which concerns resources. The authors argue that consent is “an important cultural and spiritual practice affecting not just the individual involved but the entire family, the community and the ancestors” (p. 27). For this reason they argue that various stakeholders need to be part of initiation, and provide or refuse consent for sending an initiate to a school where necessary - directly or indirectly – for the parents or guardians’ lack of knowledge about the boy’s intention to undergo initiation can cause problems. One such problem may be failure to undertake rituals and other preparations deemed necessary prior to initiation. The CRL Rights Commission (2010) thus maintains that those involved in establishing and running initiation schools have to be made “accountable to the initiate’s guardians

through an authority structure or forum” (p. 27) which would ensure that they are suitably qualified. According to the authors, this practice has been successful in communities such as *Ndzunza–Ndebele*, *Ibandla Lase Thembisa* and *Bakone ba lebala*.

2.8.2.10 Inadequate Physical Environment

As I alluded to in section 2.7.1.1.2, one of the most important and distinctive cultural codes for initiation schools is the separation of initiates from their communities by placing them in a secluded, bushy area. According to the CRL Rights Commission (2010), participants in their study complained it was not uncommon, and particularly in urban areas, for initiates’ huts to be built in less than ideal environments due to “inadequate space for the initiation structures” (p. 28) which in the end negates the need for seclusion.

2.8.2.11 Principle of Secrecy and Sacredness

The CRL Rights Commission (2010) reported the principle of secrecy as one of the challenges facing initiation since the practice has a restriction on the type of information that can be revealed, or at the least, its accuracy.

2.8.2.12 Abuse and Violence at Initiation Schools

One of the complaints reported by the CRL Rights Commission (2010) was violence meted against and among initiates themselves. Some of the violence is inflicted on the initiates during stick-fighting, which is said to form an integral part of the custom as it attempts to make them stronger (Feni, 2013). It has also become a common phenomenon for the initiates’ mothers to fear for their son’s well-being when these young boys undergo initiation (refer to Chapter One). It is on this basis that Le Roux (2006) argues that in some instances, the conditions and way in which initiation is carried out indicates that the practice is not always in the best interest of the initiate.

2.8.2.13 Alcohol and Substance Abuse

The problem of drug and substance abuse was flagged as another worrying factor about South African initiation schools (CRL Rights Commission, 2010). The authors state that permission, or even encouragement, for initiates to abuse alcohol and drugs while at the initiation school was viewed as “undermining the integrity of the institution, its educational value and its objective; i.e. that of training boys to become responsible men of integrity in their communities” (p. 30). They add that in the olden days, those overseeing the initiation school were given *umqombothi* in small quantities; and that if “an initiate was found to be using any substance like drugs or alcohol he would be punished severely by the principals and initiates alike” (p. 30).

2.9 Suggestions on Curbing Initiation Problems

In an attempt to remedy the challenges associated with initiation, the CRL Rights Commission (2010) has put forth the following recommendations:

2.9.1 Parliamentary Legislative Framework (Policy) on Initiation Rite

The CRL Rights Commission (2010) recommended that “a standard national cultural initiation legislation” be formulated. This legislation can then form the basis on which provincial legislation may be established or extended.

2.9.2 House of Traditional Leaders

The CRL Rights Commission (2010, pp. 34 - 35) proposed that traditional leadership be given “powers over all matters of initiation rite, and initiation schools in particular.” Furthermore, they recommend that a team of traditional leaders should work in consultation with the council(s), and the House of Traditional Leaders in their area to:

- a) call for initiation schools and declare them open;
- b) oversee their organization;

- c) appoint the traditional healers and entrust them with ritual and other related responsibilities; and
- d) ensure that all the necessary and preliminary requirements (i.e. parental consent and availability of resources including appropriate space, health and fitness of initiates) are satisfied before the initiation schools can be opened.

2.9.3 Multi-sectoral Response

The CRL Rights Commission (2010) also calls for a multi-sectoral response in tackling the identified problems. They believe that a solid, unified approach where each stakeholder has a well-defined role, will yield positive results. They identified the following role-players to perform the suggested functions:

Department of Home Affairs	To validate the personal details contained in the identity document of the prospective initiate.
Department of Health	Over and above provisions already contained in the The AHSTCA (No. 6 of 2001), it is recommended that this department trains caregivers in first aid and healthcare; provides counselling services to those affected in the case of botched circumcisions or the death of an initiate; and provides mobile medical facilities on stand-by to avoid referring cases to local hospitals.
Municipalities	To forge ties with local community leadership structures, including traditional leaders and institute by-laws aimed at addressing local needs such as provision of the necessary infrastructure for initiation, for example clean water and land, depending on the needs of their respective communities.

South African Police Service	To set up a special police unit to track bogus traditional surgeons and illegal initiation schools; and assist in monitoring the situation when the need arises. Of note was the proposition that police involved should preferably be males from the same area.
Department of Education	To take the length of the winter and summer school holidays into consideration when discussing the preferred initiation season and consider a two-month winter holiday between May and July, depending on the needs of the various communities
Department of Social Development (DSD)	To make provision for poor homes and families that are in need, should the children who belong to those families reach the stage of going to the initiation school.

2.10 *Ulwaluko* and Legislative Framework

There are a number of pieces of legislation that affect initiation in South Africa, African states and internationally. I discuss these in the next section where I start off by investigating how customary law informs legislation in general.

2.10.1 Customary Law in South Africa

Customary law, a concept that refers to a legal system which evolves out of the way people live their lives and what they want out of life, is a common phenomenon in Africa. As Le Roux (2006, p. 48) puts it, “customary law comprises the written and unwritten rules which have developed from the customs and traditions of communities. They are known

and carried out by the communities.” Customary law can thus be described as a reflection of how people want to live their lives. Cited by Momoti (2002), Soga writes that “law and culture are so closely related that it is sometimes difficult to distinguish between the two” (p. 12).

The irrefutable link between law and culture has been a robust element in South Africa’s legislation in the new dispensation. The AHSTCA (No. 6 of 2001) of the Eastern Cape sets a good example of how legislation can emanate from a distinct cultural practice; in this case *ulwaluko* of amaXhosa. The Constitution of the Republic of South Africa (Act 108 of 1996) is another example of how culture and language were embodied in the country’s legislation. I discuss these two pieces of legislation in more detail in sections 2.7.2.1.4 and 2.7.2.1.1 below.

2.10.2 Key Legislation Affecting *Ulwaluko*

Prior to the democratic order in South Africa, there was no specific piece of legislation that directly governed the practice of *ulwaluko*. To date, the regulation of the custom is hinged on various legal frameworks. At the centre of this legislation is the Human Rights Commission Act (HRCA) of 1994, the Constitution of the Republic of South Africa of 1996, the AHSTCA (No. 6 of 2001), the Children’s Act of 2005 and the Traditional Health and Practitioners Act of 2007. The nature of legislation governing initiation is not confined to South African law but instead extends to the global domain. Below I discuss not only the South African legal framework but also relevant regional and legislation impacting on the tradition.

2.10.2.1 South African Legislation

2.10.2.1.1 The Constitution of the Republic of South Africa (Act No. 108 of 1996)

The Constitution is the supreme law of South Africa. It was ratified in May 1996, amended in October of the same year and came into full force in 1997. Its objective was to preserve the rights of all citizens, emphasizing the values of democracy, human dignity, equality

and freedom. Due to its supremacy, Section 2 stipulates that law or conduct inconsistent with the Constitution is invalid and that its obligations must be fulfilled.

The Constitution recognizes and safeguards customary law, and this is expressed as the right to religion, belief and opinion. The space for the expression of cultural and religious rights was a key achievement for the country's new dispensation, as this virtue had never been legally accepted as a primary right. The right to culture is protected in Chapter 2, the Bill of Rights – often described as the “cornerstone of democracy in South Africa” – and the following clauses should be noted:

Section 15 – Freedom of religion, belief and opinion

This section gives people “the right to freedom of conscience, religion, thought, belief and opinion”, and allows for legislation to recognize “systems of personal and family law under any tradition, or adhered to by persons professing a particular religion”.

Section 30 – Language and culture

Section 30 acknowledges the right for all to take part in any cultural practices of their choice, and it is stated that “everyone has the right to use the language and to participate in the cultural life of their choice, but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights.”

Section 31 – Cultural, religious and linguistic communities

The clause provides that people of any cultural, religious or linguistic community are free to associate with other members of their community and practice their culture and should not be denied their right to do so. It is stated in the following manner:

- (1) Persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community –

- (a) to enjoy their culture, practice their religion and use their language; and
 - (b) to form, join and maintain cultural, religious and linguistic associations and other organs of civil society.
- (2) The rights in subsection (1) may not be exercised in a manner inconsistent with any provision of the Bill of Rights.

Section 36 – Limitation of rights

As Le Roux (2006) aptly points out, the right to culture is not absolute. Although the entitlement to practice one's choice of culture and/or religion is recognized in sections 15, 30 and 31 of the Constitution, such freedom does not come without restraint as is the case with all other rights endorsed in the Bill of Rights. Should any dispute arise regarding the practice of one's culture or religion, this section provides a benchmark that the court of law should apply in order to establish whether, in a liberal South Africa, such a violation of the person's right can be justified. The author further argues that "of extreme significance in both sections 30 and 31 is the built-in limitations clause stating that these rights may not infringe any other fundamental rights in the Bill of Rights."

Section 39 – Interpretation of Bill of Rights

Section 39(2) is in agreement with section 36. It states that "when interpreting any legislation, and when developing the common law or customary law, every court, tribunal, or forum must promote the spirit, purport and objects of the Bill of Rights." This section therefore cautions that customary law and cultural practices cannot supersede the rights of individuals. As Momoti (2002) puts it, the Constitution makes it clear that "although groups are free to practise their culture, such cultural practices should not be at the expense or in violation of the Bill of Rights and should not be contrary to international standards" (p. 89).

Section 181 and 185 – Establishment and functions of a commission for the promotion and protection of religious, cultural and language rights

These sections make provision for the establishment of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Act (Act No. 19 of 2002), also known as the CRL Rights Commission, whose mandate is:

- a) to promote respect for and further the protection of the rights of cultural, religious and linguistic communities;
- (b) to promote and develop peace, friendship, humanity, tolerance and national unity among and within cultural, religious and linguistic communities, on the basis of equality, non-discrimination and free association;
- (c) to foster mutual respect among cultural, religious and linguistic communities;
- (d) to promote the right of communities to develop their historically diminished heritage; and
- (e) to recommend the establishment or recognition of community councils in accordance with section 36 or 37.

With regards to the law, the Constitution grants individuals the right to make a choice of the cultural practices they wish to follow. It is evident that sections 15(1), 30, 31 and 185 are harmonious and complement each other in outlining and protecting the rights of South African citizens with regards to the right to engage in any cultural practices of their choice, without coercion or impediment by any other person or group in the community. Van der Meider (1999) points out that the Constitution does not only allow a person to make an objection if the expression of their cultural identity is restrained, but that they can also resist the imposition of any cultural practice they do not wish to follow.

Sections 211 and 212 – Traditional leadership

Sections 211 and 212 recognize and sanction traditional leadership.

211(1) stipulates that “the institution, status and role of traditional leadership, according to customary law, are recognized subject to the Constitution.”

211(3) charges the courts with the responsibility to apply customary law when that law is applicable subject to the Constitution.

212(2) states that the role of traditional leadership is “to deal with matters relating to traditional leadership, the role of traditional leaders, customary law and the customs of communities observing a system of customary law.” Sections 211 and 212 endorse traditional leadership and give traditional courts power to implement customary law within the ambit of the Constitution. The clauses highlighted here apply aptly to *ulwaluko* as a robust cultural rite practiced by amaXhosa.

2.10.2.1.2 The Human Rights Commission Act (Act No. 54 of 1994)

The Human Rights Commission Act (HRCA) No. 54 of 1994 was promulgated on 7 December 1994, and an independent Chapter 9 institution, the South African Human Rights Commission (SAHRC), was inaugurated on 2 October 1995. Part of the mandate of the Commission, as stated in Section 184 of the Constitution, is as follows:

(1) The Human Rights Commission must –

- (a) promote respect for human rights and a culture of human rights;
- (b) promote the protection, development and attainment of human rights; and
- (c) monitor and assess the observance of human rights in the Republic.

(2) The Human Rights Commission has the power:

- (a) to investigate and report on the observance of human rights;
- (b) take steps and secure appropriate redress where human rights have been violated;
- (c) carry out research; and
- (d) educate.

The SAHRC has been exercising their mandate to investigate and report on the observance of human rights where initiation is concerned. In collaboration with the National House of Traditional Leaders (NHTL) and the CRL Rights Commission, SAHRC conducted public hearings on the practice of initiation in South Africa. The inquiry was commissioned as a result of the high prevalence of deaths and mutilations resulting from botched circumcisions in the country. The consequential report is discussed extensively in section 2.8.

2.10.2.1.3 The Children's Act (Act No. 38 of 2005)

The Children's Act of South Africa was under construction between 1997 and 2005. It was amended by the Children's Amendment Act (No. 41 of 2007) and was fully promulgated on 1 April 2012 (Sloth-Nielsen, 2012). The Act has a broad mandate to regulate all matters relating to the care and protection of children, ranging from child support to foster care, adoption, children's courts and many other topics. Of relevance to this study are the following objectives:

- (i) To give effect to certain rights of children as contained in the Constitution;
- (ii) To set out principles relating to the care and protection of children;
- (iii) To define parental responsibilities and rights.

Chapter 2 Section 12(8) of the Children's Act outlaws the initiation of boys younger than the age of 16, except when:

- (a) circumcision is performed for religious purposes in accordance with the practices of the religion concerned and in the manner prescribed; or
- (b) circumcision is performed for medical reasons on the recommendation of a medical practitioner.

Section 9 states that circumcision of male children over the age of 16 can be performed only under the following circumstances:

- (a) if the child has given consent to the circumcision in the prescribed manner;

- (b) after proper counselling of the child; and
- (c) in the manner prescribed.

In terms of Section 10, every male child has the right to decline circumcision based on his “age, maturity and stage of development.”

It is clear from legislation that *ulwaluko* is illegal if it is carried out without the full consent of the person being initiated, or when the prescribed procedures are not met. Below I outline the processes covered in the legislation on *ulwaluko* in the Eastern Cape.

2.10.2.1.4 The Application of Health Standards in Traditional Circumcision Act (Act No. 6 of 2001)

As a constitutional democracy with a three-tier system of government, South Africa established nine provinces that have the power to pass legislation in various fields, as specified in Chapter 6 of the national Constitution. In an attempt to circumvent initiation problems throughout the country, some provincial governments (including the Free State, Eastern Cape and Limpopo) promulgated laws on traditional initiation.

As I stated in Chapter One, the AHSTCA (No. 6 of 2001) was promulgated on 22 November 2001 in the Eastern Cape. As a legal framework that standardizes *ulwaluko* in the province, it sets out the following objectives:

- (i) To provide for the observation of health standards in traditional circumcision;
- (ii) To provide for the issuing of permission for the performance of a circumcision operation and the holding of initiation schools;
- (iii) To provide for matters incidental thereto.

The Act sanctions that the application and operation of initiation schools in the province is in line with the requirements of this law. Key prerequisites that can be lifted from the Act include the following:

Appointment of designated medical officers

Section 2 authorizes the DoH to appoint designated medical officers who, in terms of Section 3, have the power to give out permission to circumcise or treat initiates. All prospective initiates need to apply for this permission at their closest health facility (Annexure A of the Act). Furthermore, designated medical officers are required to keep records and statistics regarding initiation and to report on such matters. They also have “a right of access to any occasion or instance where circumcision is performed and an initiate is treated.”

Conditions for obtaining permission to perform initiation

Section 7 stipulates that the parent or guardian of a prospective initiate below the age of 21 must give consent for initiation to take place. Annexure A gives detailed conditions on the process of obtaining permission for initiation. It sets the minimum age for initiation at 18 years. However, parents or guardians of prospective initiates who are below the age of 18 years but not younger than 16 are allowed to apply for permission for initiation. Upon application for permission for initiation, proof of age is required for all prospective initiates and it must be provided either in the form of an identity document or a birth certificate.

The Act also makes it compulsory for the prospective initiate to undergo a pre-medical examination to determine his fitness for the operation. Furthermore, it is required that the traditional surgeon who is going to perform the circumcision is known to the parents of the prospective initiate. Traditional surgeons who have not acquired the necessary experience to carry out the operation are required to work under the supervision of an experienced traditional surgeon, which is also a requirement of the Traditional Health Practitioners Act discussed further below.

The AHSTCA (No. 6 of 2001) provides that parents, guardians or family members of the initiate must approve of the instruments to be used in performing circumcision, except in cases where the medical officer has ordered an alternative surgical instrument.

Furthermore, it is the requirement of the Act that “an instrument used to perform a circumcision on one initiate must not be used again to perform a circumcision on another initiate, and the traditional surgeon must use the instruments supplied by the medical officer where the traditional surgeon has to perform more than one circumcision on more than one initiate but does not have sufficient instruments.” Traditional surgeons are also charged with the responsibility to keep surgical instruments clean at all times, and are required to use any substance specified by the medical officer to sterilize instruments.

Conditions for permission for holding an initiation school or for treating initiates

Annexure B sets regulations surrounding the operation of initiation schools and the care of initiates. To carry out these guidelines, it assigns power to the designated medical officer to stipulate at any stage the manner in which the circumcision process should be carried out. In cases where an initiate presents early signs of sepsis or other similar health conditions, the medical officer may recommend deviation from the use of traditional methods. It is also vested in the powers of the medical officer to visit initiation schools at any time, and as frequently as they deem it necessary, for purposes of inspecting the conditions of the school and the health of initiates.

The traditional nurse is charged with the responsibility to stay with the initiates 24 hours a day for at least the first eight days of circumcision, and thereafter be available at least once a day until the end of the initiation period. He is also required to take care of initiates, and not to expose them to any danger or harmful situations. Any symptoms of illness shown by the initiate must be reported to the medical officer as soon as such signals have been detected. The Act further stipulates that within the first eight days of circumcision, initiates must be allowed a reasonable amount of water in order to avoid dehydration. Lastly, the Act mandates the traditional nurse to cooperate with the medical officer at all times.

Penalties for infringement of the Act

Section 9 stipulates that any person who contravenes the provisions of this Act “is guilty of an offence and liable on conviction to a fine of R10 000,00 or to imprisonment for a period not exceeding ten years, or to imprisonment for a period of five years without the option of a fine.”

Research studies conducted on *ulwaluko*, available statistics as well as wide media coverage, all point to the fact that although the legislation is in place in the Eastern Cape, its implementation is thwarted by many factors. It appears that the Act has not in reducing fatalities considerably. Statistics indicate that between 2002 and 2011 – the period in which the AHSTCA (No. 6 of 2001) has been implemented – as many as 5673 initiates were admitted in hospitals around the province, 257 had their organs amputated and 484 died as a result of complications (refer to Table 2). According to the Eastern Cape DoH (2011, p.106), the majority of deaths during this period were reported from the O.R. Tambo district (61%) followed by Chris Hani (19%) and Amathole (10%). It is unclear what the remaining shortfall of 10% indicates.

2.10.2.1.5 The Traditional Health Practitioners Act (Act No. 22 of 2007)

As I have already indicated earlier, in response to the deterioration of the situation around initiation over the years, and the death of initiates in particular, researchers, politicians, parents, church leaders and citizens in general, have been calling for the discontinuation of the practice (Ntombana, 2011a). In view of addressing concerns about bogus traditional surgeons and traditional nurses amongst other things, the Traditional Health Practitioners Act (THPA) – Act No. 22 of 2007 was passed and implemented in January 2008. The object of the Act was to:

- (i) establish the Interim Traditional Health Practitioners Council of South Africa
- (ii) provide for the registration, training and practices of traditional health practitioners in the Republic

- (iii) serve and protect the interests of members of the public who use the services of traditional health practitioners.

According to the Act, traditional health practice refers to:

the performance of a function, activity, process or service based on a traditional philosophy that includes the utilization of traditional medicine or traditional practice and which has as its object—

- (a) the maintenance or restoration of physical or mental health or function; or
- (b) the diagnosis, treatment or prevention of a physical or mental illness; or
- (c) the the rehabilitation of a person to enable that person to resume normal functioning within the family or community; or
- (d) the physical or mental preparation of an individual for puberty, adulthood, pregnancy, childbirth and death.

Traditional health practice is thus exclusive of any people practising in the fields of pharmacy, health professions, allied health professions and dentistry. The Act defines a traditional health practitioner as any person who is registered under the THPA for purposes of:

- (a) the diagnosis, treatment or prevention of a physical or mental illness; or
- (b) any curative or therapeutic purpose, including the maintenance or restoration of physical or mental health or well-being in human beings.

In the case of the initiation of amaXhosa, the term refers to *iingcibi* and *amakhankatha*.

In her speech on the inauguration of the Interim Traditional Health Practitioners Council which took place on 12 February 2013, Deputy Minister Gwen Ramokgopa hailed this event as “a historic occasion and a significant milestone” towards integrating African Traditional Medicine into the National Health System in South Africa (Makhubu, 2013, unpaginated). Some of the key objectives of the above-mentioned council, as stated in the THPA No. 22 of 2007, include 1) ensuring the quality of health services provided within traditional health practices, 2) protecting and serving the interests of the members

of the public who use or are affected by the services of traditional health practitioners, 3) promoting and maintaining appropriate ethical and professional standards required from traditional health practitioners and 4) ensuring that traditional health practice complies with universally accepted health care norms and values.

As one of the practices embedded within the milieu of traditional health, *ulwaluko* falls within the ambit of this framework, which basically provides direction and regulations on how the practice should be conducted. It further lifts the role of traditional surgeons as one of the critical cornerstones of this law. Among the tasks the Council is charged with is the establishment of a national register for recognized and authentic THPs. This is in line with Section 21(1) of the Act which states that “no person may practice as a traditional health practitioner within the Republic unless he or she is registered in terms of the Act.” The newly elected chairman of the Council Conrad Tshane considered the issue of bogus THPs as a pressing matter. He was quoted as saying: “We will want to establish who is authentic and who is not. We will have a code of conduct and those found not be authentic will be dealt with” (Makhubu, 2013, unpaginated). In keeping with the right to life as provided in Section 11 of the Bill of Rights, it is expected of THPs to preserve and respect their patients’ lives (Nyanga Traditional Healers Organization, n.d.). The organization further states that all registered practitioners must inform their patients of the fee which they will charge for a health service before providing it.

Ntombana (2011a) is amongst those who believe that although some grave initiation problems still persist, the introduction of the THP Act has alleviated some of the problems related to the death of initiates.

2.10.2.1.6 The Policy on the Customary Practice of Initiation in South Africa

Formally known as the Draft National Policy on the Customary Practice of Initiation in South Africa, this policy was drafted in 2011 and amended in 2015. The policy was sent out to all provinces for comment on 22 May 2016 (Gazette 38814, Notice 471). The policy

seeks to regulate both male and female circumcision so as to curb the prevalent deaths and amputations of initiates.

2.10.2.1.7 Eastern Cape Customary Male Initiation Practice Bill

The Eastern Cape Department of Cooperative Governance and Traditional Affairs (Cogta) published the Customary Male Initiation Practice (CMIP) Bill in March 2016 (Provincial Gazette Extraordinary No. 3350, 5 March 2015) and passed it in November 2016. At the time of the finalization of this study this Bill had recently been signed by the Premier (Nini, 2016). It will replace the AHSTCA (No. 6 of 2001), and its purpose is to:

- provide for the protection of life, the prevention of injuries and all forms of abuse experienced by initiates before, during and after the customary practice of male initiation;
- provide for traditional leadership to take primary responsibility for the practice of male initiation within their areas of jurisdiction, in partnership with the Provincial government and all the other stakeholders;
- ensure that initiation practice is not exploited as a commercial enterprise used purely for personal enrichment; and
- ensure that the teachings and rituals that are part of male initiation are aimed at character building in order to prepare the young for adulthood.

As a member of the international community, South Africa has signed treaties that bind the state into putting the provisions of these international instruments into effect. Of relevance to *ulwaluko* is the United Nations Convention on the Rights of the Child, herein referred to as UNCRC (sometimes referred to CRC), and the African Charter on the Rights and Welfare of the Child, also known as the African Children's Charter. These are discussed below:

2.10.2.2 Regional and International Legislation

2.7.2.2.1 The United Nations Convention on the Rights of the Child

South Africa ratified the UNCRC in June 1995. The Convention rests on general principles that serve as a foundation to the manner in which children should be treated all over the world. The following clauses are important to note:

Article 1 - definition of a child

The Convention defines a 'child' as a person below the age of 18. This definition is congruent with the one given in the Constitution of the Republic of South Africa, as well as the Children's Act.

Article 3 - The best interest principle

The Article charges that the best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. As I showed in Chapter One, the conditions and risks associated with *ulwaluko* sometimes result in physical harm and even the death of initiates (refer to page 2 of this chapter). It had also been found that in some areas of the province, initiation had become commercialized (refer to 2.8.2.7).

Article 4 - Protection of rights

As stated in Article 4, governments have a responsibility to take all available measures to make sure children's rights are respected, protected and fulfilled. When countries ratify the Convention, they agree to review their child-related laws. They must help families protect children's rights and create an environment where children can grow and reach their potential. The Eastern Cape provincial government has responded to this requirement by enacting the AHSTCA (No. 6 of 2001), and by charging those who

contravene the law. The contravention of this law is, however, still a matter of concern as there are still individuals who operate outside its ambit.

Article 6 - The right to life, survival and development

Article 6 rules that children have the right to live. It states that governments should ensure that children survive and develop healthily. While some initiation schools seem to be conforming to the provisions of the AHSTCA (No. 6 of 2001), some have been reported to flout this law over the years. Reviewed literature indicates that this problem is more prevalent in the Mpondoland region of the province (Kretzman, 2000; Ntombana, 2011a; WHO, 2008). According to Venter (2011, p. 561), "every year there are reports in the media about amputations, mutilations and mortality among male initiates." Bank and Ntombana (2012) support this view as they report that Mlibo Qoboshiyane, the Member of the Executive Council (MEC) for Local Government and Traditional Affairs in the Eastern Cape, "found evidence of serious abuses of traditional values and standards in the running of initiation schools in Eastern Mpondoland" (unpaginated). Le Roux (2006) brings up other possible health hazards to initiates that have been reported in the province, such as starvation, cold, gangrene, physical abuse, pneumonia and the use of unhygienic instruments that may lead to initiates contracting STIs. These circumstances are in violation of the child's right to life, survival and development.

Article 12 - Respect for the views of the child

In terms of Article 12, when adults are making decisions that affect children the latter have the right to say what they think should happen and have their opinions taken into account. This treaty encourages adults to listen to the opinions of children and involve them in decision-making, and does not give children authority over adults. The Article does not interfere with parents' right and responsibility to express their views on matters affecting their children. Moreover, the Convention recognizes that the level of a child's participation in decisions must be appropriate to the child's level of maturity.

Le Roux (2006) refers to this right as “a general principle of fundamental importance to the implementation of all aspects of the CRC” (p. 39). Citing Barratt, Le Roux contends that the right of the child to participate in decision-making over concerns that affect their lives is “an extremely significant development in children’s rights law because it recognizes the child as a full human being, with integrity and personality and with the ability to participate fully in society” (pp. 41 – 42). In the isiXhosa culture boys have no say on matters relating to their initiation. The decision to circumcise and all the processes that go with it are made mainly by the boy’s father, eligible male figures in the family and other influential men in the community.

The right to participate can be viewed alongside Section 9(a) of the Children’s Act, which authorizes that the child gives consent to be circumcised. Le Roux (2006, p. 42) correctly points out that “if children are not sufficiently informed of their rights, they would not be able to participate fully in matters affecting them.” She questions what she calls the “voluntariness” of children’s participation in cultural practices (2006, p. 42). At a Women’s Month launch in the Eastern Cape in August 2013, Pemmy Majodina, the MEC for Social Development and Special Programmes in the province, spoke of her anger and sadness concerning the recurring death of initiates in initiation schools. Article 12 articulates that “States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.” Le Roux argues that the inclusion of the word ‘freely’ in this Article is a clear indication that children should not be put under duress, nor should they be inhibited from voicing their opinions on matters concerning them and their well-being. She argues that the pressure exerted on children to undergo cultural practices like *ulwaluko* represents a potential hazard to the child’s freedom of expression. This is in line with the Children’s Act as well as the AHSTCA (No. 6 of 2001), which both clearly state that a prospective initiate between the ages of 16 and 18 must consent to initiation, as well as sections 15(1), 30, 31 of the Constitution, which promote the right of an individual to make a choice of the cultural practices they wish to follow.

Article 19 - Protection from all forms of violence

According to Article 19, all children have the right to be protected from being hurt and mistreated, physically or mentally. Governments should ensure that children are properly cared for and protected from violence, abuse and neglect by their parents or anyone else who looks after them. The Eastern Cape provincial government attempts to address this right in terms of Annexure B of the AHSTCA (No. 6 of 2001) which states that initiates should not be exposed to any dangerous or harmful situations. The violation of this right is one that the media frequently refers to, directly or indirectly, when reporting on *ulwaluko*. The purpose of initiation is to train boys in “endurance, obedience and manliness” (Momoti, 2002, p. 37). As a way of instilling these values, physical violence is not uncommon and, sadly, there is usually no recourse for the initiates in this regard.

Article 24 - health and health services

The Article contends that children have the right to the best quality of healthcare possible. They have a right to safe drinking water, nutritious food, a clean and safe environment and information to help them stay healthy. Le Roux (2006, p. 28) posits that concerns over harmful social and cultural practices have been articulated with regards to male initiation in South Africa, and that recommendations relating to “effective measures, including training for practitioners and awareness-raising” were made in an attempt to “ensure the health of boys and protect against unsafe medical conditions during the practice of male circumcision.”

Article 42 - Knowledge of rights

In Article 42, governments are charged with the responsibility to make the Convention known to adults and children. Adults have the duty to help children learn about their rights. This right is closely linked to the need for the protection of children’s rights as described in Article 4 above. Whether this right has been implemented in South Africa remains to be seen.

2.10.2.2.2 The African Charter on the Rights and Welfare of the Child

The African Charter on the Rights and Welfare of the Child (ACRWC) was created with the purpose to protect children. It was formulated to address African issues affecting African children. It covers similar principles to the UNCRC, since it was crafted using this treaty as a model. The Charter specifies rights that African states must put in place in order to safeguard the needs of their children. It covers a wide scope of rights, such as socio-economical, cultural and political rights. The then Organization of African Unity (OAU), now African Union (AU), sanctioned the Charter in November 1999. South Africa became a signatory to this accord in January 2000.

In this section, I focus only on Part 1 of the two-part Charter, which outlines the rights, freedoms and duties of the child. I discuss its provisions and make a brief comparison with the UNCRC, which has already been articulated in detail above.

Article 2: Definition of a child

Like in Article 1 of the UNCRC, and all the other pieces of legislation already discussed, this Charter defines a child as any person below the age of 18 years.

Article 4: Best Interests of the child

Article 4 is in agreement with Article 3 of the UNCRC. It stipulates that any person or authority figure who undertakes any action concerning a child must make the best interests of that child a primary consideration.

Article 5: Survival and development

The provisions of Article 5 are consistent with those of Article 6 of the UNCRC. This Article, however, further states that the child's right to life should be protected by law, a notable omission in the UNCRC. According to Le Roux (2006), this prerequisite could be

interpreted as a special requirement for governments to pass laws that treat every act that violates a child's right to life as a criminal offence.

Article 7: Freedom of expression

The Article gives children who are capable of communicating their own views the right to do so. It states that children should be guaranteed the rights to express their opinions freely in all matters that concern them, subject to such restrictions as are prescribed by laws. This is in line with Article 12 of the UNCRC which calls on all parties to respect the views of the child.

Article 9: Freedom of Thought, Conscience and Religion

In terms of this Article, every child has the right to freedom of thought, conscience and religion. Parents and legal guardians are entrusted with the duty to provide guidance and direction in the child's exercise of these rights. In so doing, the child's capacity to exercise such choice should be evaluated while the best interest of the child is taken into consideration. This Article relates quite significantly to Article 7 of this Charter as well as to Article 12 of the UNCRC.

Article 14: Health and Health Services

Article 14 assures children of the right to enjoy the best attainable state of physical, mental and spiritual health, as does Article 24 of the UNCRC.

Article 16: Protection Against Child Abuse and Torture

This Article demands that States Parties take specific legislative, administrative, social and educational measures to protect children from all forms of torture, inhumane or degrading treatment, especially physical or mental injury or abuse, neglect or maltreatment that includes sexual abuse. Such measures should include effective

procedures for the establishment of special monitoring units to provide the necessary support for the child and for those who care for the child, as well as other forms of prevention and identification, reporting referral investigation, treatment and follow-up of instances of child abuse and neglect.

Article 21: Protection against Harmful Social and Cultural Practices

The Article specifies that States Parties shall take all appropriate measures to eliminate harmful social and cultural practices affecting the welfare, dignity, normal growth and development of the child. These would include practices such as initiation and child marriages.

2.11 Conclusion

The extensive review of literature I have conducted demonstrates that a lot of literature exists globally on male circumcision. It can be found in various disciplines and it is evident that the custom has been studied since time immemorial. In this chapter, I have demonstrated that *ulwaluko* (or circumcision in other cultures) is not a tradition practiced only by amaXhosa but in most parts of Africa and the rest of the world. The different forms of the ritual all point to how the cutting tradition fulfils different nations' ways of using initiation for purposes of ushering boys into manhood, and consequently higher echelons in society, as is the case with amaXhosa. With the presentation of the different models I have alluded to in this thesis, I illustrated similarities and differences in how various nationalities use circumcision as a form of a ritual. While in some cultures circumcision is performed for health and religious undertaking, for amaXhosa *ulwaluko* is a sacred socialization practice that is as robust as traditions come. I have also demonstrated in this chapter that this unyielding and fiercely defended practice plays an important role in the construction of hegemonic masculinity among amaXhosa.

With the the review of legislation, I demonstrated how the law seeks to protect the well-being and the rights of boys undergoing initiation. I also attempted to display an irrefutable

link between law and culture, and how this has shaped South Africa's legislation in the new dispensation. It is clear from the challenges I highlighted in this chapter that although there is law in place to regulate *ulwaluko* in the Eastern Cape, the province is still experiencing serious problems in the initiation of boys, especially in the Mpondoland region. Some of the processes and procedures of the custom are still in violation of not only the provisions of the South African legal framework, but that of the international law the country subscribes to. One of the factors that should be noted is the dissatisfaction of traditional leaders with current legislation. Some of them feel undermined and stripped of their traditional role and powers. In the next chapter I explore multiculturalism and feminism as a framework that underpins this study; and I discuss how these concepts relate to *ulwaluko*.

CHAPTER THREE

MULTICULTURALISM IN LIBERAL DEMOCRACIES

3.1 Introduction

In Chapter Two, I explored scholarly work that has been carried out in various disciplines on *ulwaluko*, and positioned the tradition as a rite of passage that follows similar phases as other initiation rituals around the world. I also looked at the history of the custom so as to familiarize the reader with its complexities and challenges and then concluded the chapter with an investigation of the legal framework that seeks to protect the well-being and rights of boys undergoing the rite in South Africa. In this chapter, I discuss multiculturalism as a liberal philosophy and a theoretical framework upon which the study is founded. I also examine multiculturalism in relation to feminism and look closely at the tensions that bind the two doctrines before I make an attempt to reconcile them. The thrust of this thesis is mainly the clash between the liberal commitment to individualism and the recognition of the rights of minority cultures in the face of the challenge posed by recognizing cultures of groups with illiberal practices in particular. I explore the implications of this contradiction as it plays out in the context of *ulwaluko*.

3.2 What is Multiculturalism?

Literature indicates that the term multiculturalism is hard to define, owing to its varied use in policy documents and in the manner in which different scholars argue and write about it (Kukathas, 2001; Okin, 1999). Perhaps a good starting point would be to mention that the idea and expectation of any particular group of people to assimilate is considered oppressive in contemporary liberal politics, and as a result governments have endorsed policies that seek to accommodate different cultures and religions (Okin, 1999). This act points to multiculturalism. According to Joseph Raz (1998), the term multiculturalism is not new but dates back to the 1950s and 1960s. This phenomenon is defined and expressed differently by different people, resulting in a wide variety of interpretations. It is also known to have diverse origins. While multiculturalism originated in Canada (Raz,

1998), to-date it is practised in various countries around the world such as Australia, New Zealand, the UK and the USA (Kincheloe & Steinberg, 1997; Kymlicka, 2007; Race, 2011) to name just a few. To ensure a mutual understanding of the concept of multiculturalism, it is critical that I define its meaning.

For Raz (1998), multiculturalism is concerned with “the coexistence within the same political society of a number of sizeable cultural groups wishing and in principle able to maintain their distinct identity” (p. 197). He goes on to say that this doctrine is more than a question of morality that seeks to create awareness and sensitivity about a number of factors and needs that people may have in the modern political world, it also wishes to promote the dignity and well-being of everyone in society. In line with Raz’s definition, Cohen *et al.* (1999, p. 4), refer to multiculturalism as “the radical idea that people in other cultures... are human beings too – moral equals, entitled to equal respect and concern, not to be discounted or treated as a subordinate caste.” Kukathas (2001), however, sees multiculturalism as an ideology that promotes practices which seek to address diversity “not by assimilating, or expelling, cultural minorities but by accommodating them” (p. 85). Although a common concept and a widely debated issue in the countries mentioned earlier, multiculturalism is not a term used in the everyday language of South Africa (Bekker & Leilde, 2003).

Multiculturalism includes at least one of the following aspects: race, gender, sexual orientation, disability, socio-economic class, language and culture. As Fowers and Richardson (1996, p. 609) put it, multiculturalism seeks to enrich the dignity, rights and worth of all marginalized groups. The key foundation of multiculturalism is the elimination of oppressive practices by ensuring that people are treated with respect and as equals. It refers to a conscious determination to establish the value of all human beings by promoting the continued existence of diverse groups and sub-groups and their varying cultures, behaviours and religions. The main purpose behind multiculturalism is to recognize and accept essential differences that exist among citizens, and to use such diversity to encourage meaningful interactions and connections in the society. In Kukathas’ (2001) words, “[t]he political theory of multiculturalism tries to explain why - and

addresses the problem of how - diverse cultural traditions should be accommodated” (p. 85). In summary, multiculturalism condemns prejudice and discrimination while it celebrates cultural diversity.

Kymlicka (2007) observes that multiculturalism was born out of the realization that earlier models of governance around the world, so-called nation states, did not work. He describes these models as a form of governance where states were assumed to be the ownership of the most influential national group. This dominant group used its identity, history, language and so on to benefit from the state more than other groups. Any individual or group of people who fell out of this dominant group had no choice but to conform or be rejected. Kymlicka is quick to add that this was the case in South Africa, as a minority group was capable of establishing supremacy over the majority. Not only is multiculturalism an unconventional concept in this country, it is also rarely used in the legal frameworks of this country. Here, multiculturalism is rather referred to as cultural pluralism (Gouws, n.d.). It is also simply referred to as ‘diversity’. For this reason, I use the terms multiculturalism and cultural pluralism interchangeably in this study.

Kymlicka (1995, 2007) differentiates between two types of multicultural societies, namely traditional and modern societies. He explains that in traditional societies a number of ethnic groups who possessed certain differences may have lived together and belonged to the same civilization. An example of this would be the ‘old’ homogenous European or Asian countries. The author also states that due to shrinking immigration and the incorporation of minority groups, states are no longer homogenous and have instead transformed into multicultural societies. In the first phase of the amalgamation process, the immigrants in an already established society mainly seek to be assimilated. In the second phase, they generally do not wish to be absorbed in the majority ethnic communities but instead endeavor to preserve their language, traditions and identity; and they wish to be recognized as a minority and to have their culture maintained and supported (Kymlicka, 1995).

Borrowing from a German Sociologist, Louis Wirth's, work, Hacker (1951) asserts that the term "minority group" is not a statistical concept, nor does it refer to an outlandish group. She defines it as "any group of people who, because of their physical or cultural characteristics, are singled out from the others in the society in which they live for differential and unequal treatment and who therefore regard themselves as objects of collective discrimination" (p. 60). This would include the lesbian, gay, bisexual, transgender and intersex (LGBTI) community, ethnic groups, disabled people and women to name but a few. Hacker argues that because of their subservient position to men in their homes and communities, feminists and other pro-women's rights movements are inclined to classify women as a minority group based on the definition of minority groups I gave earlier. It is not uncommon for women to constitute roughly the same number as men, if not more, in any given society.

For Kincheloe and Steinberg (1997, p. 2), multiculturalism is "a condition of the end-of-the-century Western life we live in." The authors contend that this reality had forced governments throughout the world to respond to the different forms of diversity they found themselves faced with in their countries. According to Ayton-Schenker (1995), "the resulting confluence of peoples and cultures is an increasingly global, multicultural world brimming with tension, confusion and conflict in the process of its adjustment to pluralism" (unpaginated). Kymlicka (2007, p. 18-19) lists three principles that generally define a multicultural state. These are:

- (i) A multicultural state involves the repudiation of the older idea that the state is a possession of a single national group. Instead, the state must be seen as belonging equally to all citizens.
- (ii) As a consequence, a multicultural state repudiates those nation-building policies that assimilate or exclude members of minority or non-dominant groups. Instead, it accepts that individuals should be able to access state institutions, and to act as full and equal citizens in political life, without having to hide or deny their ethnocultural identity. The state accepts an obligation to accord the history, language and culture of non-dominant groups the same recognition and accommodation that is accorded to the dominant group.

- (iii) A multicultural state acknowledges the historic injustice that was done to minority/non-dominant groups by these older policies of assimilation and exclusion; and it manifests a willingness to offer some sort of remedy or rectification for them.

In the same vein, Raz (1998, p. 198) suggests measures that need to be in place if the multicultural approach is to work:

- (i) The education of young people in the culture of their groups but also that of other cultures in their country with the view to foster respect for all cultures
- (ii) Recognition of different cultures by law
- (iii) The importance for the state to end social problems such as “poverty, under-education and ethnicity” to facilitate respect of cultural identity among different groups, and pride.
- (iv) Public support and promotion of independent cultural structures in communities
- (v) Public facilities should accommodate all citizens and cultural groups

3.2.1 Multiculturalism as Communitarianism

According to Kymlicka (2017), the multiculturalism discourse has been going on for a considerable amount of time, and over the years it had its focus on liberal-communitarian connection. This emerged from the premise that many scholars viewed multiculturalism as an expression of the principles of communitarianism. In this raging debate, liberals advocated for the freedom of all individuals to “decide on their own conception of the good life”, endorsing any acts or practices that set people free from any types of “ascribed or inherited status” (p. 52). They place importance on individual rights before communal concerns and collective good. Put simply, liberalists argued that individuals come before the community, and that the community “matters only because it contributes to the well-being of the individuals who compose it” (Kymlicka, 2017, p. 52). Communitarians disagree with this notion; instead they see each person as a product of communal practices. For their beliefs, communitarians emphasize the importance of

forging a connection between individuals and their communities, claiming that such a stance promotes inclusion and group cohesion amongst other ideals. In the eyes of communitarians, the principle of autonomy works against community ideals.

Kymlicka (2017) explains that the underlying assumption in this debate was that the views that one held with regards to minority rights were seen as determined by their position in the liberal-communitarian discourse. For instance, the view was that a liberalist who supported the freedom for individuals to make own choices would undoubtedly refute the idea of minority rights since such a position would be considered contradictory to the importance the philosophy placed on individual autonomy. Communitarianism, however, endorses the provision of minority rights since this move is viewed as “an appropriate way of protecting communities from the eroding effects of individual autonomy, and of affirming the value of community” (Kymlicka, p. 52), and especially those communities whose cultures need protection because they are at risk. According to Kymlicka, this analysis emerged as common ground between those who criticized minority rights, and those who defended such rights in the said debate. It was at this point that the defenders of minority rights accepted that their stance had, in fact, been in violation of what liberalism stands for since their defence of minority rights was tantamount - in Kymlicka’s words - to “endorsing the communitarian critique of liberalism, and viewing minority rights as defending cohesive and communally-minded minority groups against the encroachment of liberal individualism” (p. 53).

3.2.2 Patriarchy and Masculinity in Multicultural Societies

The concept of patriarchy has been a subject of contention in liberalism and multiculturalism. Many cultures around the world tend to be patriarchal in nature (Okin, 1999). Kalabamu (2006, p. 238) defines patriarchy as “a system of social structures and practices in which men dominate, oppress and exploit women.” Reeves and Baden (2000) provide a similar definition, stating that the term is often used by feminists to “explain the systematic subordination of women by both overarching and localised structures, [and that] these structures work to the benefit of men by constraining women’s life choices and

chances” (p. 28). They go on to say that “the main ‘sites’ of patriarchal oppression have been identified as housework, paid work, the state, culture, sexuality, and violence” (p. 28). According to Bloodworth (1990, p. 5), the term patriarchy refers to the view that “there is a fundamental division between men and women from which men gain power”.

I acknowledge that gender can no longer be confined to male-female hierarchies and experiences as demonstrated by the brief discussion on masculinity that I referred to in Chapter Two (refer to 2.6); and which I will expand on below (refer to 3.3.1). That being said, this study may appear inclined on the male-female binary notion of gender which can only be attributed to the fact that the study focuses on women as its research subjects, hence it is concerned a lot more with male-female dynamics.

Patriarchy is often at the centre of the discourse on gender equality. There are many definitions of the term gender, and often the term is incorrectly used interchangeably with the concept of ‘sex’. According to Reeves and Baden (2000, p. 30), gender refers to “the socially determined ideas and practices of what it is to be female or male.” Ridgeway and Smith-Lovin (1999), on the other hand, define the concept as “a system of social practices within society that constitutes people as different in socially significant ways and organizes relations of inequality on the basis of the difference” (p. 192). Simply put, gender is an expression of all the different roles that men and women play in their homes and communities. It generally prescribes what men and women are expected to do and what they are forbidden from doing. What this therefore means is that gender is a “cultural construct”, in that different cultures expect the two sexes to hold different attitudes and adopt different behaviours (Hurst, 1994). Reeves and Baden expand on the “inequality” referred to in Ridgeway and Smith-Lovin’s definition by calling it gender discrimination. According to Reeves and Baden, the term is used to describe “the systematic, unfavourable treatment of individuals on the basis of their gender, which denies them rights, opportunities or resources” (p. 2).

There is an abundance of literature that links the subordination of women to socialization and gender roles ascribed to women by society. Ozoemena (2013, p. 63) states that

gender is “the deeply entrenched institutionalization of sexual difference.” She goes on to say that gender roles are usually interwoven with socio-economic, political and cultural contexts, which in certain cases is a contributory factor to the dependency of women on men and to the lack of women’s decision-making powers. She qualifies this statement by arguing that “as a result of the patriarchal nature of most societies including Africa, gender roles ascribed to women tend to subjugate rather than empower them” (p. 77). This view is supported by Njogu and Orchardson-Mazrui (2013), who argue that “the gender roles assigned to men and women are significantly defined – structurally and culturally – in ways which create, reinforce, and perpetuate relationships of male dominance and female subordination” (p. 2). Wadesango *et al.* (2011), support this view and argue that through these roles, women are consigned “to an inferior position from birth throughout their lives” (p. 121).

Raewyn Connell (1995) is renowned for introducing the gender order in which she explored the concept of gender and noted that different gender practices occur within different historical-cultural contexts. She also observed that such practices apply to people of diverse backgrounds such as race, class or generation. These variations produce different masculinities and different femininities, and for this reason gender cannot be classified into one universal and rigid type of masculinity or femininity (Connell, 1995, Morrell, 1998). As mentioned in Chapter Two, Connell (1995) described masculinity as socially defined ways of being a man in the context of history and the culture which are characterized by power dynamics that exist between the different forms of manhood. Although the concept of masculinity has been intensely scrutinized by many scholars over the years - such as Demetriou (2001), Morrell (1998) as well as West and Zimmerman (1987) to name just a few - Connell is known to have popularized hegemonic masculinity and described it as the patterns of behavior and expectations associated with manhood in a specific culture, outlining how and why men tend to preserve this status in society (Connell & Messerschmidt, 2005). Morrell (1998) describes hegemonic masculinity as “a key element of patriarchy” (p. 609) since these accepted norms and practices legitimize patriarchy and promote male dominance over women.

Although there is a paucity of research studies on masculinities in South Africa (Ratele, 2014), it appears from available literature that patriarchy and hegemonic masculinity have always been a robust characteristic of the South African society. Literature points to a growing interest in this field with a focus on masculinity as it plays out in society. Against the backdrop of its aspiration to transform boys into men, *ulwaluko* has proven to be a space that allows and pushes for the inculcation of a specific set of values, norms and gender practices among amaXhosa (Gwata, 2009; Siswana, 2015; Vincent, 2008a). Siswana adds that the rite has been challenged as “traditional and patriarchal in that it focuses on the reproduction of very particular culturally located ideals of masculinity” (p. 3). As discussed in Chapter Two, the initiation schools impress upon initiates doctrines such as the demonstration of bravery and courage through the endurance of pain and physical brutality, sexual prowess, physical strength and readiness to head a family. At the initiation schools *abakhwetha* are also expected to learn a new language. Such practices align themselves with the definition of an expression of hegemonic masculinity. Ntozini and Ngqangweni (2016) observe that while some forms of masculinity are looked down upon in society, others are more readily acceptable and considered more laudable. Ratele (2014) acknowledges that “recourse to tradition is often used by men (and sometimes women) to defend racially - or culturally-justified oppression of women, other men, and queer subjects” (p. 32). This brings us to the question of the protection of human rights in liberal democracies, which I discuss next.

3.2.3 Men’s Attitudes Towards Women’s Rights

Race (2011) argues that multiculturalism can produce intense emotions in society and draw people to passionately debate their clashing viewpoints. Some of the literature I reviewed revealed studies that were conducted with the aim to better understand the behavior of men in different situations. In their study, Dworkin, Colvin, Hatcher and Peacock (2012) draw findings that describe and explain men’s current attitudes towards gender issues, and factors that make men resistant towards embracing changes in masculinities, women’s rights and gender relations. Before I dwell on the results of such studies, it is crucial that I acknowledge the existence of a certain cohort of men who

appear, albeit in variant degrees, to have embraced the introduction of women's rights (Walker, 2005). It has, however, also been noted by some scholars that the attention given to the marginalization of women, and the weight placed on redressing these past imbalances in the form of ongoing dialogues on women's rights at various levels and laws that safeguard women's issues, is not only contributing towards the promotion of gender equality but is also creating a perceived threat to males. This, according to Dworkin *et al.* (2012), causes some men to experience ambivalent feelings regarding their masculinity, leaving them frustrated and angry about perceived women's gains. It also leads to feelings of irrelevance around the home and family. In Walker's view, the existence of such a crisis emerges from various contemporary trends that may include the disintegration of traditional men's work, the introduction of technology and the upsurge of feminist views amongst women. Dworkin *et al.* and colleagues note that this phenomenon occurs in various countries, and that it has been referred to as the "crisis of masculinity" (p. 100). Hell (n.d.) refers to this condition as an "identity crisis" (unpaginated) where men are confused about how they should respond to the expectations the contemporary world places on them. According to Ayton-Schenker (1995), men seem uncertain whether they ought to act in an over-masculine way or give up their masculinity altogether. Dworkin *et al.* believe that "some men have adapted to feelings of disempowerment and alienation by constructing masculinities through seeking more sexual opportunities, enacting "hypermasculinity", engaging in violence, and detaching from family life to seek self-worth and status in all-male contexts" (p. 100). The authors offer the following explanations for this "identity crisis" in their study:

- (i) Readjustments in the workplace and economic resources

Against the backdrop of fast-changing dynamics in the labour market and the world of work, women who earn more money than their male partners or spouses are generally considered a threat to masculinity. Dworkin *et al.* (2012, p. 103) state that "men frequently view power as a zero-sum game where women gain; and men lose." This perception leads to the belief that the women are taking over, and that what ought to be men's power is now transferred to women. The notion of economic marginalization does not apply only

in urban settings where women are more likely to be hired in jobs in comparison to their male counterparts because of the employment equity prerogatives. This appears to be the case in rural environments too, where unemployed and aged women receive social security grants such as foster-care grants, disability grants and old-age pension (Dworkin *et al.* p. 104). This view is supported by Geisler *et al.* (2009), who posit that women tend to account for a greater proportion of beneficiaries of the old-age pension, and that, as primary caregivers to young children, women are often the recipients of the child support grant.

(ii) Repositioning of power in male-female relationships

Dowrkin *et al.* (2012) reported in their study that men were cognisant of the fact that with the promotion of women's rights through legislation, the media and many other channels, women in general were increasingly becoming uncomfortable with unbalanced decision-making practices in domestic spaces.

(iii) Shifts in community power and participation

The fact that men and women were now working together in the community came up in the study, and it was considered one way of breaking barriers and increasing collaboration. Although men seemed to acknowledge the positive change brought about by the involvement of women in public life, and its helpfulness in providing opportunities for men and women to learn more about each other, this development was also seen as another move towards the advancement of "a rights-focused political culture".

(iv) Loss of gendered power

The loss for gender power was expressed by participants in Dowrkin *et al.*'s (2012) study, who referred to what they experienced as "a loss of respect" (p. 109) and which they believed emerged from various angles, namely: themselves as men, women and the

community at large. The perceived loss of respect and its defence was associated with women's rights.

3.3. Feminism

One cannot discuss multiculturalism without addressing feminism. Okin (1998) refers to feminism – just like multiculturalism - as “a complex and contested” phenomenon (p. 661). She however resolves to defining feminism as “the belief that women should not be disadvantaged by their sex, that they should be recognized as having human dignity equal to that of men and that they should have the opportunity to live as fulfilling and as freely chosen lives as men can” (Okin, 1999, p. 10). In Kukathas' (2001, p. 84) view, feminism “is not a single doctrine or ideology but a body of ideas which embraces a wide range of doctrines or theories, some of them greatly at variance with, and indeed highly critical of, others”. Kukathas points to the universality of the concept since it addresses the circumstances of women all over the world. He suggests that with its positionality, feminism is a force to be reckoned among other “ethical and political theories” which feminists view as “universalist pretensions that are implausible” owing to their philosophies that tend to totally overlook women, the world's other “half of humanity” (p. 84). Furthermore, Kukathas observes that one of the strongest social movements of the twentieth century is the struggle for the emancipation of women, which evidently produced feminism and multiculturalism. He views the two ideologies as sharing some commonalities which he describes in this fashion:

Feminism and multiculturalism stem from common concerns about human freedom. To the extent that they are also concerned about the equal freedom of men and women, and of people of different cultures or religious traditions, feminism and multi-culturalism are also theories of equality (p. 85).

Some scholars have also identified a parallel that exist between multiculturalism and feminism. Phillips (2009, p. 2) states that the two “speak for groups marginalised in

existing hierarchies of power” and that they are about the advancement of equality and autonomy and many other subjects. Reingold and Baratz (2009) also see the interconnection between multiculturalism and feminism and agree that these approaches seek to empower discriminated minorities (whether ethnic, cultural or racial minorities) and to eliminate gender discrimination. McDowell and Fang (2007) maintain that “while feminist inquiries place women at the center of analysis”, at the core of multiculturalism is “race, culture, and ethnicity” (pp. 549 - 550). The authors argue that the two approaches overlap in their examination of oppression systems that are rooted on “identity categories of gender, race, class, sexual orientation, nation of origin, language, culture, ethnicity, age and abilities” (p. 550).

While a connection has been established between multiculturalism and feminism as indicated above, some tensions have also arisen between the two philosophies, an issue that is considered more serious by some scholars than others. Kakhuthas (2001), for instance, maintains, like Okin (1999), that a fundamental conflict exists between feminism and multiculturalism. To illustrate this fact, it is critical that I refer to autonomy and equality, the two fundamental pillars of liberal democratic states. These two ideals appear to be at the centre of the controversy between feminism and multiculturalism. Kim (2014) argues that autonomy and equality “have generated an apparent paradox when it comes to the issue of group rights” (p. 43). At the centre of the controversy is the rejection of the principle by some cultures to respect the individual’s rights in line with liberal principles and multiculturalism.

As I indicated earlier in this chapter, multiculturalism advocates for the acceptance of all cultural traditions and religious groups. An interesting distinction made by Pollit (1999) between multiculturalism and feminism is that while the former seeks respect of all cultures, the latter examines and interrogates all types of cultures and traditions. Similarly, Kukathas (2001) sees a tension between the two doctrines. He asserts that the difference lies in the principle that feminists are concerned about women’s emancipation while multiculturalists seek to preserve traditions and cultures of minority groups in larger societies that have dominant cultures of their own. On one hand, feminists do not condone

any form of support for cultures that deny women the opportunity and freedom to live and enjoy their lives the same way as their male counterparts, as well as those cultures that impact negatively on sense of worth and dignity of women. Multiculturalism, on the other hand, seeks ways of ensuring that minority cultures (including women) are not violated, and that the dominant culture does not impose its values and beliefs on those who are not part of their group. The essence of the tension that arises thus, is that feminism fervently argues against the toleration of such cultures. For instance, in her critique of multiculturalism, Okin (1998) asks “[w]hy shouldn’t the liberal state, instead, make it clear to members of such groups, preferably by education but where necessary by punishment, that such practices are not to be tolerated?” (p. 676).

3.3.1 Okin’s Feminist Critique of Multiculturalism

In her well-known essay that questioned whether multiculturalism is bad for women (referred to in Chapter One), Okin (1999) wrote from the premise that there was a prevailing assumption that multiculturalism and feminism were compatible bedfellows, an outlook she argued in her essay to be flawed. Multiculturalists have, in the last few decades, been advocating for the provision of group rights to minority cultures as a mechanism to put them on par with other cultural groups in liberal states, and in an attempt to avert cultural extinction of such ethnic or racial cultures. She disagrees with the way liberalists approach multiculturalism, arguing that the philosophy of respecting all cultures clashes with the autonomy and equality foundations of liberalism. Okin draws attention to the multiculturalism conviction that “minority cultures or ways of life are not sufficiently protected by the practice of ensuring the individual rights of their members, and as a consequence these should also be protected through special *group* rights or privileges” (pp. 10 - 11) to afford them a meaningful life as well as to avert the extinction of their cultures. She challenged the need for the endorsement of group rights for minority cultures when in fact such rights are already sanctioned by individual rights in the liberal democratic order. She maintains that the provision of group rights to minority cultures contradicts the notion of the fundamental “value of individual freedom” of liberal democracies which holds that group rights should not supersede individual rights (p. 11).

Okin (1998; 1999) also alludes to the rising strain between feminism and multiculturalism, particularly over the multiculturalist view that minority cultures should be accorded group rights. (Okin, 1999) points out that some multiculturalism groups hold this position even for cultures that “flout the rights of [their individual members] in a liberal society” (p. 11) whilst others do not call for the group rights but rather that minority groups – including those that “violate their individual members’ rights, requiring them to conform to group beliefs or norms” – have the right to be “left alone” (*Ibid*). Okin argues that “cultural defenses” infringe on the rights of women to the “equal protection of the laws” (pp. 19 - 20). In the author’s view, the protection of the right to culture should not be accepted as the basis for condoning practices that are oppressive to women. For Okin, these principles are in transgression of the fundamental principles of liberalism which safeguard against the infringement of individual rights by group rights. She criticizes this stance and questions how this principle can be allowed when such cultures tend to deny women of their right as equals to men whilst also perpetuating oppressive practices against women. Okin (1998) argues that under the circumstances we should be more concerned about the individuals, and women in this case, than we are about the group they are a member of. She criticizes liberals, and Kymlicka in particular, arguing that group rights tend to shield practices that discriminate against women.

Furthermore, she also claims that most cultures are gendered, which implies that group rights in that situation are usually “antifeminist” and that “[t]hey substantially limit the capacities of women and girls of that culture to live with human dignity equal to that of men and boys, and to live as freely chosen lives as they can” (p. 12). Okin (1998; 1999) maintains that liberalists have ignored this critique for two reasons, namely: 1) they turn a blind eye to the fact that minority groups are a microcosm of the society they live in, with men being dominant and having extensive power over women and 2) multiculturalists that advocate for group rights do not give much consideration to the private sphere which, in her view, is a critical point to pay attention to. Disputing the liberal stance of the extension of special rights to women, Okin (1998, p. 679) states that “the subordination of women is often far less formal and public than it is informal and private.” For her, this is a vital element to consider in the debate on multiculturalism, since gender construction,

and numerous ways of expressing gender inequality, happen occur informally in the domestic setting. She suggests that some cultures are subtle about their discriminatory practices and thus may appear to observe fundamental provisions of civil and political sanctions concerning women and girls when in actual fact they, especially in the private sphere, do not accord them the same opportunities and freedoms as their male counterparts. Okin (1998) thus argues that “just as group rights advocates cannot reasonably ignore gender” they also cannot “avoid examining the context in which persons’ senses of themselves and their capacities are first formed and in which culture is first strongly transmitted—the realm of domestic or family life” (p. 664). She further states that defending multiculturalism by focusing on the formal recognizable elements of discriminatory practice, or the public realm, is inadequate; and that the formal protection of women in the public sphere will not yield them much justice. She emphasizes the need for the recognition of this aspect.

In Okin’s (1999) view, the adoption of multiculturalism in society, and at the same time that of the feminist perspective, can happen only when multiculturalists recognize cultural practices that are harmful to women and she suggests that they pay attention to the following themes concerning gender and culture:

- That the realm of “personal, sexual and reproductive life” is at the core of the majority of cultures which is where “culture is practiced, preserved, and transmitted to the young” (1998, p. 667; 1999, pp. 12 - 13). She states that the more a culture requires or expects of women in the domestic sphere, the less opportunity they have of achieving equality with men in either sphere. According to Okin (1998), feminists have also ignored the private sphere debate. The reason she cites for this is that over the years “a number of Western and Third World academic feminists have been charging others with falsely generalizing about women and gender, and have been refraining from the critique of cultural practices that oppress women in many parts of the world” (p. 666).
- That the basis of the majority of cultures is the domination of women by males. She argues that all the cultures in the world have evolved from a patriarchal background including “Western liberal cultures” (1999, p. 16).

In the end, Okin (1999) argues that multiculturalism is bad for women since their rights run the risk of being infringed upon “in the process of validating group cultural rights” (Winter, 2006, p. 381). She maintains that democratic states should by no means tolerate cultures that pose harm to women and calls for the banning of all practices of that nature. In her opinion, minority rights do not provide a solution to the problem but rather they “aggravate the situation and reverse the gains feminists have made over the last few decades” (Kymlicka, 1999, p. 32). Okin is not alone in this view. For instance, Spinner-Halev agrees that “group autonomy can harm women” (2001, p. 92). In a nutshell, she sees a great impasse between feminism and multiculturalism; “that one cannot embrace both the values of feminism and multiculturalism at the same time based on the assumption that minority cultures are sexist” (Gouws, 2013, p. 37). Okin (1999) further made a highly controversial statement, that women who belong to “a more patriarchal minority culture” may “be much better off if the culture into which they were born were either to become extinct (so that its members would become integrated into the less sexist surrounding culture),” or if the culture were “encouraged to alter itself so as to reinforce the equality of women” (pp. 22 – 23).

To tackle the problems identified, Okin (1998) advocates for varied programmes aimed at the education of girls and women around the home and at school on topics such as subordination. She adds that women’s education should not be limited — in comparison to that of their male counterparts — and that they ought to be afforded opportunities to learn more about the bigger world which extends beyond the patriarchal world in which they tend to be confined in (Spinner-Halev, 2001). Referring to minority rights, Okin (1999) also suggests that it is imperative to ensure that “women — and, more specifically, young women (since older women often become co-opted into reinforcing gender inequality) — are fully represented in negotiations about group rights, [as] their interests may be harmed rather than promoted by the granting of such rights” (p. 24).

Below I highlight some of the critique that Okin’s essay attracted over the years.

3.3.1.1 Critique of Okin's Essay

Okin (1999) has been heavily criticized for her views, resulting in a raging debate in feminist literature. As indicated earlier, she points to the subordination and oppression of women in minority cultures. Phillips (2009) also acknowledges that culture is a significant part of life, and that the promotion of gender equality is a good indication of progressiveness. Referring to views of theorists like Okin, Phillips, however, cautions the reader that these views tread on stereotypical binary terms. She writes:

When the rights of women figure as a marker of modern liberal societies, part of what differentiates them from 'traditional', non-Western, illiberal ones, this constructs a stereotypical binary between Western and non-Western values, that represents people from developing countries, or from ethnocultural minorities within the more developed ones, as peculiarly resistant to gender equality.

(p. 4)

Phillips (2009) points out that the prevailing tensions surrounding gender equality and culture in feminist literature emanate from cultural stereotypes that "take too much at face value", and argues that cultures "are misrepresented as more distinct from one another than they really are" (p. 7). Many other scholars (for instance Gouws, 2013) agree with the idea that minority cultures are often misconstrued, and that they are often viewed as "frozen and static entities" that are also "misogynistic" (Volpp, 2001, pp. 1191, 1194). Furthermore, Volpp supports Phillips in the notion that presuppositions are indeed made in the debate on feminism and multiculturalism, pointing to Okin's faulty assumption that ascribes non-Western women a more superior cultural status to women in Third World countries who she perceives as "literally vulnerable to death by culture" (p. 1185). In the same vein, al-Hibri (1999) lifts out of the debate what she refers to as "fatal problems in Okin's essay, such as stereotypical views of the "Other" and a conflation of different cultures or religions" (p. 42). She argues that Okin writes about other cultures from a superficial point of view with no in-depth interrogation and understanding of those cultures. As a result, al-Hibri argues, Okin speaks "in her dominant voice about the

inessential Other” who is so insignificant in the discussion that it is never about their story but more about “the voice and perceptions of the dominant I” (*Ibid*). It is this incomplete understanding and inaccurate capturing of others’ cultures that in al-Hibri’s opinion resulted in a conflation of related but different cultures in Okin’s analysis. Al-Hibri concludes that in her essay about multiculturalism, Okin makes some “condescending, even patriarchal” claims about women in other cultures (p. 44). In Phillips’ (2009) words, it is crucial that society shows “respect for the diverse choices people make about their lives; not assuming that those who choose things differently from yourself are victims of false consciousness; not patronising what you do not understand; and not leaping prematurely into protective mode” (p. 9). Not only does she condemn imperialism but also wishes to discourage feminist views that look down upon other cultures. She outright rejects the idea of accepting cultures from external groups as one’s own as well as any form of “policies that cede authority to the self proclaimed leaders of cultural groups” or those whose purpose is to “protect women for their own good” (p. 9). Furthermore, she maintains that society bestows an exaggerated amount of power and influence on some cultural practices; a system that in her opinion denies women of human agency. She argues that this practice relegates women to a status of victimhood rather than that of agency. She therefore encourages society to begin to acknowledge the varied ways in which women can respond to their cultural beliefs and practices, such as accepting, resisting or even refuting the practice in question. Phillips believes such a position would give women recognition as agents rather than victims as seen in the following passage:

We should recognise that what looks to an outsider like submission is sometimes better understood as empowerment. We should acknowledge that everyone has agency, even though some clearly have more options than others. We should, in other words, recognise the agency of women even under conditions of severe oppression and exploitation, and not ignore the choices they make as if these were no more than reflections of their limited room for manoeuvre.

(p. 10)

Like Phillips (2009) and al-Hibri (1999) who problematize the involvement of the Western critics on other cultures, Gayatri Spivak (1988) approaches the debate from a similar stance and expresses disquiet about the manner in which Western feminists view other cultures, pointing to an unethical application of universal principles and philosophies that they use in their writings. Spivak uses different cases in her essay and a deconstructionist approach to illustrate her viewpoint. Based on subaltern studies in India, Spivak uses the term “subaltern” to refer to people who, because of their economically disposed status and oppression (say, in the case of women), are unable to speak for themselves. She argues that a subaltern is unlikely to share the truth about their oppression or disclose the extent of such repression if they are given the chance. She thus cautions that Western approaches – in their intent to promote human rights and give silent voices a life – inadvertently slide into the suppression of marginalized groups in society, and women in particular, thereby reinforcing Western political supremacy and the consequent elimination of indigenous cultures. Spivak cautions of Western intellectuals speaking on behalf of the subaltern, as this stance tends to promote the imposition of Western ideals as a defense for the subaltern. Furthermore, Spivak argues, efforts made by outsiders that are aimed at addressing matters concerning the subaltern are likely to cause more harm than good in that they point to consensus among a heterogenous group of people. She thus recommends that Western scholars be aware of their positionality when writing about other cultures.

As seen in Phillip’s (2009) and Spivak’s (1988) critique of Okin’s (1999) essay, feminist discourse suggests that it is not ideal for Western scholars to criticize the cultures of others, and Third World countries in this case, for reasons already mentioned. Martha Nussbaum (2016) disagrees with what she calls a contention by cultural relativists who purport that outsiders need to concern themselves with “cleaning up one’s own house before responding to urgent calls from outside” (p. xxv). In this case, the morality of those who criticize other cultures is questioned in the belief that all cultures are best judged internally by those that practise it. Writing about female genital mutilation, Nussbaum

responds to the criticism by examining four broad areas in her work, two of which are relevant in this study, namely, that:

1. It is morally wrong to criticize practices of another culture unless one is prepared to be similarly critical of comparable practices when they occur in one's own culture.
2. It is morally wrong to criticize the practices of another culture unless one's own culture has eradicated all evils of a comparable kind.

Nussbaum (2016) defends the first claim by arguing that Western feminists do criticize their own cultures. She feels strongly that this view needs to be challenged, in that it is condescending to women who have their own view of what is good. She adds that such condescension is all the more damaging when it comes from women who are reluctant to criticize the flaws in their own cultures. According to Nussbaum, the second argument is false in that the geographical boundaries separating women by oppressive cultures, and those who identify problems within that culture should not determine the level of moral commitment given by the latter, and refers to this as the "very height of moral obtuseness and parochialism" (p. xxv). Her conclusion is that it is not wrong to be accepting of some cultural practices and yet criticize those that we find to be in violation of human rights.

Leclerc-Madlala (2001) also addresses the question of human rights vs tradition. She points out that it is not uncommon to find the debate "still locked in a traditional/modern paradigm, whereby culture is equated with tradition and the democratic constitution is equated with Western-style modernity" (p. 36). Leclerc-Madlala further states that for rural people such contemporary ways are parallel to eccentricity. She also mentions that these complexities make it hard for culture and human rights to be perceived as compatible bedfellows. This has been demonstrated quite clearly in Okin's (1999) essay that I alluded to earlier, and its critique.

An interesting argument is that put up by Nhlapo (1995b, pp. 70 - 71), who posits that the advancement of human rights and culture can co-exist in a democratic society, but that this requires a good understanding of the source of conflict and underlying tensions that

beset liberal democracies in achieving such an ideal. Nhlapo (1995a, p. 212) categorizes the definition of culture as it relates to the human rights discourse in two ways, namely 1) the “academic” or “theoretical” angle and 2) the “lay[man’s]” point of view. For Nhlapo (*ibid*), the academic view is mainly concerned with the processes involved in the phenomenon, and disputes the view that culture is homogenous and constant. He argues that “cultural values in every era are continually in a process of contestation, with emerging mores challenging the dominant set and sub-cultures springing up in various forms” (p. 212). This view is aligned with Eric Hobsbawm and Terence Ranger (1983) who coined the term ‘invented tradition’ which they define as “a set of practices mainly governed by overtly or tacitly accepted rules and of a ritual or symbolic nature, which seek to inculcate certain values and norms of behavior by repetition which automatically implies continuity with the past” (p. 1). In their collection of essays, Hobsbawm and Ranger seek to illustrate that traditions are a result of “the contrast between the constant change and innovation of the modern world and the attempts to structure at least some part of social life within it as unchanging and invariant” (p. 2). What this statement implies is that although some parts of tradition may withstand the test of time, it is generally dynamic and is always influenced by various societal constructs, such as social, economic, political etc. Nhlapo argues that there is a cohort of scholars who are not keen on accepting any culture “as a useful category of analysis” in the academic discourse (p. 213), and certainly not the “African” vs “Western” cultural outlook. From this stance, the author warns of the importance to be wary of scholarship that wishes to portray the culture of any one group of people as absolute. He further states that those with power tend to use the voices of their “spokespersons” (p. 213) in their agenda to dominate and interpret cultural practices to their own advantage, painting the dominant culture in ways reminiscent of permanency and acquiescence and thus implying that their practices should not be questioned, which in turn results in the silencing of voices of those wishing to challenge the culture in question. On the other hand the “lay” view displays no interest in the analysis of culture: instead it is concerned with the relationship between culture and tradition. Nhlapo believes that despite the widely accepted emphasis on the similarities rather than differences that exist between cultures, there is still a contingent of people who place themselves in certain categories, differentiating themselves from others in terms of their

way of life, which gives them a sense of identity. According to Nhlapo, such people define themselves in terms of their practices (and thus culture) which is known to be a very strong phenomenon for many South African communities. According to Holomisa (2009, p. 189), "African customs, traditions and culture are the glue that keeps rural communities together and united." For the people who feel connected to their culture, or the people subscribing to the "lay" school of thought, as Nhlapo describes them, it is immaterial whether culture is static or constant.

So, in a nutshell, the academic discourse serves to "establish a contemporary definition of culture and to work out why it does what it does" while the layman's point of view demonstrates an attack on "the political problems of perception and resistance" as they are likely to play out (Nhlapo, 1995a, p. 214). His suggestion is that these issues need to be tackled head on and with sensitivity if the marriage between culture and human rights is to be a success. He warns that lack of insight about the two schools of thought may see the human rights and gender equality activist – in their attempt to close the gap between then and now - pushing too hard for the espousal of modern, "universal or civilized" (*ibid*) ways of doing things, thereby risking conflict and possibly receiving a hostile response from those on the opposite side of the debate.

As demonstrated by Phillips' (2009), al-Hibri's (1999) and Nhlapo's (1995a; 1995b) views that I discussed earlier, all cultures are relative to the individual or group, in their specific context.

3.3.2 Liberal Defence

Okin (1998, p. 663; 1999, p. 11) describes Will Kymlicka as "the foremost contemporary defender of cultural group rights." Although Kymlicka (1999) argues against Okin in this debate, he agrees with her main line of reasoning, that "a liberal egalitarian (and feminist) approach to multiculturalism must look carefully at intragroup inequalities, and specifically at gender inequalities, when examining the legitimacy of minority group rights" (p. 31). He goes on to point out that the maintenance of justice inside cultural groups is as critical as

it is amongst cultural groups. Like Okin, Kymlicka condemns any form of gender inequality, within or between ethnocultural groups. He uses the term “internal restrictions” to refer to the devices that cultural groups use to inhibit their own people, especially women in this case, from making individual choices in the name of culture (p. 31). In these restrictions, and in agreement with Okin, Kymlicka includes practices that apply to women in the private sphere. He argues that when such limits are applied, women are barred from asking pertinent questions about the culture, proposing modification or even ditching the practices and roles they are expected to play in their cultures, which violates their autonomy and promotes intragroup injustice. To address these concerns, Kymlicka proposes that minority groups be afforded a second type of group rights, that which he call “external protections” (p. 31). According to the author, these would take into account various issues, including language, redress of historical injustices, funding for media coverage etc, to ensure that minority groups get an equal opportunity as their counterparts to advance the needs and interests of their culture.

While Okin (1999) argues that multiculturalism does not protect women’s individual rights and therefore is not good for them, Kymlicka (1999) believes that it is possible to have a multicultural society that promotes group rights while rejecting intragroup oppression (of women), and therefore he questions Okin’s outright rejection of what he calls “the underlying principle” (p. 32). With regards to Okin’s stance on multiculturalism, Kymlicka (1999, pp. 31 - 34) sees more similarities than differences between multiculturalism and feminism, contrary to Okin’s argument. He points out the following common viewpoints between the two approaches, that:

- The conventional liberal way of looking at individual rights is shallow since it uses men as a “norm”, overlooking the ways in which societal institutions are gendered.
- Traditional liberal theories are inadequate due to the prejudice they displayed towards ethnic minorities and women in the past.
- Traditional liberal theories appear oblivious to factors concerning ethnic cultures and women in general, and turn a blind eye to their needs, thus failing to address

unjust practices perpetuated against these groups. This has a negative impact on the freedom and self-respect of women and ethnic minorities.

- In order to ensure genuine equality in society, it is critical to award women with specific rights that are not made available to men, such as gender-specific programmes, affirmative action etc. The same principle can be applied to other minority groups, such as the LGBTI, people with disabilities etc.

Kymlicka (1999) concludes that he views multiculturalism and feminism as allies that are concerned with similar struggles and are working towards the same goal; that of safeguarding justice in a more inclusive society. Although multiculturalism promotes diversity and rejects intolerance of those who may be different in some way, at its core it works against equality principles, since people are not always accorded equality rights in some cultures in general. In fact, Cohen *et al.* (1999) argue that no culture fully endorses this principle. The multiculturalists' idea of providing group or special rights to minorities in order to protect them, and allow them to practice their cultures, brings tensions into the multiculturalism debate. The question the authors ask in this regard is: "how can we endorse special rights for groups that treat female members as subordinate no-accounts?" (p. 4). They conclude on the following:

1. Cultures and religious practices are to some degree flexible and can thus be expected to adapt to multicultural ideals.
2. By and large, and in agreement with Okin, these scholars question her subjective view of women arguing that group rights should be denounced at all times when they violate the rights of others in the group.
3. It is unrealistic to expect different cultural and religious groups to endorse the equality principle and to proscribe special rights for minority cultures upon such endorsement
4. Okin's stance on feminism and multiculturalism is flawed due to her lack of appreciation of cultural differences which is due to her entrenched moral universalism

Cohen *et al.* (1999, pp. 4 – 5)

3.4 The Problem of Binary Constructions in Liberalism

As shown in the discussion of Okin's (1999) essay on multiculturalism and feminism (see 3.3.1), liberalism has been heavily criticized by feminists for its multicultural perspective that exposes minorities, and women in particular, to "traditional patriarchal and sexist practices" (Gouws, 2013, p. 35). Amanda Gouws argues that the liberal framework of liberalism is constructed in starkly binary terms; a situation that is inherently problematic for minority cultures, and women in particular. In her recent article, she clearly demonstrates how "the binary opposition between the cultural rights of indigenous populations and constitutionally protected universal rights" (p. 35) hinders rather than facilitates the discourse between these two paradigms, and in so doing, cites various dispositions where this construct is manifested. Like many other scholars (for instance Volpp, 2001; al-Hibri, 1999), Gouws refers to one of the binaries that have received a lot of attention in feminist literature over the years, that of the Western perception of Third World cultures, and alludes to its emergence from the influence of colonization that tends to portray indigenous culture as "pre-modern and backward" (p. 35). Furthermore, Gouws observes that in the constitutionally sanctioned universal rights of the liberal order, individual rights tend to conflict with the cultural rights (and perhaps religious rights too) of ethnic groups. She argues that in liberalism "the subject is constructed as an individual with self-making and self-regulating agency, with rights and equal standing before the law", and that any person falling out of this category is viewed as "other" (p. 36). As a consequence of this centredness and individualization of persons, dissociation from group culture is inadvertently established. As Gouws puts it, liberalism suggests that those who have adopted the multicultural perspective should fear and distrust culture because it is in contradiction with their rights, while those who practice their cultures find it elemental. Lastly, as Gouws points out, the debate brought up by Okin (1999) on the issue of the public sphere versus the private sphere constitutes another striking binary. Gouws maintains that liberalism clearly perpetuates the discord between these spheres since "the public sphere that is premised on equality cannot allow for distinctive identities" (p. 37).

Contemporary multicultural and feminist theory compels us to clarify the concept of multiculturalism in today's liberal states. Cohen *et al.* (1999) ask: "[h]ow should we understand a commitment to equality in a world of multiple human differences, grim hierarchies of power, and cruel divisions of life circumstance?" (pp. 4 – 5). The binary constructions highlighted by many authors in feminist literature demonstrate the complexity of culture and point to what Gouws (2013) refers to as the need for the "dislodging" of such binary notions (p. 35). She argues that one way of addressing the binary relationship existing between culture and universal human rights would be to apply the concept of recognition – which I discuss below - where women are recognized as agents. She believes such a stance would give them a voice and allow them to participate in matters that affect them in their lives.

3.5 Important Concepts Relating to Liberalism and Multiculturalism

3.5.1 Politics of Recognition

Contemporary political theorists, including philosophers such as Axel Honneth, Nancy Fraser and others have written widely about the politics of recognition. In this thesis, I examine the concept mainly from Charles' Taylor's (1994) analysis, which has received much attention in the field of multiculturalism globally. Taylor traces the historical foundations of this theory from the writings of Friedrich Hegel, a German philosopher known for popularizing politics of recognition "in his dialectic of the master and the slave" (p. 50). The author claims that the demand for recognition has become increasingly important in contemporary politics, particularly because of important matters that have arisen in feminist theory and multiculturalism, such as minority groups that may not be able to speak for themselves in their societies. He ascribes the urgency of the need for recognition to the perceived connection between "recognition and identity" (p. 26), where he describes identity as:

*... something like a person's understanding of who they are,
of their fundamental defining characteristics as a human being.
The thesis is that our identity is partly shaped by recognition or its*

absence, often by the misrecognition of others, and so a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves. Nonrecognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being.

(p. 25)

According to Taylor (1994), feminists argue that patriarchal societies reduce women to an inferiority complex “so that even when some of the objective obstacles to their advancement fall away, they may be incapable of taking advantage of the new opportunities”, thereby resulting in low self-esteem whose consequence is “the most potent instrument of their own oppression” (p. 25). To describe this phenomenon, he makes an example of black people whose image is known to have been pre-judged as degrading by white people. He also draws a similar parallel between indigenous and colonized people. Drawing from Hegel, Taylor maintains that people’s identities are not innate but are, rather, constructed intersubjectively; in other words, through interaction with other people that are important to us, those who he refers to as “significant others” such as parents (p. 33). In his view, recognition is a “vital human need” and its absence or misrecognition can lead to debilitating effects such as “self-hatred” (p. 26). The author argues that the ushering of the present-day principle of worth and dignity granted to everybody in liberal democracies has replaced the old “social hierarchies” (p. 26) that in the past awarded the notion of honour only to individuals of a higher class. This shift gave birth to what Taylor refers to as “individualised identity”, a term he associates with being true to oneself. Borrowing Lionel Trilling’s terminology, he refers to this form of identity as “authenticity”, stating that it focuses on the uniqueness of all people in society (p. 28).

As Taylor (1994) puts it, it is the ongoing dialogue that people engage in with others, and not self-analysis, that brings out such authenticity. For Taylor, it is from

such interactions that people develop a certain perception about themselves, and lack of recognition, or adverse recognition, can dent one's self-esteem, denying one much desired authenticity. It is on these basic tenets that Taylor developed his theory on the politics of equal recognition. To describe the latter he points to the following important aspects of democratic states: 1) politics of equal dignity, or politics of universalism, whose aim is to ensure that all human beings receive equal treatment. What this principle implies is that there is no differential treatment among people; they are all treated the same. 2) politics of difference, which pays attention to inherent individual differences and uniqueness. So, because of the politics of difference – Taylor argues – some groups will be accorded certain rights based on their distinctness, but not others. The implication in this category is that differential treatment is considered acceptable. In the author's view, the politics of equal dignity usually stem from hegemonic practices, which is problematic in that it coerces minorities into assimilating into dominant cultures losing their individuality in the process. In his words, "dominant groups tend to entrench their hegemony by inculcating an image of inferiority in the subjugated" (p. 66).

As demonstrated in the debate about individual rights and collective rights, the common thread that emerges strongly is that all cultures are of equal value, and that none is above the other - the premise upon which cultural relativism is founded.

3.5.2 Cultural Relativism

Ayton-Schenker (1995) defines cultural relativism as "the assertion that human values, far from being universal, vary a great deal according to different cultural perspectives" (unpaginated). The question of cultural relativism versus human rights has been an ongoing debate for some time (Donnelly, 2007). Some scholars will readily agree that it is common for some cultural groups to act in a way that violates human rights – and specifically gender rights – in the name of culture, maintaining that these particular human rights are a "Western" way of life; and that traditional practices adequately protect the

worth and dignity of those who are part of the culture. They therefore argue against the application of universal human rights in the view that the latter can interfere with their culture and lead to its disruption or failure to achieve its objectives. According to Schalkwyk (2000, p. 3), the view that gender equality and human rights is a “Western” concept is a way of discounting the essence of the struggles fought by women’s rights movements across the world. From a legal perspective, cultural relativism is perceived to be one of the reasons it is hard to realize gender equality ideals, since “human rights could be interpreted differently within different cultural, ethnic and religious traditions” (Ayton-Schenker, 1995, unpaginated). Ayton-Schenker opposes cultural relativism in the name of the exploitation of the right to culture clause. He argues that human rights are not privileges but rather innate rights every human being is entitled to.

The fundamental nature and universality of human rights has been demonstrated in the legal instruments I outlined earlier in this chapter, and in Chapter Two. As indicated in Chapters One and Two, despite the dangers they pose and their transgression of the law, traditional cultural practices remain intact. The need to address the concerns found in cultural practices that are not seemingly only harmful but also insubordinating to women in this country, such as *ulwaluko*, need to be explored. It appears that despite of the introduction of legislation and national gender machinery since the advent of democracy, finding equilibrium between a full-scale accomplishment of women’s rights and the practising of cultural beliefs and traditions is beyond the state’s current ability (Kadali, 1995; Maluleke, 2012; Ozoemena, 2013). Against this backdrop, Ayton-Schenker asks whether there is any way of merging human rights with the conflicting cultures that appear to have taken a grip in our societies, a question for which I also beg an answer to.

3.5.3 Legislation Sanctioning Multiculturalism

3.5.3.1 Gender Equality and Human Rights Law

Given the theoretical underpinnings covered in this chapter on the multiculturalism discourse, it is important to reflect on its implications in as far as legislation is concerned. While Kymlicka’s three principles are key to the understanding and successful

implementation of multiculturalism, it is the third principle that bears significance to this study; that of the need for the state to acknowledge injustices that were propagated against minority/non-dominant groups in South Africa, and the need to create mechanisms for preventing and resolving such forms of prejudices and inequalities at present. In the context of this study, I will be examining multiculturalism in relation to the role played by government in redressing gender inequality in the country, as enshrined in the Constitution and other legislative framework.

Considering Kymlicka's (2007) third principle of multiculturalism that I explained earlier, it is imperative to question whether the South African government has – in its mandate to fulfil the obligations of cultural pluralism – acknowledged the historical injustices that women, as a sub-group/non-dominant group, have been subjected to in this country in the previous dispensation. In this section, I investigate how the state has acknowledged the historical injustices that were perpetuated towards women in their subservient position to men. I also examine how legislation does or does not rectify these injustices. In other words, I explore whether social justice – the principle of fairness and equity to all – has been implemented to protect the rights of women in South Africa.

In the last twenty-two years, South Africa has undergone major political changes. Following the first democratic elections of 1994, the government was faced with the enormous challenge of amending not only the racial inequality that characterized the country, but also the systematic gender inequalities that existed at the time. These changes have had a noteworthy effect on the country's various domains, including the legal fraternity. For the longest time, women in this country have been subjected to high levels of marginalization. Penelope Andrews (2001) states that the subordination of South African women to men is rooted in both the colonialist era and the apartheid system introduced in the country in 1948. While white women were exposed to patriarchal and sexist attitudes in their own communities that were separate from black townships and rural villages, the political and socio-economic realities of the time forced black women to become largely dependent on men. This means that women have always been

considered second class citizens in South African history. Andrews describes the plight of women during the apartheid era as follows:

The system of dependency generated by apartheid law and policy was reinforced by a traditional system of law and culture that placed women under the perpetual tutelage of men. Under traditional law and culture, women were denied a host of rights: the right to own land, the right to custody of their children, and the right to be chief or elected as chief. These laws and policies, bolstered by an apartheid ideology that insisted on the second class status of women within African society, cemented their status; this legacy will continue to haunt women for many generations (p. 697).

Andrews' (2001) views are supported by Geisler, Mokgope and Svanemyr (2009) who argue that "the South African government had until 1994 consistently neglected women's rights and had done little to empower women economically and politically" (p. 2). The political and social system was profoundly patriarchal, privileging men in all areas. Black women were particularly affected, disempowered and neglected both in terms of skin colour and sex. The legal framework to protect or promote women's rights was extremely weak and overshadowed by deep-seated patriarchal norms that accorded most power and voice to men." Pre-1994, South African legislation did very little to protect women's rights. However, the shift from the entrenched South African apartheid system to the democratic state that dawned in 1994 gave rise to the assimilation of gender equality into the country's Constitution. As a result of this law, women were accorded unparalleled rights. This was the very first time women were legally considered equal to men at all levels, in line with the provisions of a liberal democracy that prioritizes inclusivity as a way of amending previously discriminating and harmful practices levelled against marginalized groups. As Andrews correctly states, the incorporation of gender equality into the Constitution reflects a clear commitment to the principle of non-sexism, and to the attainment of gender equality.

In the Founding Provisions of the Constitution (Chapter 1), Sections 1(a) and (b) declare that South Africa is a democratic state that is founded on a set of values which include human dignity, equality, non-sexism and the advancement of human rights and freedoms. Chapter 2, the Bill of Rights, upholds these democratic values and states that the government is charged with the responsibility to “respect, protect, promote and fulfil” these rights. Section 9 of this chapter provides detail on equality, and it states:

9. (1) Everyone is equal before the law and has the right to equal protection and benefit of the law.
- (2) Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.
- (3) The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.
- (4) No person may unfairly discriminate directly or indirectly against anyone on one or more grounds in terms of subsection (3). National legislation must be enacted to prevent or prohibit unfair discrimination.
- (5) Discrimination on one or more of the grounds listed in subsection (3) is unfair unless it is established that the discrimination is fair.

Andrews (2001, pp. 699 – 700) points out that the language applied in Section 9 of the Bill of Rights is of great significance; and that it suggests three major factors, namely:

- (i) That the Constitution places sex and gender on equal footing with regards to eradication of racial discrimination, and this implies that in the South African context, discrimination against women is just as constitutionally questionable as discrimination on the basis of race.
- (ii) That the prevention of both direct and indirect discrimination stealthily acknowledges the unjustness and persistence of institutionalized

discrimination in society. Andrews argues that many scholars, and feminists, have pointed out the need for an overt prohibition of indirect discrimination.

- (iii) That the inclusion of both sex and gender as grounds for prohibiting discrimination is likely to protect women from malevolent discrimination that not only has biological or physical characteristics as their origin, but is also hinged on social and/or cultural stereotypes about the perceived role and status of women in society.

Section 10 of the Bill of Rights expands on the founding provisions relating to the value of human dignity alluded to earlier. It states that all citizens of this country must have their dignity respected and protected.

The Constitution has been proclaimed by many as one of the most remarkable and progressive pieces of legislation on human rights seen in the twentieth century (Andrews, 2001; Geisler *et al.*, 2009; Kadalie, 1995). Notwithstanding this notion, the infusion of culture and law in South Africa has not been without similar challenges and trepidation faced by other democracies worldwide. Many problematic situations have arisen and played out in communities and courts of law around the country as evidence of the clash in the amalgamation of culture and legislation. In Momoti's (2002) words, "since the advent of the global impetus to respect and protect the rights of the individual, legal systems in culture, plural societies have continuously been confronted with the problem of the rational and legitimate accommodation of conflicting cultural practices within the confines of a human rights dispensation" (p. 79). Momoti further states that for some scholars, the debate about the compatibility between customary law and human rights is mainly a contention about the right to gender equality versus the right to culture.

While gender equality and women's rights are mainly sanctioned by national legislation, South Africa has also endorsed regional and international legislation. The African Charter on Human and Peoples' Rights, also known as the Banjul Charter, was adopted in 1981 and is intended to protect and promote human rights in the African continent. The Protocol

to the African Charter was adopted in 1998 and ratified in 2005 as a result of a concern that even though the African Charter on Human and Peoples' Rights (as well as other international human rights instruments) was in place, women in Africa still continued to be victims of discrimination and harmful practices. Article 2(1)(b) of this protocol sanctions state parties to ratify and implement appropriate mechanisms to prohibit all forms of discrimination.

The Southern African Development Community (SADC) Declaration on Gender and Development was signed in 1997 with the aim to forge ties and take joint action in fulfilling the commitment to promote and mainstream gender equality in the region. Member states agreed to protect the human rights of women and prioritize gender equality in SADC's Programme of Action and Community Building by respecting and promoting human rights as well as revising all legislation that might be discriminatory to women. They committed to "not to discriminate against any person on the grounds of gender, among others", declaring that "gender equality is a fundamental human right" (p. 2), and the 2008 Protocol states that its objective (article 3) is "to provide for the empowerment of women, to eliminate discrimination and to achieve gender equality and equity through the development and implementation of gender responsive legislation, policies, programmes and projects" (unpaginated). The Heads of State also pledged to ensure that women are represented in SADC's decision-making structures at all levels.

The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), on the other hand, was adopted in 1996, and its related protocol was endorsed in 2005. CEDAW is an all-inclusive international human rights document that deals with equality for women. Article 1 of CEDAW defines discrimination as "any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing ... the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field" (unpaginated). Article 16 sanctions state parties to take appropriate measures in eradicating all forms of discrimination against women in all matters relating to marriage and family relations. A

word of caution raised by Phillips (2009) against CEDAW is that this treaty “has the highest number of ‘reservations’ of any UN convention - countries signing up, but reserving their position on certain clauses” (p. 1). She states that although some of these reservations are technical in nature, many are attributed to religious/cultural tradition reasons which in her opinion is a way of using culture is “to limit the claims of gender equality” (p. 1).

The Beijing Platform for Action was adopted in 1995 by member states, including South Africa. It is viewed as “the most comprehensive global policy framework and blueprint for action, and is a current source of guidance and inspiration to realize gender equality and the human rights of women and girls, everywhere” (UN Women, 2014, p. 3). Chapter 1(1) of this statute emphasizes the importance of shared power between women and men, not only at home but in all spheres of life. It looks at shared power as “a matter of human rights and a condition for social justice” as well as a “fundamental prerequisite for equality, development and peace” (p. 16).

South Africa has also got its own legislation that specifically sets provisions for the promotion of human rights and gender equality. The Promotion of Equality and Prevention of Unfair Discrimination (PEPUDA) Act 4 of 2000 is also known as the Equality Act. This law gives effect to Section 9 of the Bill of Rights of the Constitution, which was discussed earlier. This clause promotes the right to equality and prohibits discrimination of any form. The Act also embraces gender equality and identifies patriarchy and discrimination on the grounds of sex and gender as areas of discrimination that require special attention. Section 8(d) states that any practice, including traditional, customary or religious practice, which impairs the dignity of women and undermines equality between women and men constitutes unfair discrimination.

Over and above its legislation, South Africa has also instituted national gender equality machinery to promote women empowerment and development. According to Testolin (2001), “a gender equality machinery is an institutional governmental and, in some cases, parliamentary structure set up to promote women’s advancement and to ensure the full

enjoyment by women of their human rights. Gender equality machinery is also referred to as national gender machinery. Its main function is to monitor and to ensure the implementation of the law, of the principle of non-discrimination and equality between women and men” (p. 5). Geisler *et al.* (2009, p.14) refer to the following machinery:

- The Office on the Status of Women (OSW), which resides in the Office of the Presidency
- The CGE, which is established in terms of Chapter 9 of the Constitution. Section 187(1) gives the CGE the mandate to “promote respect for gender equality and the protection, development and attainment of gender equality.” Section 187(2) articulates that the commission is invested with “the power to monitor, investigate, research, educate, lobby, advise and report on issues concerning gender equality.”
- The Parliamentary Joint Monitoring Committee on the Improvement of the Quality of Life and Status of Women.
- Various gender-focused NGOs are also considered part of the national gender equality machinery.

In summary, the legislative framework and its aims that I discussed above can be encapsulated into the following:

Regional and International Conventions	
African Charter on Human and Peoples' Rights (Banjul Charter)	To protect and promote human rights in the African continent
Protocol to the African Charter	Charges government with the responsibility to ratify and implement appropriate mechanisms to prohibit all forms of discrimination.
SADC Declaration on Gender and Development	To promote human rights and mainstream gender equality in the region
CEDAW and its Protocol	To address concerns regarding equality for women; and sanctions the government to take appropriate measures in eradicating all forms of discrimination against women
SADC Gender Declaration Protocol	To eliminate discrimination and promote gender equality and equity through the development and implementation of gender responsive legislation, policies, programmes and projects
South African Legislation	
Constitution	To respect, protect, promote and fulfil human dignity, equality, non-sexism and human rights of all citizens
PEPUDA (Equality Act)	To promote the right to equality and prohibit discrimination of any form
Gender equality machinery <ul style="list-style-type: none"> • Office on the Status of Women • Commission for gender equality • Parliamentary Joint Monitoring Committee • Gender-focused NGOs 	To monitor and ensure the implementation of the law relating to non-discrimination and equality between women and men

Table 4: Summary of legislative framework on human rights and gender equality

Table 4 above demonstrates that South African law promulgates on the same aspects that international treaties seek to address; namely the protection, promotion and monitoring of gender equality and human rights which is hoped to be achieved through the prohibition of all forms of discrimination in all countries party to the conventions.

3.5.3.2 Culture and Universal Human Rights

It is also critical to examine the provisions of the laws that intersect between culture, human rights and gender equality. In Chapter Two I mentioned that the right to culture is proclaimed in sections 30 and 31 of the Constitution, which states:

Section 30 – Language and culture

Section 30 acknowledges the right for all to take part in any cultural practices of their choice: “everyone has the right to use the language and to participate in the cultural life of their choice, but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights.”

Section 31 – Cultural, religious and linguistic communities

The clause provides that people of any cultural, religious or linguistic community are free to associate with other members of their community and practice their culture, and that they should not be denied their right to do so. The clause provides:

- (1) Persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community –
 - (a) to enjoy their culture, practice their religion and use their language;
and
 - (b) to form, join and maintain cultural, religious and linguistic associations and other organs of civil society.
- (2) The rights in subsection (1) may not be exercised in a manner inconsistent with any provision of the Bill of Rights.

I also mentioned in Chapter Two the CRL Rights Commission – a Chapter 9 institution that has a special mandate to ensure the promotion and protection of the rights to culture, religion and language by encouraging peace, tolerance and national unity within society based on equality, non-discrimination and free association. In other words, this commission is charged with the responsibility to safeguard equanimity in the realm of the

said rights in all communities. Both this commission and sections 30 and 31 make it clear that individuals and communities have the freedom to practice and enjoy the cultures, religion and language they were born into, or those of their choice.

It is important to point out, however, that limitations to these rights arise when a conflict exists between the interests of the individual and those of the community. In that case, legislation rules that the individual's rights will supersede those of the community, as prescribed by section 31(2). In Vincent's (2008b) words:

In a liberal democratic constitutional state, social order is conceived as a contract between the individual and the state in which the state upholds the rights of individual citizens. The state, in this conception of order, is the sole source of social authority. Final recourse is to the impersonal mechanism of the constitution as interpreted by the courts
(p. 77)

What this essentially means is that "no right can be used at the expense or destruction of another" (Ayton-Schenker, 1995, unpaginated). Furthermore, to refute or disallow human rights on the basis of culture would amount to discrimination. Thus, the law renders invalid any attempts to defend any types of transgressions in the name of culture. Le Roux (2006) lifts out an important point in the provision of section 31 which "guarantees individuals both the right to stay in a cultural group or to leave it". She adds that "the right to a cultural life protects the collective strength of those whose choices might otherwise be in jeopardy at the hands of the majority" (p. 50).

It has been argued that although all these provisions are in place, the balance between human rights and conflicting cultural practices is not such an easily attainable ideal. According to Vincent (2008b), cultural practices tend to favour "alternative loci of authority and alternative conceptions of the production and maintenance of social order" (p. 77), which can be interpreted as inconsistent with the principles of liberal democracy. Some of these practices can be expressed through gender inequality, which Ozoemena (2013)

and Schalkwyk (2000) view as not only a socially manufactured construct, but a cultural one too. Ozoemena also argues that from a political stance, gender imbalance is usually not viewed as a core issue of social relations in African states in general, despite that the subordination of women is voiced as a fundamental issue in the continent. In response to Ozoemena's view, I must point out that some African states have signed regional and international treaties that promote gender equality as demonstrated in section 3.5.3 – however, this does not necessarily imply successful implementation.

Following the interrogation of the complexities of the multicultural discourse in relation to feminism, and the relevant legislation applicable in the South African liberal democratic order, I am left with some pertinent questions to ponder, which include whether:

- 1) *Ulwaluko* as a custom, would in itself, be in contradiction of equality should the problems identified in its practising be eliminated
- 2) Women as a minority group in the isiXhosa culture, and in light of “recognition and identity”, are in a position to speak for themselves in their communities
- 3) The application of liberal democratic ideals practised in Western cultures that seek to amplify the silent voice of marginalized groups, and women in particular, would be relevant in *ulwaluko* of amaXhosa
- 4) *A la* Ayton-Schenker (1995), any new ways of merging culture with human rights and gender equality ideals in South Africa are possible.

I revisit these questions at the end of Chapter Six.

3.6 Conclusion

There is an abundance of literature that points to complexities faced by liberalism in democratic states. Literature indicates that cultural practices encouraged by patriarchy and gender inequality in society put women at the risk of subordination and oppression by men. While multiculturalism seeks to promote the worth and dignity of people by allowing for individual autonomy and equality for all, the philosophy is heavily criticized by

feminists for recognizing cultures and religions that are harmful to their own members, women in particular. This discourse thus demonstrates that liberal states fail to democratize when human rights and culture fail to co-exist, which points to the urgent need for a balance between multiculturalism ideals and gender equality advancement. It is envisaged by some scholars, however, that such challenges can be traversed if a solid and deep understanding of indigenous culture, and sensitivity, is utilized.

CHAPTER FOUR

EXECUTION OF RESEARCH DESIGN AND METHODOLOGY

4.1 Introduction

In Chapter Three, I outlined the conceptual framework that the fundamental aspects of this study rest upon. The chapter described pertinent terms relating to multiculturalism; and displayed how these concepts are connected to multiculturalism. I also interrogated at length the clash that emerges from the liberal commitment to individualism while at the same time recognizing the rights of minority cultures that violate the rights of women and other minority groups within their culture. In this chapter, I focus in comprehensive detail on the factors that influenced the choice of the qualitative research paradigm I used; and I outline the research design and the methodology I chose for this study. In so doing, I expand on the logic behind adopting such a methodology and I argue why interpretive phenomenology in particular and the non-probability sampling procedure was suited to this enquiry. I also explain how I gained entry into the community and describe how the data collection process unfolded, as well as the advantages and disadvantages of the techniques used to collect the information. Furthermore, I describe the process I followed in using NVivo in analyzing data. Lastly, I discuss the challenges I encountered in my attempt to observe ethical considerations, as well as the general limitations I encountered in the process of conducting the study.

4.2 Research Paradigm

Schurink (1998) and Creswell (1994) outline several factors that determine the approach a researcher will take to execute their study; and these include the choice of the qualitative inquiry. According to the authors, the nature of the study and the research problem itself dictate the methodology that should be utilized. For example, qualitative research methodologies are suited to verbal data while quantitative methodologies benefit numerical data. As Rubin and Babbie (1997) put it, a qualitative inquiry seeks to get to know those we observe better, and to understand them from their own perspective in terms of their

feelings, views and meaning they attribute to life. Qualitative research “attempts to gain a first-hand, holistic understanding of phenomena of interest by means of a flexible strategy of problem formulation and data collection” (De Vos & Fouche, 1998, p. 71). By virtue of its nature this study is located in the qualitative research paradigm since its aim was to investigate the lived experiences of amaXhosa people by collecting data directly from them.

4.3 Research Design

The term research design refers to a structure, a roadmap or detailed plan that outlines the way the researcher intends to conduct their study (De Vos & Fouche, 1998; Babbie & Mouton, 1998). De Vaus (2001) makes an analogy of building a structure to explain the concept, and he states that similarly to an architect, who needs to know the purpose of a building prior to designing it, the researcher also needs to have a good understanding of his/her research question before creating their research design. He cautions that “a research design is not just a work plan” and adds that “a workplan details what has to be done to complete the work plan but the work plan will flow from the project’s work design” (p. 9). What this means is that the researcher needs to devise a specific structure that will guide the research project from the beginning to the end, outlining procedures related to sampling, data collection, analysis and interpretation of research results. In qualitative research the design for any type of research depends largely on the extent to which the data on that particular area of study is available. The investigation will be explanatory where large amounts of information exist, descriptive if less is known and exploratory where very little data is available (Babbie & Mouton, 1998; Grinnell & Williams, 1990). Although a significant amount of literature is accessible on *ulwaluko* among amaXhosa, very little research has been conducted on the ritual as it impacts women, and there is limited literature available regarding women’s attitudes on the practice. For this reason, this study falls under exploratory research.

Many researchers fail to give a clear description of the approaches they use in conducting their research, or do not thoroughly explain the philosophical underpinnings

on which their studies rest, and this results in difficulty understanding how the knowledge was produced (Lopez & Willis, 2004). There are five tools of inquiry or traditions that a researcher can use in conducting a qualitative study and these are narrative research, phenomenology, grounded theory, ethnography and case studies (Creswell, 1998; Creswell, 2013). In line with the prescripts of the qualitative paradigm and the philosophical assumptions I discuss below, I found phenomenology to be the most appropriate design to utilize in conducting this investigation. There are numerous definitions of phenomenology in social research literature. According to Rudestam and Newton (1992) phenomenology is an inquiry that seeks to describe, understand, explain and interpret the meaning of all phenomena in human experiences, in the way that these phenomena appear. Creswell (2013) views phenomenology in a similar way in that he describes the concept as a tool that assists researchers in understanding the essence of experiences about a particular phenomenon. To Kafle (2011), phenomenology is “the study of phenomena: their nature and meanings” (p. 181). Citing both Spielberg and Jopling, Goulding (2005) argues that the idea behind phenomenology is “to enlarge and deepen understanding of the range of immediate experiences” and that it is “a critical reflection on conscious experience, rather than subconscious motivation, and is designed to uncover the essential invariant features of that experience” (p. 302).

Literature differentiates between two distinct approaches to phenomenology, namely interpretive (hermeneutic) and descriptive (transcendental or eidetic) phenomenology (Creswell, 2013; Lopez & Willis, 2015). According to Kafle (2011) and Lopez & Willis (2015), Edmund Husserl was a German philosopher known for establishing the school of phenomenology. Lopez & Willis state that his foundational work on phenomenology was further developed by other scholars in the 1970s. Unlike in his descriptive approach that aimed to give clarity on subjects that may not be well understood, the objective of the interpretive approach is to “gain a deeper understanding” of a phenomenon by interrogating “contextual features of an experience in relation to other influences” so as to add more detail to already existing information about the subject of interest (Matua & Van der Wal, 2015, p. 22). This type of phenomenology was developed by Heidegger, one of Husserl’s scholars, who argued that a scientific inquiry should go “beyond mere

description of core concepts and essences to look for meanings embedded in common life practices” and thus focus on what people experienced instead of simply what they know (Lopez & Willis, 2015, p. 728). Another fundamental philosophical principle of interpretive phenomenology that the authors mention is that it is not possible for the researcher to separate themselves from their background understanding of the phenomenon under investigation, and that “presuppositions or expert knowledge on the part of the researcher are valuable guides to inquiry and, in fact, make the inquiry a meaningful undertaking” (p. 729).

To describe phenomenology even further, Leedy and Ormrod (2010) state that the concept is about the researcher’s attempt to understand people’s view of a specific occurrence by using various ways of looking at that particular situation and generating a broad view from the insider’s perspective; an approach known as the emic perspective. According to Warner (1999), the term emic was coined by an American anthropologist, Kenneth Lee Pike, who saw it necessary to distinguish between two distinctive types of data that qualitative researchers collect when studying cultural phenomena. Warner adds that Pike categorized “emic” data as that which is collected or observed from the insider’s reality, and “etic data as that which is gathered from outside the social group, the outsider’s reality in other words” (p. 117). In this study, I endeavoured to capture and understand the views of the women I interviewed on *ulwaluko* from the emic perspective by looking at the information they provided from various angles. I also strived to make sense of what emerged from the data collection process by comparing and contrasting it with existing literature and theory on the subject, which I discuss in greater detail in Chapters Five and Six.

It is critical to note that in a phenomenological study, participants are chosen on the basis of having “lived the experience under study” (Goulding, 2005, p. 302). Creswell (1998) also writes about how phenomenology attempts to gather data from people who have experienced that particular phenomenon and asks them to describe their everyday, lived experiences. This, for me, was one of the crucial elements that I considered when I was drawing up the sampling procedure that I discuss below.

4.4 Population and Sampling Procedure

The term population is defined by Grinnell and Williams (1990, p. 118) as the totality of “persons or objects with which a study is concerned.” Bailey (1987) refers to the same concept as “the sum total of all units of analysis” (p. 81). The population in this study was made up of all adult women who were at the time were older than 18 and had sent their sons or any boys they cared for to the initiation school. Alternatively, they could have observed or experienced *ulwaluko* in some way or the other during the course of their lives. Participants all spoke isiXhosa or isiMpondo, the latter being a different dialect of isiXhosa spoken in Mpondoland. I utilized the non-probability purposive sampling method to select participants focusing on their experiences and observations of initiation as a fundamental characteristic of involvement in the study. I also ensured that they were rich in information. Furthermore, voluntary participation was central to selection.

4.5 Gaining Entry into Research Sites

Research sites comprised of: 1) Mdantsane Township (in the Buffalo City Municipality), an urban area where I conducted the pilot was study. I chose it for its close proximity to where I live. 2) Flagstaff (in Mpondoland), a rural area that has, over the years, become infamous for initiation catastrophes in the province (Bank & Ntombana, 2012; Kretzman, 2000; Ntombana, 2011a; WHO, 2008b) and which attracted me for this very reason. 3) The semi-urban Grahamstown (in the Makana Local Municipality) that has been heralded for its successes on the practice of *ulwaluko* as indicated by the scanty, if not absence, of cases of fatality and amputations in this region (WHO, 2008).

Entering the community is a widely discussed subject in social research, community development and the field of education. Smith, Blake, Olson and Tessaro (2002) maintain that “qualitative research projects involving focus groups require recruitment of participants on a more personal level than is achieved through other methods such as telephone interviewing or mail surveys” (p. 119). They also argue that the approach a researcher uses in accessing the community can have a notable impact on the outcome

of their study. The process commands careful negotiation with the relevant community structures. Smith *et al.* (2002) argue that researchers need to “understand the intricate dynamics of community life” (p. 119), which requires a conscious involvement of community leaders in the process. They point out that this is particularly important in rural areas where researchers may not be trusted by potential participants. Furthermore, researchers need to realize that while a carefully planned entry into the community increases the chances of good participation, it can also enhance the quality of information received from participants (Murphy, Spiegel & Kinmoth, 1992, p. 162). Murphy *et al.* add that a good entry into a community can contribute to the successful completion of the project.

As I pointed out in Chapter One, *ulwaluko* is a sensitive topic that is considered very sacred amongst amaXhosa people (Mhlahlo, 2009). There is a strict rule that defines it: that it should not be discussed with outsiders, women and boys. Because of the ranging debates that have engulfed the practice over the last few years, the custodians of this custom, and traditional leadership in particular, believe it is under attack. Furthermore, women have been strongly condemned for “interfering” with the culture. For instance, on 11 July 2014 a declaration was made by an alliance of the chiefs’ wives called *Imbumba Yamakhosikazi Akomkhulu* (IYA), stating that they were in favour of VMMC in areas afflicted with deaths of initiates and amputations (Williams, 2014). Traditional leaders in Mpondoland saw this stance “as an insult to traditional male leaders and a plot to undermine kings, saying women were poking their noses into sacred male rites” (Williams, 2014, unpaginated). Due to such incidents, communities have become even more guarded when discussing the practice. These prevailing circumstances suggested that I adopt a mindful approach in my attempts at accessing the different research sites. I was aware that any miscalculated step posed the risk of getting the research project compromised, if not aborted. In seeking a seamless entry into the community, I followed Murphy’s (1992) model. I started off by identifying two groups of stakeholders: 1) external stakeholders who were not going to be directly involved in the study, but had some kind of vested interest in it, and whose support was crucial for the project’s success and 2) participants who would be directly involved in the study by participating in FGDs and/or

in-depth interviews. I therefore considered it critical to get permission from traditional leadership structures in Mpondoland in particular, as such bodies are charged with the responsibility to oversee any activities taking place in the community, with initiation being one of the important ones. In this area, the chiefs and headmen hold the power to endorse or refute projects conducted in their communities.

The approach I used in identifying stakeholders was two-fold; namely through 1) already existing structures and 2) identifying champions. At KwaThahla Village in Mpondoland, where I conducted the initial FGDs, I identified gatekeepers who organized and facilitated a meeting with traditional leadership and the community on my behalf. These were members of the local Initiation Forum (IF) as well as members of a non-governmental organization (NGO) that was involved in conducting pre-initiation camps in the area. This approach was highly effective as these structures had already gained credibility for the services they had been rendering in the community. They were trusted and accepted by everyone and were therefore ideal structures to work with.

Although the approach I used in the Makana Local Municipality was also through established structures, it was somehow a different kind of structure. Here I gained access to participants through community-based projects that were run by the DSD. This department assisted me in identifying existing groups of women in different areas around Grahamstown. Seeking permission required holding a briefing meeting with the Social Worker, where I gave information about the study which included the rationale and envisaged benefits. I also outlined the project's practical implications for participants. With regards to identifying local champions, I made sure that I chose people who were respected members of the community. They had been involved in the community in different capacities. The local champions were instrumental in recruiting specific individuals they knew personally. In Mpondoland, for instance, the champion was a retired nurse who had been actively involved in community development projects for years, and had come to know the locals very well. In the Makana Local Municipality, one of the identified champions was a member of a community governing structure, and the other was the Manager of a local Service Centre for the Aged. Both champions knew

community members well. These influential people were instrumental in introducing me and my research project to prospective participants. They built a solid foundation on which my data collection was based, and this facilitated a good working relationship between myself and the participants. This step was crucial since I was an outsider to the community; and I might have had difficulty in creating such good rapport on my own.

4.6 Description of Research Sites

4.6.1 Mdantsane in the Buffalo City Municipality

Mdantsane is largely an urban township in the Buffalo City Municipality in the Eastern Cape province. It is about 15 kilometres away from East London and about 40 kilometres from King Williams Town; and it is known as the second largest township after Soweto (Plak South Africa, 2016) in the Gauteng province. The township had a population of 156 835 during the last census of 2011 (Frith, n.d.). The majority of the people in Mdantsane are isiXhosa-speaking, followed by English at 3% and other languages at 3.1% (Lehohla, 2011b). During the apartheid era and homeland system, this township formed part of the Ciskei homeland. It is divided into eighteen units and is still growing. According to Plak South Africa (2016), the units were numbered in the sequential order in which they were established.

The housing infrastructure found in Mdantsane varies significantly. The one end of the scale is characterized by low-income houses built as part of the reconstruction and development programme (RDP) in the last few years, as well as informal shacks that have mushroomed everywhere. These types of dwellings are owned by the poorest in this area. There are also tiny four-roomed houses (known as matchbox houses in South African township language) indicative of the apartheid era, and these are owned by the working class. On the other end of the scale there are suburban houses that belong to the middle-class and the affluent. According to Ntombana (2011b), “there were more criminal elements among organised groups of *amakrwala* in the business district of Mdantsane known as Highway” (p. 66). It is, however, unclear in Ntombana’s study, whether these young men involved in crime had any run-in with the law prior to initiation.

Like many townships, Mdantsane's streets are very busy on the weekend. On the day I visit the township to pilot the study, I find myself having to cautiously find my way through the dusty streets to an unfamiliar low-income section of the township. Not only are the streets narrow and full of potholes, most are teeming with people walking in all directions, some at a leisurely pace but others seemingly in a big hurry. There are piles of rubbish stacked on every street corner and smelly water running on one side of the street. Children are laughing and playing in their yards or in the street, trying to dodge the pedestrians and motorists all the while. I see a young lady standing outside her shack looking at the approaching car with much interest. Realizing the driver was unsure of her bearings, she beckons fiercely with a broad smile across her face, demonstrating where to find parking. I squeeze in-between the tiny shacks and hope the car will be safe as I stride across the road to meet my host. It is common knowledge that muggings and other types of crime are not uncommon in this township, and one is always reminded to be vigilant. I find a group of ladies, including my gatekeeper, sitting inside the shack. Most are dressed "to the nines" in modern clothes, some of them having come to the meeting straight from church. It is a hot Sunday afternoon. We wait for a short while for a few more women from the neighbourhood to arrive. In the meantime, everybody tries to accommodate each other, making sure we are all sitting comfortably on the squeaky benches. Some ladies are sitting on a set of sagging couches in the far end of the room. Everyone seems in good spirits, laughing and talking loudly in this hot one-roomed shack. We begin the discussion everyone has been looking forward to. With the interview concluded, we all exchange pleasantries and share hugs before we disappear in separate directions.

4.6.2 Flagstaff in Mpondoland

Mpondoland is a mountainous rural area situated in the South African coast of the Indian Ocean in the Eastern Cape and it stretches for about 50km between the Mthatha River and the Mtamvuna River (Encyclopaedia Britannica, n.d.). According to SAHO (2017), Mpondoland became part of the Transkei homeland in 1963. With the advent of

democracy in 1994, this region was incorporated back into the Republic of South Africa. Towns found in Mpondoland include Bizana, Flagstaff, Libode, Lusikisiki, Ngqeleni, Port St Johns and Tabankulu. Turner, De Sousa and Pienaar (2010) argue that even after this amalgamation the Transkei region, and Mpondoland in particular, still remain isolated in various ways. The authors cite Hayward as saying:

Many people still lead lives not much different from those of their ancestors during the 16th and 17th centuries... the resilience of many craft, religious and other cultural practices also suggests a determination on the part of many rural people to retain elements of their heritage. This does not mean that modern ideas and innovations are rejected; instead they are incorporated and employed alongside traditional methods (unpaginated).

Mpondoland is predominantly traditional in nature. The town of Flagstaff, where I collected data, falls under the Ingquza Hill Local Municipality. According to Ingquza Hill Local Municipality (n.d.), the population is estimated at 278 481 people, and in Flagstaff 89.5% of the people speak isiXhosa, followed by English at 3.2%, Sesotho at 1.1% and 6.2% is made up of other languages. On my first day of data collection I learnt that Mpondoland is notably different from most parts of the province.

It is a cool mid-Autumn morning as I drive out of Flagstaff to visit one of the remote villages about 50 kilometres away from the town. The car rolls through the plains and up the hills and mountains, leaving billowing dust behind. I am accompanied by my three gatekeepers, one a member of the IF in the region, a retired nurse who is familiar with the area, and a young woman from a local community-based organization called Passionate Unlimited Peers in Action (PUPA). We emerge at the top of KwaThahla Village, and a man points us to the chiefs' homestead. It turns out this man is rushing to the Great Place – he is one of the *amaphakathi akomkhulu* (traditional leaders in the village) – and he hitches a ride with us as we are all going to the same place. At the Chiefs' place we are greeted by the sweet smell of the long grass and the unmistakable scent of dung. Some

village men - one of them a young smiling, confident man - are sitting out in the sprawling yard of the chief's home. Only much later do we realize this was Chief Gebula himself. We are quickly introduced to the *inkosazana* (princess) who is sitting quietly inside the house amongst some village elders. A group of women adorned in traditional garb are sitting outside the house, the grass underneath them forming a comfortable natural rug. They are chatting and laughing with one another, waiting patiently for the proceedings to commence. During the meeting it starts to drizzle; rain falls lightly on the roof, tree branches start to sway from side to side. As we leave the Great Place it rains, women participants wave their hankies to us, big smiles on their faces. We wave back and roll into the muddy dirt road just as large herds of sheep and goats begin cross the road, gladly trotting home to the alluring shelter of the homestead kraals.

4.6.3 Grahamstown in the Makana Local Municipality

Grahamstown is a small town situated about 120 kilometres from Port Elizabeth and 180 kilometres from East London (Makana Municipality, 2013). It is the largest town in the Makana Local Municipality, which incorporates Grahamstown and surrounding towns which include Alicedale, Carlisle Bridge, Fort Brown, Riebeek East, Salem, Seven Fountains and Sidbury. The town was named after Lieutenant Colonel John Graham who established it in view of securing and stabilizing the area following the frontier wars that shattered the Eastern Cape – then known as the Cape Colony – between 1779 and 1878 (Grahamstown Handbook, n.d.; SAHO, 2017). According to South African Tourism (2016), at this battle the amaXhosa people were led by an influential man known as Makana Nxele in isiXhosa or “Links”, which means “left”, in Afrikaans. To-date the municipality is named after him.

Grahamstown is nicknamed the “City of Saints” due to the fact that it boasts over fifty religious buildings, including those that house Christians, Muslims and even Scientologists (Mashabela, n.d.). The population of Grahamstown in the 2011 census stood at 67,264, with the majority, 72.2%, being isiXhosa speaking people followed by 13.7% who speak Afrikaans and English at 10.8% (Lehohla, 2011b).

On my first data collection trip to Grahamstown, I drive around the area of Joza where I am meeting my group before I finally find the library hall. I find my gatekeeper sitting by the gate holding on to her walking stick. It is a cold winter morning, and she is basking in the sun while trying to gather all the participants. I am welcomed with a very warm greeting and a big smile. Other than a few people walking in and out of the adjacent community library, the streets seem deserted on this end of the relatively clean township. It is a nippy morning; and the wind slowly gathers speed. Most of the people we are expecting have not arrived yet, so we make calls to remind them of the focus group discussion. Joza township is, like many other townships, characterized by small four-roomed houses, some of which have been extended to bigger structures. A morning prayer accompanied by singing is in progress in the nearby old-age home. Eventually, a big group of mostly elderly women has been constituted, and we begin the proceedings inside the large, freezing hall. When we move out of the hall close to two hours later, we are confronted with gale force winds and a temperature that has dropped a few degrees. It is a cold Grahamstown afternoon.

As the description of the the research sites shows, all three areas were very different to one another. Not only were they distinct between themselves, they were also very different from where I live. Furthermore, although Mpondoland is rural area in nature, it is different to the rural area I grew up in, which is in a different part of the province. I am pointing these differences out to make the reader aware how this instantly makes me as a researcher an “outsider”, which emphasizes the need that I explore the women’s views from an insider’s perspective, hence my choice of the afore-mentioned approach.

4.7 Data Collection Methods

4.7.1 Data Collection Instruments

I developed research instruments to ensure a smooth progression of the data collection process. For FGDs I created a focus group guide (refer to Appendix C) and for in-depth interviews I drew up an interview schedule (Appendix D). Prior to employing both

instruments, I tested them in a pilot study. I discuss the utilization of these instruments under each of the data collection methods below.

4.7.2 The Pilot Study

Strydom (1998) defines a pilot study as the procedures and manner in which a researcher tests his/her research design before they commence with their study, and this involves testing out the actual data-collection tools on a small number of participants who bear the same characteristics as those that will be studied during the actual investigation. This helps the researcher identify questions that might prove problematic for participants in terms of clarity or interpretation. The pilot study is incredibly valuable as it allows the researcher to correct any identified flaws.

In this study, I conducted one pilot focus group and one semi-structured in-depth interview. For the pilot focus group discussion I first had a briefing meeting with a group of women in Mdantsane where the women lived. During this meeting, I orientated the women to the study and then established a date for the focus group. Some of the women at the briefing meeting opted out due to their unavailability on the set date, and others promised to recruit more women. The focus group was preceded by the necessary administration, including taking a register and signing consent forms, as well as a discussion of ground-rules. I conducted the FGD as described under section 4.7.3 below. I followed a similar process with the in-depth interview, starting off by briefing my interviewee about the study and advising her to decide whether she was keen on participating. Upon agreement we set a date and the choice of venue was hers. I had both the FGD and interview transcribed verbatim in isiXhosa, the language used in gathering data, and then translated these into English. I used the observations I made from the outcome of the pilot study to make slight adjustments to the focus group guide and the interview schedule. Generally, I was satisfied with the measuring tools as they appeared to generate sufficient and relevant data to meet the goals of the study. I later included the results of the pilot study in the final data analysis.

Upon completion of the pilot study, I commenced with data collection in Mpondoland and lastly in the Makana Local Municipality. This process unfolded in six blocks of an average of three days per week extending over a period of about twelve months. I spread the data collection period out due to the limited amount of travelling this required over an extensive radius between the three sites, but also to ensure that I had reached saturation point.

4.7.3 Focus Group Discussions

I chose FGDs as one of the data collection methods in this study for the advantages this technique offers in qualitative research. Molzahn *et al.* (2005 p. 6, p. 86) describe focus groups as “group interviews, carefully planned and designed to elicit perceptions in a specific area of interest”. The authors purport that focus groups do not only uncover what participants think but also reveal why they feel the way they do. In this study, my choice to use focus groups was based on the need to gather a general background about women’s views of *ulwaluko*, as well as to establish whether there were any similarities or differences in their experiences, feelings, opinions, attitudes or needs regarding the practice. During this process I relied heavily on my experience in interviewing and facilitation skills that I acquired from my training and practice as a social worker and counsellor. I also utilized facilitation skills that I developed over many years in my capacity as a lecturer, and from my experience in the field of training and development. This ensured that the FGDs took place under the guidance of a skilled moderator. The main characteristic of focus groups that distinguishes this method from other data collection methods in social sciences is that its emphasis is on collecting “interaction data”, which refers to information that emerges as a result of the interface between participants while they engage in the discussion (Lambert & Loiselle, 2008; Bickman & Rog, 2009).

According to Alasuutari, Bickman and Brannen (2008,) participant interaction is “a particularly distinctive characteristic of focus group methodology” (p. 358). Acocella (2012) warns social researchers to think carefully about how they constitute and facilitate focus groups highlighting 1) the function of group homogeneity in focus groups, 2) the question of “interaction data” and 3) the role of the moderator, also referred to as the

facilitator (p. 1127). Firstly, given the importance of homogeneity in focus groups, I ensured that I paid adequate attention to how I structured the groups. It seemed useful to create the research groups from pre-existing social groups within the selected communities. This approach is known to generate good quality data. As Bloor, Frankland, Thomas and Robson (2001) put it, “in the case of focus groups composed of pre-existing social groups... focus groups may be deemed to be the method of choice in researching certain sensitive topics” (p. 16). Quoted by the same authors, Kitzinger posits that “it is useful to work with pre-existing groups because they provide one of the social contexts within which ideas are formed and decisions made” (Bloor *et al.*, 2001, p. 22). In isiXhosa culture, existing groups are based on age and social classification. This type of division paid allegiance to tradition, since isiXhosa custom prescribes in the region I grew up in, that men and women in the community should interact mainly with people of their own sex, age and marital status. Adopting this kind of group composition ensured that participants found themselves amongst people they were familiar and possibly comfortable with, which made them feel more at ease and conceivably less repressed. Furthermore, I had hoped that the familiar environment would encourage disclosure.

There are several factors I had to observe in the process of collecting data. Firstly, geographical location was a critical factor to consider. Grouping participants by locality was not important only for homogeneity purposes but was also imperative for accessibility and practical reasons. Due to the vastness of Mpondoland area and its rural nature, as well as the corresponding lack of transport and potential bad road conditions, it proved difficult for participants to attend focus groups in some chosen areas. I therefore requested that they convene at a central point that would be practical for everyone. Focus groups consisted of between 5 and 15 participants.

Secondly, it was critical that I observed the interaction taking place between participants while they deliberated on the subject. Such scrutiny is, according to Bloor *et al.* (2001), at the core of FGDs. Since one of the objects of focus groups is paying attention to such interaction, I made use of a “focusing exercise” to catalyse interface (Bloor *et al.*, 2001, p. 43). Different types of focusing exercises are used in focus groups to provide visual

stimuli from which a discussion will emanate (Bickman *et al.*, 2009). In this case, I started off the discussion with a demonstration of still pictures of *abakhwetha* and another of the initiation site. Following this, I then asked participants to describe what the pictures meant to them and their community, as well as how the pictures made them feel. The aim of the focusing exercise was to elicit a discussion on the participants' experiences, feelings and perceptions of *ulwaluko*. The focus groups were intended to generate emic data, the insider perspective (refer to 4.3). It was my aim, therefore, to gather data directly from participants in their indigenous settings, allowing them to express themselves freely on their understanding of their tradition, their rules for behaviour and the meaning they attributed to this way of life (Berry, 1999; Bickman *et al.*, 2009; Warner, 1998). Such a stance gave me a better understanding of how the tradition and its values are constructed; and it created insight into the attitudes of amaXhosa women, and their views towards the practice.

Thirdly, the role of the moderator is critical in conducting effective FGDs. The moderator has a number of obligations to fulfil. It is critical to create an atmosphere that is conducive to openness so that participants feel safe and comfortable in sharing their opinions. Adams and Cox (2008) state that over and above facilitating the discussion, the moderator also needs to ensure that the information is recorded. They also argue that it is critical that the moderator creates an opportunity for all group members to participate to avoid the discussion being dominated by one person. At the start of the focus groups I took care to establish ground-rules in view of creating an environment that was relaxed and non-threatening. This included using isiXhosa as the medium of communication to ensure that all participants understood the process fully. As the moderator, I did not only seek to be non-directive in conducting the discussions but also endeavoured to keep participants focused on the topic at hand. I also ensured that we discussed all critical points in the time available. Furthermore, I endeavoured to observe participants' feelings and behaviours throughout the FGDs in order to examine group dynamics as well as to pay attention to ethics. This entailed making a note of those participants who, for instance, tended to withdraw from the discussion, those displaying a sense of discomfort and any

disagreements that arose. It was important to handle any uneasiness whenever it arose within the group (Alasuutari *et al.*, 2008).

Although focus groups are not as structured as other data collection methods, they still need to focus on the research topic. For this reason, I utilized a focus group guide (Appendix C) to drive the agenda of the discussion. To ensure a productive and meaningful discussion, I opened with a focusing exercise which asked general and non-threatening questions. My next question was open-ended. I asked participants to share their experiences through narrated stories. As a moderator, I ensured that I used the necessary mechanisms required for skillful chairing: I demonstrated interest, I explored voices and opinions further where it was necessary and I encouraged participants to feel free to express differing opinions (Cohen, Manion & Morrison, 2000; Struwig & Stead, 2001).

In conducting the focus groups I investigated the following broad issues:

- Memories, thoughts and feelings;
- Experiences associated with being the mother or female guardian of an initiate;
- Current vs old practices in relation to the tradition, and views on culture;
- The role of women in male initiation;
- Possible conflict with the dictates of gender equality in South Africa; and
- Possible links between *ulwaluko* and democracy;
- Possible recommendations.

4.7.3.1 Advantages of Focus Group Discussions

According to Lunt and Livingstone (1996) as well as Bruseberg and McDonagh-Philp (2002), the process of reflection becomes easier in group collaboration; a critical factor in this study since it was concerned with personal reflections on the initiation practice. This view is supported by Hollander (2004), who argues that the focus group context holds an advantage as it allows participants to break the silence, understand that their experiences are shared by others; and validate their feelings and opinions. The author further states

that focus groups stimulate participants to share their stories and to offer in-depth accounts of their thoughts and experiences. Due to the different personalities and varied experiences that participants in this study had, I found that the use of focus groups was a distinct advantage. The more outspoken participants always broke the ice, which allowed the quiet ones the space to share their own experiences when they felt ready.

Another advantage of focus groups that Lambert and Loiselle (2008) observed is that “group interactions may accentuate members’ similarities and differences and give rich information about the range of perspectives and experiences” (p. 229). Bless and Higson-Smith (2000) also argue that focus groups create an opportunity for group members to interact among themselves, and in this vein numerous interpretations and perspectives can be created on a subject, which in turn promotes the quality of data produced. Morgan (1996, p. 139) contends that since participants tend to question each other and explain themselves to the group, the discussion in focus groups becomes “more than the sum of separate individual interviews.”

In my study, I also observed high levels of group interaction as participants did not always wait for me to pose questions but rather engaged others by asking questions, agreeing with their sentiments or even adding to what had been shared by others. This led to rich and intense discussions of the subject. Furthermore, qualitative researchers find that focus groups give one the advantage of collecting large volumes of data from a relatively large number of people in a short space of time (Denzin & Lincoln, 2005). Although I did not collect my data in a short space of time in this case, I did manage to generate a substantial amount of rich data as demonstrated in the data collection section below (refer to 4.8). Lastly, it was evident from this study that FDGs are a fairly inexpensive method to organize and use to collect information.

4.7.3.2 Disadvantages of Focus Group Discussions

Although focus groups have a number of advantages, they are not without challenges. It is argued that focus groups may limit participants’ willingness to disclose some

information, especially in situations where such disclosure would compromise their sense of security, comfort, or even self-presentation. In such cases, participants may feel disinclined to share personal and emotional aspects of their experiences within the group (Hollander, 2004). Denzin and Lincoln (2005) point out that it may be difficult for some participants to share information about sensitive topics honestly and openly, especially when the group members are familiar with one another. Hollander also cautions that “what individual participants say during focus groups cannot necessarily be taken as a reliable indicator of experience since participants may exaggerate, minimize, or withhold experiences depending on the social contexts” (p. 626).

Many social research scholars argue that the success or failure of focus groups largely depends on the expertise of the moderator in handling group dynamics. Morgan (1996) contends that in the moderator’s effort to steer the discussion in a certain direction, group interaction and discussion can ironically be interrupted. In this study, it was not always easy to keep groups under control as some participants tended to veer off the topic, especially in large groups. This required effort and skill on my part to contain the situation and take participants back to the focus of the study without making them feel bad or negative in any way. Another weakness of focus groups, pointed out by Bless and Higson-Smith (2000), is that group members may dominate the discussion, leading to results being skewed towards their views. This seemed to happen in some groups, which required that I step in as the moderator to try and create a balance in the discussion so as to eliminate chances of dominance by any participant. This requires tact on the part of the moderator. FGDs are largely time intensive as they tend to be long-drawn. Although not the case with all FGDs, time was a factor with groups that were characterized by talkative and long-winded participants, resulting in very long transcripts.

4.7.4 In-depth Interviews

Legard, Keegan and Ward (2003) describe in-depth interviews as a form of conversation that aims to produce knowledge about the social world through normal human interaction. The purpose of in-depth interviews in this study was to examine *ulwaluko* closely by

listening to participants' narratives regarding their specific experiences. I chose this approach for its suitability in complementing FGDs. In-depth interviews are considered highly effective in social research in situations where the researcher needs to explore a particular phenomenon in depth. They are seen as a good alternative to instances where participants may feel a certain level of discomfort in taking part in a group, or when a researcher wishes to distinguish individual opinions as opposed to those of a group (Boyce & Neale, 2006). According to Hollander (2004), interviews may stabilize the effects of social contexts, especially regarding disclosure. The author argues that in-depth interviews allow space for further exploration of the subject, thereby addressing "problematic silences", which occur when participants do not share their relevant thoughts or experiences with the group, and "problematic speeches", which result from participants offering information and opinions that do not represent their underlying beliefs or experiences (*Ibid*, p. 608).

My awareness of the controversy that exists around standardized and non-standardized interviewing meant that I had to choose the interviewing style to use in this study carefully. It had to be appropriate and be a good fit to the study. I therefore had to decide whether I was going to employ structured, semi-structured, unstructured or non-directive interviewing. Structured interviews, otherwise known as standardized interviews, require participants to respond to the same set of questions that are determined ahead of time and follow the same sequence. These types of interviews do not allow for variation (Kajornboon, 2005; Ryan, Coughlan & Cronin, 2009). While they hold important benefits for research, structured interviews tend to be restrictive in nature and can pose challenges, such as the interviewer not being able to probe or the participants understanding a question differently to how it was intended. There are also those interviews that are semi-structured in nature, or semi-standardized. In such interviews, the researcher normally prepares themes, ideas and questions they wish to address during the interview (Kajornboon, 2005). Ryan *et al.* (2009) support Kajornboon in this view, stating that semi-structured interviews allow the researcher to probe and ask further questions where necessary. These interviews are considered more adaptable and are widely used in social research. Unstructured interviews, or what Kajornboon refers to as

freely structured and that are also referred to as unstandardized interviews, are conversational in nature. With these interviews, the interviewer and the participant do not follow a specific guide in their discussion of the topic at hand; instead the interviewer responds to what emerges out of the participant's answers (Kajornboon, 2005; Ryan *et al.*, 2009.). Kajornboon differentiates between unstructured interviews and non-directive interviews. She argues that while both types of interviews give participants the freedom to speak freely, non-directive interviews are even more informal and do not follow any distinct framework. The danger of unstructured and non-directive interviews is that they could lead to a loss of focus in the study, as well as difficulties in the coding and analysis process.

While standardization is known for providing "practical simplicity," "timeliness" and reducing "total error" in interviews (Beatty, 1995, p. 155), in my adoption of the interviewing approach I opted for an interviewing type that would best fit the exploration of a sensitive subject that *ulwaluko* is. I also considered the fact that non-standardization benefits a lot from human interaction, as alluded to by Beatty, which is a very important aspect in qualitative research. It is thus these reasons that influenced my choice of semi-standardized in-depth interviews. Using this type of interviewing approach, I collected data from participants that I believed possessed rich information on the subject because of their experiences of sending their sons (or those they were guardians to) to initiation school. Semi-standardized interviews make use of a predetermined framework that allows the researcher to pose broad questions but also make a follow-up on questions where necessary (Ryan *et al.*, 2009). To stick to good practice and to ensure good interviewing, I developed a semi-structured interview guide (Appendix D) based on Patton's (2002) proposition of interviewing methods and skills. It contained mainly open-ended questions which I posed to participants in a flexible order, and not necessarily in the order in which they appeared (Merriam, 2009). The discussion started off by putting participants' experiences in context, where I asked them to share their understanding and knowledge of *ulwaluko* as it is practiced in their families and communities. I then followed this up with a reconstruction of the participants' experiences of the practice. To achieve this objective, I explored details of these events and experiences in an extensive manner.

I further asked participants to reflect on their thoughts and feelings about the tradition in general. I also requested participants to reflect on the meaning of their experiences and how these influenced their lives at the time; as well as whether the influence would remain in the future. We also explored the following broad areas:

- Participants' personal experiences with *ulwaluko*
- Feelings associated with the practice
- The role played by the participant, her family and the community
- The role of women in male initiation
- The impact on the mother/guardian, family and community
- Possible recommendations

During the interviews I made an effort to create a private space and a safe environment for participants to express themselves as freely as possible (Lunt & Livingstone, 1996; Bruseberg & McDonagh-Philp, 2002). In cases where participants felt it was more convenient and also safer having the interviews conducted in the comfort of their own homes, we made arrangements to do so.

4.7.4.1 Advantages of In-depth Interviews

Generally, interviews in social research are acclaimed for the close personal interface they provide between interviewer and participant. This can encourage the interviewee to participate in the study (Bless & Higson-Smith, 2000). This was evident in this study, as I felt there was rapport between myself and the participants, demonstrated by their enthusiasm and ease to discuss the topic even though they did not always have pleasant experiences to share. Furthermore, interviews are seen as less threatening to participants since they may feel more comfortable having the discussion with just the researcher around, unlike in the case of focus groups where one would have to share their views in front of a group. As mentioned earlier, some participants preferred that I interview them at their homes at their preferred time. This allowed them to recreate their experiences within own, familiar surroundings and context (Seidman, 2006, p. 15). This increased the

participation rate, as some of these participants would not have agreed to an interview outside their homes. Conducting in-depth interviews thus proved a good alternative in incorporating participants who, for whatever feelings of discomfort, did not wish to take part in FGDs.

In-depth interviews also provide a platform for the researcher to answer questions and clarify any concerns that may not be entirely clear to the participant, or issues that may not be clear to the researcher themselves. I had to rephrase my questions and answer participants' questions during the interviews. Similarly, the use of the interview guide allowed for further questioning or follow-through on many topics surfacing from the participant's worldview. For instance, in Mpondoland participants used terms and phrases and even referred to practices I was not familiar with. In such cases I clarified the meaning and asked for more information where it was necessary.

It can thus be argued that in-depth interviews can provide a lot more detailed information than other data collection methods would provide. Boyce and Neale (2006) contend that in-depth interviews can provide valuable data in social research, particularly when they are used in conjunction with other data collection methods.

4.7.4.2 Disadvantages of In-depth Interviews

Brinkman and Kvale (2005) believe that interviews pose distorted power relations between the interviewer and participant in that the former holds the necessary training in the field, defines the situation and sets the agenda. The authors posit that the researcher is the one who "determines the interview topic, poses the questions and critically follows up on the answers, and also terminates the conversation" (p. 164). This makes the interview an unequal interaction between unequal partners. For this reason, Brinkmann and Kvale maintain that interviews are a "one-way dialogue" where the interviewer asks questions and the participant answers (p. 164). In their view, the interview is thus "no longer a goal in itself or a joint search for truth, but a means serving the researcher's ends", since in the end the latter "interprets and reports according to his or her research

interests” (p. 164). The argument of the researcher having some power over participants cannot be disputed. I was aware of this dynamic, and in many instances, it was demonstrated by the manner in which participants accorded me authority and a lot of respect. It was also evident in the way they addressed me. I, however, attempted to bring myself to their level from the beginning. For instance, in introducing myself I asked participants to address me in a less formal manner rather than the formal manner which they tended to opt for. I made them aware that I was comfortable in being addressed in my clan name, something that is common in the isiXhosa culture. In my experience, this sort of gesture tends to reduce social distance between people and positions them on a similar level.

In-depth interviews are also criticized for their openness to bias, both from the researcher’s and participants’ perspectives (Boyce & Neale, 2006). The authors argue that during an interview, participants may give biased responses for various reasons. They thus emphasize the importance of training researchers in the eradication of such bias. I have discussed my attempts to eliminate researcher bias in detail under 4.11.3.

4.7.5 Other Sources of Data

In order to strengthen and give credibility to the data analysis process, I strived to collect multiple types of data whilst focus groups and in-depth interviews were in progress. These included descriptions of the setting, written notes and summaries, audiotapes and photos. I also took field notes continuously, both during and immediately after each FGD and interview. The field notes covered a range of activities I found notable while conducting the study, such as verbal and non-verbal cues, environmental aspects, group dynamics and interaction and so on. Collecting this kind of data was helpful in planning for further FGDs and in-depth interviews.

4.8 Participant Biographical Details

In this section, I outline biographical details of all the people that took part in the study, in both FGDs and in-depth interviews. The data is inclusive of the pilot study and the information is arranged in no particular order. Although the actual number of participants in a qualitative study does not bear as much significance as it would in quantitative research, in this section I report on statistics to give the reader a sense of who constituted my sampling in the three research sites. The table below gives an overview of the total number of participants that took place in both the FGDs and in-depth interviews per research site:

Research Site	No. of Participants		Total
	FGDs	In-depth Interviews	
East London (Pilot)	8	1	9
Mpondoland	27	5	32
Makana Local Municipality	25	4	29
Total	60	10	70

Table 5: Total number of participants per research site

As shown in Table 5 above, the total number of participants in all sites combined was 70 (N = 70). There were 9 participants in the pilot study in East London. The number of participants that took part from the Makana Local Municipality (29) was slightly less than that from Mpondoland (32). In the sections below, I give a more detailed account of participation, first in FGDs and then in in-depth interviews.

4.8.1 Focus Group Participant Details

By the conclusion of the data collection phase I had conducted a total of nine FGDs in all research sites combined. It must be noted, however, that I will be reporting on eight FGDs as one of the audio clips (FG7) was corrupted in the process and thus could not be

transcribed. The table below tabulates information on FGD participants across all research sites and shows that of the 8 FGDs I conducted, there were slightly more in Mpondoland than in the Makana Local Municipality.

Research Site	No. of FGDs
East London	1
Mpondoland	4
Makana Local Municipality	3
Total	8

Table 6: Number of FGDs conducted

Below is more detailed information about the FGDs in all research sites:

Research Site	Area	Focus Group No.	No. of Participants	Participant Codes
East London	Mdantsane	FG1	8	FG1A - FG1H
Mpondoland	Flagstaff	FG2	7	FG2A – FG2G
		FG3	8	FG3A – FG3H
		FG4	6	FG4A – FG4F
		FG5	6	FG5A – FG5F
Makana Local Municipality	Grahamstown	FG6	15	FG6A – FG6O
		FG8	5	FG8A – FG8E
		FG9	5	FG9A – FG9E
Total		8	60	

Table 7: Summary of participation in FGDs

The table above shows that a total of 60 participants took part in the 8 FGDs that I conducted in the three research sites, and the table below tabulates more detailed information on FGD participants. The information is arranged from the first to the last FGD conducted. Each participant is assigned a unique code and pseudonym to protect their identity and to keep them anonymous during reporting.

No.	Participant Code	Pseudonym	Age	Educational Qualification	Area of Abode	No of Circumcised Sons
1	FG1A	Pinky	56	Std 9	Mdantsane	2
2	FG1B	Lulu	53	Std 8	Mdantsane	2
3	FG1C	Sikelelwa	54	Std 6	Mdantsane	3
4	FG1D	MaNkala	70	Std 6	Mdantsane	1
5	FG1E	Thandi	43	Std 5	Mdantsane	1
6	FG1F	Thози	56	Std 7	Mdantsane	2
7	FG1G	Phumeza	46	Std 8	Mdantsane	2
8	FG1H	Nothembile	58	Std 8	Mdantsane	4
9	FG2A	MaBhayi	Unknown	Std 3	Mkhamela	2
10	FG2B	Nombongo	55	Std 9	Mkhamela	1
11	FG2C	Rhadi	68	Std 3	Mkhamela	1
12	FG2D	Nomakhaya	55	No schooling	Mkhamela	2
13	FG2E	Lindi	31	Std 2	Mkhamela	0
14	FG2F	Mbuyi	51	Std 4	Mkhamela	0
15	FG2G	Honji	35	Std 5	Mkhamela	0
16	FG3A	Zoleka	39	Std 9	Endzondeni	1
17	FG3B	Beauty	32	Std 9	Makhwetshobeni	1
18	FG3C	Sasa	47	Std 3	Mthwaku	3
19	FG3D	MamBhele	59	Std 2	Mtshekelweni	3
20	FG3E	Nokulunga	42	Std 5	Lujecweni	1
21	FG3F	Thandiswa	42	Std 10	Thwazi	2
22	FG3G	Nokwakha	67	Std 4	Mncane	5

23	FG3H	Mancobeni	57	Std 3	Thwazi	1
24	FG4A	Mavis	37	Std 9	Mhlanga	2
25	FG4B	Themabela	31	Std 4	Mhlanga	0
26	FG4C	Makhumalo	63	No schooling	Mhlanga	5
27	FG4D	Nothozamile	46	Std 6	Gabajana	1
28	FG4E	Novangeli	64	No schooling	Mhlanga	1
29	FG4F	Nomana	64	St 7	Mtshekelweni	7
30	FG5A	Thandazwa	45	Std 9	Siphaqeni	2
31	FG5B	MaDlamini	64	Std 4	Siphaqeni	5
32	FG5C	Zoliswa	53	Std 2	Gabajana	3
33	FG5D	Cynthia	63	Std 2	Sicwenza	4
34	FG5E	Nompumezo	54	Std 7	Sicwenza	2
35	FG5F	MamThembu	74	Std 4	Sicwenza	3
36	FG6A	Nomalady	53	Std 9	Joza Location	2
37	FG6B	Mavuyi	58	Std 10	Joza Location	3
38	FG6C	Nomoya	55	Std 9	Joza Location	1
39	FG6D	Mamvulana	75	Std 4	Joza Location	6
40	FG6E	Mantombi	66	Std 6	Joza Location	4
41	FG6F	Deliwe	82	Std 1	Joza Location	1
42	FG6G	Nowam	81	Std 4	Joza Location	1
43	FG6H	Nostoto	72	Std 7	Joza Location	2
44	FG6I	Tokoloji	71	Sub B	Joza Location	2
45	FG6J	Mamgqwashu	75	Std 6	Joza Location	3
46	FG6K	Hombakazi	71	Std 6	Joza Location	1
47	FG6L	Gloria	51	Std 6	Joza Location	2

48	FG6M	Lungiswa	Unknown	Std 9	Joza Location	1
49	FG6N	Mamvulane	70	Sub B	Joza Location	1
50	FG6O	MaJay	72	Std 10	Joza Location	1
51	FG8A	Lizzie	45	Std 3	Hlalani Location	1
52	FG8B	Nobomi	58	Sub A	Hlalani Location	1
53	FG8C	Sindiswa	52	Std 6	Hlalani Location	2
54	FG8D	Sibongile	46	Std 5	Hlalani Location	1
55	FG8E	Nomvuyo	55	Unknown	Hlalani Location	1
56	FG9A	Zikhona	35	Sub A	Thuthwini Location	1
57	FG9B	Cikizwa	56	Std 1	Thuthwini Location	1
58	FG9C	Sweetness	46	Std 9	Hlalani Location	3
59	FG9D	Nosimo	51	Std 2	Hlalani Location	4
60	FG9E	Masthathu	60	Sub A	Thuthwini Location	1

Table 8: Details of FGD participants in all sites

4.8.2 In-depth Interviews Participant Details

The table below shows the number of participants that took part in in-depth interviews per research site:

Research Site	No. of In-depth Interviews
East London	1
Mpondoland	5
Makana Local Municipality	4
Total	10

Table 9: Number of semi-structured in-depth interviews

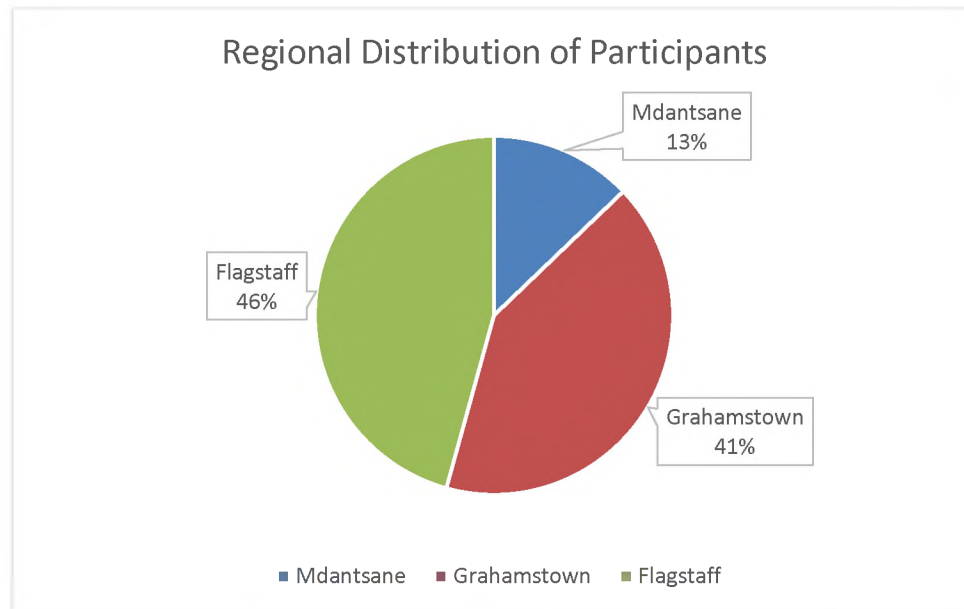
Table 10 below provides some characteristics of the 10 participants that I conducted semi-structured in-depth interviews with. As in FGDs, these participants also had an individual code and pseudonym:

No.	Participant Code	Pseudonym	Age	Educational Qualification	Area of Abode	No of Initiated Sons
1	IPA	Andy	49	BTech: Management	Mdantsane	1
2	IPB	Lulu	53	Std 9	Siphaqeni	2
3	IPC	Mamntambo	64	Std 5	Gabajana	3
4	IPD	Vikelwa	47	Std 10	Gabajana	2
5	IPE	Ntombomntu	64	Std 4	Gabajana	5
6	IPF	Nozuko	53	Std 10	Flagstaff	1
7	IPG	MakaSintu	61	Std 8	Fingo Location	2
8	IPH	Khulukazi	53	Std 8	Tantyi Location	1
9	IPI	Mamfene	66	Std 8	Tantyi Location	3
10	IPJ	Nozipho	53	No schooling	Vukani Location	1

Table 10: Details of semi-structured in-depth interview participants

4.8.3 Regional Distribution

Below I demonstrate the percentile distribution of participants per research:



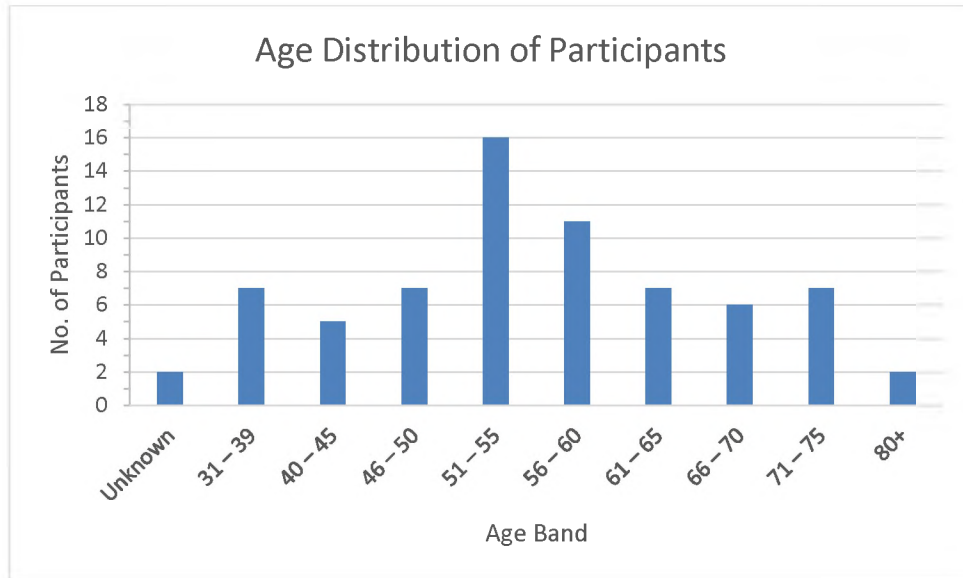
Graph 2: Distribution of participants per research site

The participants from Mdantsane, where the pilot study was conducted, came from different zones in the township. In Flagstaff, participants came from the town and surrounding villages such as kwaThahla, Lujecweni, Mhlanga, Mncane, Siphagani, Mtshekelweni, Gabajana, Endzondeni, Thwazi, Sicwenza and Makhweshobeni. In Grahamstown, the women were from locations such as Fingo, Hlalani, Joza, Tantiyi, Thuthwini and Vukani.

4.8.4 Age Distribution

Participants in this study ranged between 31 and 82 years of age. Out of the 70 participants that took part in this study, 23% fell between the ages of 51 – 55, followed by 16% representing the 56 – 60 age band. Participants in the age categories of 31 – 39, 46 – 50, 61 – 65 and 71 – 75 constituted 10% of the sample each. Furthermore, 8% of the participants fell in the age bracket of 66 – 70, while 7% were aged 40 – 45. The minority was made up by 3% of women older than the age of 80, and 3% whose age was unknown.

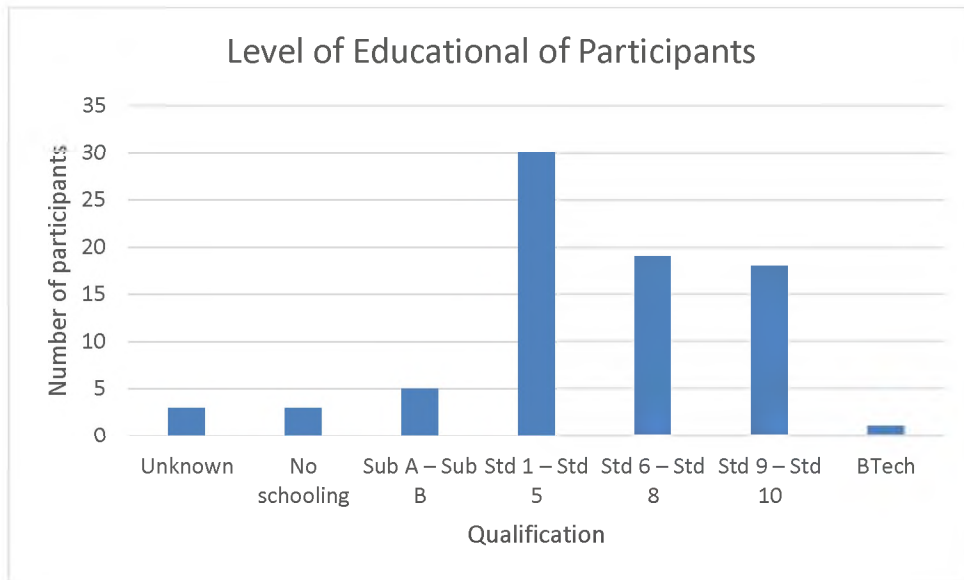
What the statistics demonstrate is that the age bands of between the ages of 51 and 60 had the most members in the sample.



Graph 3: Participants' age distribution

4.8.5 Educational Qualifications

As the graph below illustrates, it is evident that most of the participants left school between standard 1 and standard 5. There were slightly more women who had attended secondary school than those with high school education. While many participants indicated that they had never attended school, a small fraction had a higher education qualification. I however could not determine the level of education of one of the participants. The statistics further demonstrate that the sample was dominated by women who possess primary education if not lower qualifications, a clear indication of low levels of literacy in the majority of women who took part in the study.



Graph 4: Participants' level of education

4.8.6 Number of Initiated Sons

I have mentioned in earlier chapters that a fundamental requirement for involvement in this study was the participants' experiences in *ulwaluko*, by virtue of having sent their sons to the initiation school. The majority of participants reported having only one son who had undergone initiation, followed by different groups who had between two and five initiated sons. Sitting at the bottom of the scale was one woman who reported that she had six initiated sons and another who had sent seven sons to the initiation school. It must also be noted that in two FGDs I conducted in the Mpondoland, four of the sixty participants had not sent their own offspring to initiation, although they had somehow experienced *ulwaluko* through their own siblings or relatives' initiation process. These participants mentioned that they joined the focus groups because they had heard about it from other participants, and found the topic particularly interesting. They had hoped to not only share their experiences but also gather some knowledge about the tradition which would be helpful when their own sons reached initiation age. Below I present the statistics as discussed above:

No. of Initiated Sons	No. of Participants With Initiated Sons	%
0	4	6
1	28	40
2	18	26
3	10	14
4	4	6
5	4	6
6	1	1
7	1	1
Total	70	100

Table 11: Number of initiated sons vs number of participants

4.9 Trustworthiness and Credibility of the Study

4.9.1 Data Verification

The researcher is, amongst other things, charged with the responsibility to ensure that his or her investigation is “believable, accurate and right” (Creswell, 1998, p. 193). This can be done by demonstrating the trustworthiness and credibility of the study throughout the research process. This in quantitative research is known as validity and reliability. While one segment of researchers contends that these concepts could be feasible in qualitative research, there is another school of thought that strongly believes that validity and reliability are concepts tantamount to quantitative research, and that they cannot be applied in qualitative inquiry (Golafshani, 2003; Morse, Barret, Mayan, Olson & Spiers, 2002). In response to this debate, Guba (1981) coined the term “trustworthiness” to account for validity and reliability in the qualitative paradigm. To Babbie and Mouton (1998), trustworthiness is the credibility, transferability, dependability and conformability of a study. Without demonstrating trustworthiness, qualitative studies would lose their significance and become meaningless. In this study, I endorsed Guba’s model of

trustworthiness, which consists of four elements that I will be discussing below, namely: truth value, applicability, consistency and neutrality.

4.9.1.1 Truth Value

The concept of truth value refers to the accuracy of information provided in the study, and it addresses issues of internal validity (Creswell, 1994). The question a researcher should ask themselves to determine the truth value is “how convincing is the information I am getting from participants?” To achieve this objective, I was careful to check whether the information volunteered by participants sounded true, and also whether it seemed congruent with reality (Babbie & Mouton, 1998). I did so by asking different questions, rephrasing questions and by probing for more information where necessary.

4.9.1.2 Applicability

Poggenpoel (1998, p. 349) defines applicability as “the degree to which the findings can be applied to other contexts and settings or with other groups”. The term is concerned with transferability of the enquiry, and the degree to which findings can be applied to other contexts and settings or groups (Creswell, 1998). In this case, a researcher should be asking themselves whether there is any chance that the study could be employed in similar situations or locations. For purposes of enhancing applicability of this study, I endeavoured to describe the research methodology I employed in as much detail as possible so as to eliminate chances of confusion and misunderstanding.

4.9.1.3 Consistency

In comparison to quantitative studies, consistency in qualitative research has to do with replicability. It looks at whether an enquiry would produce similar results if it was replicated with the same participants under similar circumstances. In the case of consistency, a researcher should ask themselves “what are the chances that I would generate similar data if I conducted the same study in a similar situation?” It must be noted, however, that

replicability as a form of consistency is not something I expect in this study. Many researchers caution that one is not likely to achieve replicability in qualitative research since research findings are produced through constantly changing interactions between researchers and participants (Guba, 1981). De Vos (1998) supports this notion, arguing that “every research situation is made up of a particular researcher in a particular interaction with particular informants” (p. 349).

4.9.1.4 Neutrality

Neutrality is defined by Poggenpoel (1998, p. 350) as “the degree to which the findings are a function solely of the informants and conditions of research.” As the definition suggests, the concept seeks to eliminate bias in research procedures as well as ensure that the results are exclusively a reflection of the participants’ views. To put it in Guba’s (1981) words, neutrality is about objectivity, and can be accomplished not only by clarifying the research process but also opening it to public scrutiny. In keeping with this notion, I collected and stored all the materials that reflect the participants’ opinions, such as audio clips recorded during focus groups discussions and in-depth interviews, verbatim transcriptions, data analysis results and field notes. Oka and Shaw (2000, p. 16) refer to such evidence as the “audit trail.”

4.9.2 Triangulation

Irrespective of the research paradigm they employ, it is good practice for any researcher to triangulate their work if they are to produce good quality studies (Mathison, 1988). According to this author, the idea of using various methods in conducting a single study was first introduced by researchers like Campbell and Fiske in 1959. Mathison also states that it was, however, Webb, Campbell, Schwartz and Sechrest who in 1966 argued for the use of a variety of methods in social research, and coined the term triangulation. She goes on to show that historically it was Denzin (1978) who later gave a comprehensive account of how triangulation can be employed in research, and described the purpose of triangulation as a method that could be used to improve validity of studies. Literature

shows that the works of Campbell and Fiske, Denzin as well as Webb *et al.*, on triangulation has, for a long time, been understood as a vehicle towards cross-validation of data, a view that has persisted in recent years. To illustrate this point, Guion *et al.* (2011), in describing their view of the term triangulation, state that this concept refers to “a method used by qualitative researchers to check and establish validity in their studies by analyzing a research question from multiple perspectives” (p. 1). Pasikowski (2015, defines triangulation by arguing that it is “a combination of two or more sources of points of observation of a given phenomenon in order to mutually verify information gathered from alternative sources of cognition and, at the same time, to extend the possibilities of observing the studied object” (p. 455). Other authors, such as Bloor *et al.* (2001) and Decrop (1999), have alluded to triangulation as a method that helps in limiting researcher bias and producing trustworthy, reliable results with the view to improve the study’s generalizability.

Denzin’s (1978) outlook on triangulation as a validation strategy has been questioned and criticized by many scholars in the social research realm. Flick (2004) quotes Fielding and Fielding’s critique of Denzin’s perspective in which they argue that the aim of triangulation should instead be to “combine theories and methods carefully and purposefully with the intention of adding breadth or depth to our analysis but not for the purpose of pursuing ‘objective’ truth” (p. 179). Mathison (1988), also concluded from the work she carried out using triangulation as a research technique that its strength lies in the provision of “more and better evidence from which researchers can construct meaningful propositions about the social world” (p. 15) which, in her opinion, plays a major role in constructing explanations of the subject and phenomena being investigated. According to Flick (2004), “triangulation is now seen less as a validation strategy within qualitative research and more as a strategy for justifying and underpinning knowledge by gaining additional knowledge” (p. 179).

Denzin (1978) listed four types of triangulation, namely data triangulation, investigator triangulation, theory triangulation, and methodological triangulation. These ways of

triangulation have, over the years, been expanded to five to include environmental triangulation (Guion, 2011; Thurmond, 2001). Below I describe each type briefly:

Triangulation Method	Description
Data triangulation	The researcher uses a variety of sampling strategies to ensure that a theory is tested in more than one way.
Investigator triangulation	The researcher employs multiple observers, coders, interviewers or analysts in a study.
Theory triangulation	The researcher uses various professional perspectives or disciplines in analyzing the same set of data.
Methodological triangulation	The researcher utilizes two or more methods of data collection in a single study.
Environmental triangulation	The researcher uses different locations, settings, and other key factors related to the environment in which the study took place to determine whether any of the factors in the environment had any impact in the information collected during the study. It is necessary to use only in studies where there is a chance that the findings may be influenced by environmental factors.

Table 12: Triangulation methods

With the intention of gathering rich information on the subject, or “data completeness” as Lambert and Loiselle (2007, p. 230) refer to it, I utilized triangulation in this study. This entailed employing four of the five types of triangulation I listed above, except for data triangulation. I used methodological triangulation by applying a combination of qualitative data collection methods, namely FGDs and in-depth interviews. To apply environmental triangulation, I collected data in three different research sites. For data analysis purposes, I undertook a three-cycle coding process which I discuss in detail further below, and later involved an ex-colleague (who holds a doctoral degree and has a wealth of experience in research), in a discussion on establishing common ground on varying interpretations of the identified themes and sub-themes. This approach is known as investigator

triangulation. To triangulate theories, I explored various disciplines and angles in studying *ulwaluko*, comparing information on the subject to an existing body of knowledge as well as to different frameworks and models. I give more information on this multifaceted approach and the advantages it is associated with in Chapter Five.

4.10 Qualitative Data Analysis

Lewins, Taylor and Gibbs (2005) define qualitative data analysis as “the range of processes and procedures whereby we move from the qualitative data that have been collected into some form of explanation, understanding or interpretation of the people and situations we are investigating” (unpaginated). The authors add that the process is usually concerned with interpreting the “meaningful and symbolic content” of the data. The researcher also identifies any existing patterns and contrasts (Green, 2006). In so doing, data is reduced, thereby developing themes and drawing up categories. Various methods can be used to analyze qualitative studies, from simple and quick to highly detailed mechanisms, depending on the nature and size of the study. Furthermore, the researcher also has a choice of analyzing data manually or opting for computer assisted qualitative data analysis (CAQDAS) (Denzil & Lincoln, 2000).

4.10.1 The Coding Process

4.10.1.1 Preliminary Data Analysis

The entire data analysis process in this study was guided by theory that was recommended by scholars with expertise in data analysis. Charmaz (2006) advises that to begin the process of qualitative data analysis, researchers should consider producing what is known as preliminary data, or emerging data. This form of data generation is done by performing data analysis simultaneously with data collection. Persuaded by Saldana’s (2009) view, I wrote analytical memos as the data collection process unfolded. As I mentioned earlier in this chapter, these came from the data gathering process itself, as well as from the transcription and translation of in-depth interviews and FGDs. The analytical memos assisted me in stimulating my thoughts about the participants’ views

while I was still busy collecting data, and I utilized this information in the data analysis and interpretation process described below.

4.10.1.2 Inductive Coding Process

On completion of data collection and the preliminary data analysis, the next step I embarked on was the coding process. Social researchers have a choice of two ways of in analyzing data, namely the deductive and the inductive approaches. According to Burnard, Gill, Stewart, Treasure and Chadwick (2008), “deductive approaches involve using a structure or predetermined framework to analyse data”, whereas “the inductive approach involves analysing data with little or no predetermined theory, structure or framework and uses the actual data itself to derive the structure of analysis” (p. 429). In my data analysis I used the general inductive coding process because of its suitability for exploratory qualitative studies, as well as its reputation as a “convenient and efficient way of analyzing qualitative data” (Thomas, 2006, p. 246). According to the author, the purpose of the inductive coding process is to: 1) condense raw textual data into a brief, summary format, 2) establish clear links between the evaluation or research objectives and the summary findings derived from the raw data, and 3) develop a framework of the underlying structure of experiences or processes that are evident in the raw data. I undertook the data analysis exercise in three successive cycles as discussed below:

4.10.1.2.1 First Cycle of Coding

In the first cycle, I read through the data and selected a sample of focus groups and in-depth interviews that appeared more informative than others. I then reduced the large data set by breaking it down into smaller manageable units, to which I assigned labels known as codes (Creswell & Plano-Clark, 2011; Thomas, 2006).

4.10.1.2.2 Second Cycle of Coding

Subsequent to the first cycle I embarked on the second coding cycle which involved searching for patterns emerging from the codes that had been identified. I also noted all types of contradictions and tensions that emanated from the data.

4.10.1.2.3 Third Cycle of Coding

Once I had finished the second cycle, I identified the narrative arising from main overarching topics, which is known as themes. From these I performed axial coding. This means making clusters of similarly coded data relating to categories and sub categories where I focused on the most salient issues that were arising. The use of memos, where I wrote down my thought patterns, was very useful at this stage. I ensured that I was recording this process in a coding book.

Bergin (2011) and O'Neill (2013) warn that the quality of the data management and analysis determines the level of accuracy of the research results. Furthermore, Palys and Atchison (2012) point out that the use of an auditable computerised qualitative data management programme ensures that the subjective opinions and views of the research participants are objectively managed, so that the researcher is compelled to deal with all of the data on an equitable basis. With the authors' views in mind, I corroborated the manual process with the use of a qualitative data analysis computer software packages (CAQDAS), namely Nvivo 8. Nvivo is one of the most frequently used software packages in qualitative research. At this stage of the analysis I went through all the data, including the interviews and FGDs that I had analyzed manually in the first cycle. O'Neill (2013) outlines four stages that a researcher follows when using Nvivo, which I applied in this study, namely:

- (i) Descriptive stage: here the researcher enters data sources into the programme. In this case I imported all transcripts into Nvivo.

- (ii) Topic stage: this involves organizing and coding the data. In this study, I coded data according to the overarching conversation narratives that emerged from participants' responses.
- (iii) Analytic stage: the aim of the researcher at this point is to analyze data and produce visual information. To perform this analysis, NVivo assigns striped codes to the identified topics and analyzes the frequency of the times a particular topic arose, and this leads to the formation of tree nodes. The tree nodes enable the researcher to view the main themes and sub-themes emerging from the analysis. Below is an example of tree nodes from this study:

Name	Sources	References	Created On	Created By	Modified On	Modified By
Advice for others	13	23	13 Aug 2016 11:42 A	A	21 Aug 2016 01:02 PM	A
After the Initiation before the homecoming or time of term	5	8	13 Aug 2016 05:32 P	A	21 Aug 2016 12:03 PM	A
Conflict Between Church and Culture	4	14	12 Aug 2016 05:42 P	A	21 Aug 2016 12:09 PM	A
Consequences of circumcision	7	16	14 Aug 2016 10:08 A	A	20 Aug 2016 05:55 PM	A
Overall Impact of Initiation Circumcision Event	10	34	13 Aug 2016 11:41 A	A	21 Aug 2016 12:59 PM	A
Expectations of initiation ceremony	7	23	13 Aug 2016 03:28 PM	A	21 Aug 2016 12:42 PM	A
Checking of Manhood	1	2	21 Aug 2016 11:18 AM	A	21 Aug 2016 11:21 AM	A
Leak of closure upon de	11	34	13 Aug 2016 03:32 PM	A	21 Aug 2016 12:42 PM	A
Oversight of The Ceremony	13	123	13 Aug 2016 05:45 P	A	21 Aug 2016 01:02 PM	A
Pictures	8	171	14 Aug 2016 12:17 P	A	21 Aug 2016 12:58 PM	A
Pre-Circumcision Ceremony Arrangements	13	41	12 Aug 2016 05:21 P	A	21 Aug 2016 12:20 PM	A
Preparations for the Ceremony	7	9	12 Aug 2016 05:35 P	A	21 Aug 2016 12:20 PM	A
Role of Government	17	55	13 Aug 2016 11:55 A	A	21 Aug 2016 12:51 PM	A
Role of Women	14	57	13 Aug 2016 11:45 A	A	21 Aug 2016 12:45 PM	A
Views on Customary Circumcision	16	83	13 Aug 2016 11:35 A	A	21 Aug 2016 12:57 PM	A

Diagram 2: Screenshot of NVivo Tree Nodes

At this stage, I organised the codes into visual diagrams which allowed me to see the relationship between codes and themes (Creswell & Plano-Clark, 2011; Bergin, 2011).

It must also be noted that, as I indicated earlier in the discussion on triangulation (refer to 4.9.2), for purposes of collaborative coding I had also used an independent coder in further interpreting, identifying and finalizing the themes and sub-themes. This measure was instrumental in counteracting possible researcher bias on my side. I explore this subject further in the next section where I discuss ethical considerations (refer to 4.11.3).

(iv) Conclusive stage: this stage helps the researcher draw conclusions from the data. As the researcher, I made the final decisions about how to conclude the interpretation of information from this study (Bergin, 2011). I interpreted and made conclusions on the themes and sub-themes that emerged from this study. The table below illustrates the final analysis:

<p>Theme 1: Problems Associated With Injuries, Fatalities and Resentment of the Practice</p> <ul style="list-style-type: none"> • Prohibition of “Western” forms of medication • Peer pressure and social pressure • Poor construction of dwellings • Poor nutrition and dehydration • Physical violence • Alcohol and substance abuse • Intra-group tensions • Non-fulfilment of initiation objectives
<p>Theme 2: Tensions Between Law and Culture</p> <ul style="list-style-type: none"> • Denial of the right to health and Well-being • Exclusion of women • Democracy and its effect on initiation • Exposure to psychological trauma and emotional distress • Exploitation and sexual abuse of women • Social stigma and rejection
<p>Theme 3: Factors Enabling the Preservation of <i>Ulwaluko</i></p> <ul style="list-style-type: none"> • Acceptance of the custom and loyalty to the practice • Efficacy of traditional leadership • Celebration of the custom
<p>Theme 4: Mechanisms to Address the Challenges</p> <ul style="list-style-type: none"> • Safety of initiates • Re-evaluation of the initiation period • Inclusion of women in the practice • Implementation and reinforcement of the law • Adherence to rules and procedures • Timeous planning and proper organizing • Existence of a functional support structure

Table 13: Themes and sub-themes

The finalization of themes and sub-themes marked the end of the final cycle of the inductive data coding process.

4.11 Ethical Considerations

Researchers are bound by a set of principles or morals that they must observe when conducting research studies, especially when this is done with human subjects. Often the nature of research implies an infringement of people's space and an intrusion in their lives (Babbie & Mouton, 1998). The use of ethics helps minimize challenges of this nature. Ethics determine right from wrong and so regulate the researcher's actions. In the research field, researchers are required to consider the risks and identify any potential harm that their participants could be exposed to by taking part in their research studies (Newman and Kaloupek, 2004). As the authors point out, it is, however, not easy to predict accurately what impact these potential risks may have on participants. In order to avoid causing harm in the process of conducting one's study, researchers are faced with the responsibility to assess these risks with regards to participants, the society or to other entities e.g institutions (n.d., unpaginated).

The National Research Council (2003, pp. 26 - 28) lists six types of harm that could affect those involved in research, directly or indirectly, and these are: physical, psychological, social, economic, legal and dignitary harm. In observing ethics, a researcher has to adhere to a set of specific standards, such as: 1) ensuring ethical soundness in the study by guaranteeing a reasonable form of management of risk for the participants; 2) requesting informed consent from participants; 3) protecting confidentiality and anonymity; 4) taking accountability measures and presenting results in a professional manner; and 5) ensuring that the research is conducted in a way that serves the interests of individuals, groups and/or society (Babbie & Mouton, 2006; Cresswell, 1994; Pannucci & Wilkinson, 2010; Walton, n.d.). In keeping with the objectives mentioned above, I sought to apply the following principles in executing this study throughout data collection and in my reporting of the results:

4.11.1 Informed consent

To seek the permission to conduct the study in the three different sites I had to make the request at two different levels, namely, the community/organizational level, and the individual level. The community level involved discussing and negotiating permission with leadership structures which happened to differ from site to site due to the varying nature of the communities in the South African context. As I mentioned before, Mpondoland is largely rural in nature, whereas Mdantsane and Grahamstown are mainly urban/semi-urban. The leadership structures in these sites therefore mirrored the nature of the community, and this required that I observed such disparities and followed protocol when seeking consent. In the Mpondoland areas where I conducted the study in a village, I had to seek permission from traditional leadership structures. This was mainly the chief of the area together with his counsels. In KwaThahla Village, for instance, to discuss the project and to decide on whether to grant me permission or not, Chief Gebula convened a meeting with a gathering consisting of his counsels, Princess Gebula (his mother) and the villagers. In other instances where participants converged in town for data collection, I had to seek permission from the IF which, by virtue of its work in the field of initiation, was deemed the relevant structure to give the go-ahead. In Grahamstown I had to request permission from DSD, as participants came from their community-based projects. In Mdantsane, I had asked the local champion to advise of community leadership structures that I needed to consult prior to conducting data collection; and was informed that although there was supposed to be a ward committee in place, this structure was not functional. In my recruitment of participants, I stressed to local champions and gatekeepers the importance of not coercing anyone to participate in the study. It was critical to create awareness on this, in order to safeguard the interests of participants and not expose them to emotional, psychological or any other form of harm - a principle known as benevolence or non-maleficence

On the individual level I took cognisance of the principle of voluntary participation, which I already alluded to previously as one of the fundamental principles I adhered strictly to in this study. The term voluntary participation refers to people taking part in a study purely

on their own volition. Prior to the onset of data collection I made participants fully aware of what the study entailed. I explained the goals of the study, my educational background and credentials, possible benefits envisaged from the study as well as potential dangers. I then obtained consent in writing from each participant by asking them to sign a letter of consent during a time that was set aside for this purpose; i.e before the commencement of the in-depth interviews and FGDs. I also explained the contents of this letter in detail to ensure full understanding. This included the definition of the term voluntary participation and the choice to withdraw from the study should participants no longer wish to participate. I had written the letter in both English and isiXhosa (refer to Appendices A1 and A2) which meant that participants had a choice of signing it in the language of their choice.

4.11.2 Anonymity and Confidentiality

Maintenance of confidentiality is one of the ethical considerations that underpinned this study. The letter of consent mentioned above stated the participants's right to privacy and an anonymous status. I committed to upholding confidentiality during data collection and after the study had been concluded, which I believe I have managed to do. As part of setting groundrules I emphasized the importance of keeping confidential all information that emerged from FGDs, and participants consented to this principle. Those who felt they preferred to discuss personal matters privately with me had the opportunity to do so. Furthermore, I stressed the importance of adhering to the principle of confidentiality to gate-keepers from the onset. I made them understand that it was extremely important that they did not divulge any information about participants without their consent, should the latter happen to share information with them regarding their participation in the study. I envisaged this happening since community leaders are usually entrusted with personal and sensitive information, particularly in rural communities. I also ensured anonymity in reporting findings by allocating codes and pseudonyms to participants (refer to 4.8.1 and 4.8.2).

4.11.3 Accountability and Professionalism

In my quest to act professionally while conducting this study I put some critical measures in place, such as:

(i) Allowing participants their right to self-determination

In simple terms, the principle of self-determination refers to the need for the researcher to be mindful of the right for research subjects to make their own judgments and decisions about their involvement in the study. I made participants aware of this principle from the onset. Self-determination is in line with the right to consent or to withdraw from a study. This allowed participants to make their own decisions, not only as far as participation is concerned, but also about the kind of answers they wanted to provide. None of the participants in any of the research sites opted out of the study once they had agreed to participate.

(ii) Avoiding researcher bias

As Silverman (2000) puts it, “all research is contaminated to some extent by the values of the researcher” (p. 200). This implies that any researcher might, consciously or not, influence the results of their study in one way or another. This is why it is critical for researchers to reflect on their positionality (as I did in section 1.4), in an effort to understand how this could bias their epistemology. Although a researcher cannot completely eliminate bias related to their own values, in this study I ensured that I avoided selection bias, interviewer bias and citation bias (Pannucci & Wilkins, 2010). Selection bias can occur at the time of identifying the study population; and so, I endeavoured to include all kinds of women who believed they had a rich experience on *ulwaluko*. The population of this study was defined clearly ahead of time and any woman who met this requirement was allowed to participate. The criteria stayed the same throughout the study. According to Pannucci and Wilkins (2010), interviewer bias has to do with the manner in which a researcher solicits, records and analyzes or interprets data. The researcher may lean towards some predetermined patterns or judgments, and therefore their structure or phrasing of the questions may be tailored

towards such responses, thereby producing the intended outcomes. In this study, I posed mostly open ended-questions which allowed participants to respond in any manner they wished. During the course of data collection I recorded the interviews and FGDs for validation purposes, and, as discussed earlier, I had undertaken data analysis in three coding cycles with one of them making use of another coder. One way of avoiding researcher bias is by paying attention to how the researcher reports on their findings. I made a concerted effort to avoid citation bias and report findings that are solely the views and experiences of participants. According to Pannucci and Wilkins (2010), citation bias refers to the researcher's reluctance to publish disparaging results in the belief that such findings may have some kind of a negative impact. The researcher in this case would thus opt to publish more favourable results instead. Julien and Majake (2005) correctly point out that "a researcher... occupies a privileged position in so far as he determines the important aspects of the data received, which may not be viewed in the same manner by the interviewee" (p. 69). They argue that it could be hard to evade such traps and thus fall into citation bias. This is a potential pitfall for any any study. In line with the concept of neutrality that I discussed earlier in this chapter, I also made use of the collaborative coding process to guard against bias.

4.11.4 Risk Management

De Vos *et al.* (1998) argue that it is purely the researcher's responsibility to conduct their studies ethically. This means that no participant should be exploited in any manner and that their dignity must be respected at all times. Jesani (n.d.) advises researchers to assess risks by performing a risk-benefit analysis while observing the ethical principles that govern research. Let me hasten to say I found it particularly difficult to categorize and measure the risks and benefits of this study as these were not easily discernible. According to the National Research Council (2003) this difficulty is not so uncommon in social research. The principle of risk management is also known as non-maleficence and beneficence (Jesani, n.d.); and it cautions researchers against doing harm to their participants. Managing risks in this study was, however, not without challenges. In so

doing I followed Jesani's guidance by looking at the "reasonableness" of risks, where I weighed these against potential benefits of the study, namely: making a major contribution to the knowledge base on *ulwaluko* and encouraging an open discourse, thereby allowing the views of women to come to the fore. Below are examples of how I attempted to minimize risks in this study:

- (i) Throughout the data collection process I strived to uphold my participants' worth by speaking to them in an acceptable manner ensuring that they left with their dignity intact. Furthermore, I ensured that I maintained this principle in the reporting process.
- (ii) Due to the sensitive nature of *ulwaluko*, early on in the inquiry I became aware of two potential risks that deep exploration of the subject could pose to individual participants, their families and the communities involved, namely: 1) causing emotional turmoil to participants; 2) fuelling up possibly existing tensions in the family and/or community. This created a dilemma for me as to whether carrying out this investigation was an ethical thing to do. To resolve this predicament, I had to weigh potential benefits of the study against the identified possible risks. In the end I concluded that it was imperative to conduct the study, as I believe its results will be for the good of the nation in its entirety. There were, to my mind, two ways in which the said risks could be manifested, namely: the renewal of old wounds for participants whose children died during initiation, or those whose children had their penises amputated. This could essentially leave participants grief-stricken or in emotional/psychological distress. This posed a dilemma to me as it made me realize that I could be exposing participants to some form of harm. I therefore had to ensure that I minimized the risk to participants in every possible way. In an attempt to minimize this risk, I identified participants who were likely to be affected by this prior to data collection; and gave them the choice of participating only in in-depth interviews if they so wished since these offered a more private and safer space than the FGDs. As I mentioned before, I gave participants the freedom

to opt in case they felt uncomfortable continuing with the study. Following the interviews, I advised participants who appeared to be struggling with their emotions to seek counselling so they could be assisted and supported in dealing with their emotional difficulties.

- (iii) The exacerbation of any existing hostility or conflict in the home-front and/or the community emanating from people's beliefs, attitudes and past or prevailing concerns about the tradition. This was a very challenging risk to manage. As a way of controlling this danger, in my introductory meetings with the relevant structures in the community as well as in my opening and concluding remarks with participants, I ensured that I acknowledged the existence of complexities around *ulwaluko*; and encouraged the adoption of an inclusive, open and ongoing discourse in an attempt to find solutions to these challenges.

4.12 Limitations of the Study

Although I had chosen the areas to conduct the study based on the events that had been taking place on *ulwaluko* over the years, I specifically selected areas (the units or sections of the township or villages) that I found accessible in these communities. This meant that I conducted the study in areas where gate-keepers, and not just participants, were willing to allow me, as a female researcher, to discuss *ulwaluko*. For this reason, it can thus be argued that I had chosen the research sites selectively, which could have some impact in the nature of results that emerged from the study.

As I stated earlier in this chapter, the language I used for the FGDs and in-depth interviews was isiXhosa. Although isiXhosa is similar to isiMpondo, it is not quite the same dialect. This posed some challenges with the data collection in Mpondoland sites, as I could not understand everything the participants were saying. However, I dealt with the problem by asking participants to clarify the meaning of words I did not understand. I am nonetheless satisfied that the information I gathered during the investigation was rich and reliable enough to meet the objectives of the study. Furthermore, the study contributed

positively to my understanding of the feelings and perceptions of women on *ulwaluko* in a liberal democratic South Africa. Data also revealed the participants' views on the impact of the connections and tensions that exist between the tradition and our liberal democracy.

As I have argued in this thesis, it is an important principle in research that researchers avoid researcher bias at all times. It must also be understood, however, that it is unrealistic to believe that this tenet can be achieved fully. This view is supported by other authors such as Creswell (1998) and the Research Council of Norway (n.d.), who maintain that social research cannot be dissociated from the researcher's value system. In my case, as an isiXhosa-speaking woman brought up in the isiXhosa culture, my knowledge and understanding of the custom could have led to a different interpretation of what the participants were trying to express.

Although I always took risk management as an important criteria in conducting this study, it cannot be disputed that through the research process I did, as a researcher, intrude into people's lives since data collection required that they avail themselves, thereby putting a halt on their daily schedules and routine. With the nature of data I was collecting. I also requested participants to revisit a time and experiences they may not have wanted to remember, thereby re-opening old wounds. I have already discussed my attempts at minimizing this risk above (refer to 4.11.4).

In the process of conducting this study I was always aware from the beginning to the end, of one particular risk that I faced as a researcher. As I mentioned in Chapter One, participation of women in *ulwaluko* is highly discouraged through exclusionary rules that surround the practice, and therefore women who do engage in this subject are not always dealt with kindly in some communities, particularly those that wish to preserve the status quo (refer to sections 1.2 and 1.3, as well as 4.5). Although I felt generally included as a result of gaining access through relevant structures in research sites, I did fear that in some communities I could be made to feel unwelcome and at worst, be refused entry. These fears, however, did not manifest into reality in any of the research sites. This, in

my opinion, indicated some degree of openness towards the inclusion of women in the practice.

I was also wary of the fact that in areas where tensions about the tradition might have existed between men and women, my data collection exercise could exacerbate such divisions as the nature of the questions I had prepared required a deep exploration of the practice, both from the positive and negative perspectives. To counteract such prospects, I ensured that the tone I used in asking questions was far from invoking arguments and disagreements in the homefront and the community, but rather considered constructive ways, in the form of recommendations, that participants could propose, as well as how these could be implemented going forward (refer to Appendices C and D).

4.13 Conclusion

The purpose of this chapter was to outline the research methodology I adopted in executing the study. In this inquiry, I collected verbal data that consisted of people's lived experiences, perceptions and feelings. Since very little information was available on the subject, the study was exploratory in nature, and was located in the qualitative research paradigm. I decided to use non-probability purposive sampling to select participants in order to obtain subjects who were rich in information. This was in line with the precepts of interpretive phenomenology and studies that adopt the emic perspective. The use of community leadership structures and champions in gaining entry and introducing the study in research sites proved highly effective. These gatekeepers proved instrumental in the selection of participants and helped in establishing good rapport, a critical factor in working with communities. The data collection process consisted of a combination of FGDs and semi-standardized in-depth interviews which I translated into English after they had been transcribed verbatim in isiXhosa.

While the data collection methods I employed can produce good results, these strategies are not without shortcomings. On one hand, FGDs can yield rich information about a wide range of perspectives and experiences, but they can also be problematic for some

participants. For instance, one might feel awkward to disclose sensitive information in a group setting. Interviews, on the other hand, can offer participants a safer environment to discuss personal matters, although they do pose a power imbalance between the researcher and the participants. In view of producing a credible and trustworthy study, I purposefully used different types of triangulation with the aim to counteract the disadvantages associated with the data collection methods that I had utilized in this inquiry.

In order to perform data analysis and interpretation, I started off with producing emerging data. I then conducted the general inductive approach, which I later corroborated with the use of NVivo 8. In concluding the chapter, I explained how I observed research ethics in an effort to ensure that I conducted the study according to the rules of the discipline but, more importantly, to minimize any possible harm the study may have posed to research subjects. I also identified limitations in the study and described the manner in which I attempted to address such shortcomings. In the next chapter I present the results.

CHAPTER FIVE

DATA PRESENTATION, ANALYSIS AND FINDINGS

5.1 Introduction

In Chapter Four, I outlined the research methodology and the manner in which I conducted this study. I started off by orienting the reader to the choice of the research paradigm the study is hinged upon, and I also explained the factors that informed my choice of the research design. Furthermore, I outlined the sampling procedures and proceeded to deliberate on the process I followed in collecting and analyzing data. I also stated the themes and sub-themes that emerged from the study. It was also critical that I establish validity and reliability of this inquiry before raising the inevitable limitations that I had encountered. Finally, I ended the chapter by describing in detail the ethical considerations I observed throughout conducting the study in an effort to ensure credibility of the findings. The purpose of this chapter is to present data in the way of findings, where I provide a comprehensive and thick description of the themes and sub-themes that emanated from data analysis. I cite relevant theory and literature to support or dispute the findings.

5.2 Findings

As I stated in Chapter Four, once I had concluded the process of data analysis and interpretation, I then identified four broad themes that shed light on how the participating women experienced, felt and perceived the following:

- 1) Problems associated with injuries, fatalities and resentment of the practice;
- 2) Tensions between law and culture;
- 3) Factors enabling the preservation of initiation;
- 4) Mechanisms to address the challenges;

I discuss the themes and sub-themes in detail below:

5.2.1 Theme 1: Problems Associated With Injuries, Fatalities and Resentment of the Practice

In response to goal 1 of the study which sought to explore and describe the experiences and perceptions of women with respect to *ulwaluko*, participants mentioned various challenges they were experiencing. Below I give an account of these problems. I had observed during the data analysis process that these issues have a direct impact on how participants view initiation, and more importantly, on the health and well-being of those affected, and which I discuss at length in theme 2. In this section I mainly provide a description of these challenges, and I refer back to them in the in-depth analysis I undertake with the rest of the themes.

5.2.1.1 Prohibition of Western Forms of Health Intervention

Participants indicated that in some initiation schools, initiates who were on medication, including those taking anti-retrovirals (ARVs) for HIV/AIDS, were not allowed to use their treatment. MamBhele, who had been employed as a community health worker, described the reasons behind the refusal. She stated:

Well, they say they have to use traditional isiXhosa herbs there, and not take pills. In one case pills that one child had been given at the health clinic were sent back. We see these pills coming back... he was told to send them home. That is when the parent got involved and said at least [sic] bring my child back... that he must go back home if he was not going to take the pills.

What MamBhele is suggesting here is that initiates are exposed to a health risk when they are denied access to prescribed medication, which jeopardizes their health and at worst, may lead to death. I explore this concern in more detail when I discuss the denial to the right to health and well-being (refer to section 5.2.2.1).

5.2.1.2 Peer Pressure and Social Pressure

Peer pressure emerged as one of the most recurring concerns in this study. Clasen and Brown (1985, p. 452) define peer pressure as the “pressure to think or behave along certain peer-prescribed guidelines”, a trait that is common among young people. The authors state that maintaining good relations with one’s peers becomes an important part of socialization in growing up and accelerates a sense of identity. They add that peer pressure thus becomes a conduit for communicating the norms of the group to members, and serves to instil loyalty. Participants in this study argued that many boys underwent *ulwaluko* before the admissible age of 18 because of peer pressure. It was reported that in the Mpondoland region there was a heightened amount of peer pressure for boys; and that it was common for them to undergo initiation against their parents’ wishes, due to the harassment and intimidation they receive from others. Lulu stated:

They get pressure from other kids at school, like when they see their friends undergoing initiation and they are not... then they sneak away without letting the parents know.

According to the participants, another reason amaMpondo boys observe *ulwaluko* as a rite is their inclination to attend university in areas dominated by amaXhosa, who often taunt and mistreat those that have not undergone initiation. This, they argued, brings about a very strong form of peer pressure. It must be noted that amaMpondo did not practice initiation until they were persuaded to homogenize their male initiation rituals during the ethnic nationalism period in South Africa (Bank & Ntombana, 2012). Researchers such as Douglas and Hongoro (2016), Peltzer *et al.* (2008a), as well as Ntombana (2011b) also allude to rampant peer pressure among amaXhosa. Ntombana states that some of the participants in his study reported undergoing initiation “due to peer pressure, as they were teased by their friends because they were not circumcised while their friends were” (p. 242). In another study conducted by Tenge (2006) on teenage boys’ experiences of *ulwaluko* in the Eastern Cape, he found that young boys were not only victims of peer pressure but were also subjected to social pressure. He argues that

social pressure is perpetuated through culture, religion and family expectations. The author writes about the power of social pressure over boys that have not undergone initiation as displayed by: 1) the discrimination they face when they are not allowed to participate in community ceremonies such as weddings and *umgidi*; 2) prejudice that portrays boys as “lazy, dirty and stinking”, (p. 27) as well as recalcitrant; 3) exclusion manifested in various forms, including chasing boys out of the house when important matters are being discussed.

The results of this study show that in recent years, undergoing initiation in the early to mid-teens (and, at times, younger) is not an unusual phenomenon, even though it was something unheard of in the olden days. This is in contravention of the AHSTCA (No. 6 of 2001), which rules against the initiation of boys under the age of 18. Furthermore, parents are often left in the dark about their boys’ initiation. In this case, such boys would do what is known as *ukuziba* in isiXhosa, referring to running off to initiation school without obtaining permission from one’s parents, and which usually results in anxiety and confusion on the parents’ part.

Under-age initiation and peer pressure were not reported as a concern in the Makana Local Municipality. Unlike in Mpondoland, participants in this site indicated that legislation was implemented by all the parties involved in the process. Here boys are not known to undergo initiation before the age of 18. Women in this study maintained that before things changed for the worse in recent years, boys underwent initiation at a much older age than is the case today. They believe deferring the rite allowed boys to acquire the much-needed experience and maturity required for initiation. In the olden days age was not the determining factor on whether a boy could undergo initiation or not, the decision was based the boy’s level of maturity, state of readiness and financial readiness (Ntombana, 2011b). Stinson (2007) also writes that the age of initiates varied roughly between 16 and 25 years, which is supported by Duka-Ntshweni (2013) who quotes Soga as saying “*ebede amakhwenkwe la abe neendevu kusalindelwe unyaka omhle nolungileyo emasimini*” (p. 3). Loosely translated, this means “it was common for boys to even develop a beard while awaiting a productive harvest before they could undergo initiation.”

As I stated in Chapters One and Two, the AHSTCA (No. 6 of 2001) was introduced to regulate the implementation of the custom in the Eastern Cape, and the Policy on the Customary Practice of Initiation in the country as a whole. Prior to this era, the government had never standardized nor attempted to introduce control measures for this age-old tradition. Results from this study suggest that the implementation of the law was largely endorsed in the Makana Local Municipality, and that, as reported by participants, some parts of Mpondoland did not adhere to legislation. Participants who were aware of the existence of legislation governing *ulwaluko* argued that the law was broken all the time. Some of the women were not even aware of the existence of such laws. A few participants, however, did indicate that they were beginning to see a gradual observation of the law in their areas in Mpondoland. I explore this concern further when I discuss stigma and rejection (refer to section 5.2.2.1).

5.2.1.3 Poor Construction of Dwellings

A common thread between all research sites was the concern regarding the structure of the initiates' *amabhoma*, which were mostly described as ill-constructed. Participants were unhappy about the careless and hasty manner with which the lodges were built by village men. The carelessness is attributed to men of this era having lost their sense of responsibility, and with their tendency to get their priorities wrong. Below is a statement made in this regard by Mankala:

Thatching grass is one thing that would keep them (initiates) warm. What happens now is that the men are always in a hurry; they leave hay lying about, not used. They don't thatch the initiates' huts like they used to in the olden days. Then they used to make the thatch very well, make it strong with ropes... What we see now is just plastic sheets; those are cold!

As a result of their poor construction, participants argued that these lodges exposed initiates to inclement weather conditions such as rains, cold and excessive heat. They

believed that such exposure resulted in poor health and exacerbated the problem in cases of botched circumcisions. What Mankala brings to the fore here is the change from the way the ritual was conducted in the past, and how things have evolved over the years, resulting in unfavourable conditions for the initiates. I reflect on this concern in greater detail when I discuss the denial to the right to health and well-being (refer to section 5.2.2.1).

5.2.1.4 Poor Nutrition and Dehydration

Another concern regarding the welfare of initiates was poor nutrition. Participants in all sites demonstrated unhappiness about the type of diet initiates were required to follow in the first ten days of their initiation. They mentioned that the diet was poor, and that it led to health problems and malnutrition. They also argued that it was detrimental to the initiates' health to be deprived of water during this period. Thandazwa stated:

They say there is this seven days that must lapse... I am not sure if it is seven days or whatever number of days... They have to fast, and not drink water. They can only eat mealies, and things like that. That was one of the things I was vocal about... I asked how can one not eat for so long? You only eat this dry mealies, without any water... So those were the reasons why my sister's child perished at the bush.

Thandazwa's concerns regarding food and nutrition at the initiation school expresses dissatisfaction; and is supported by a large volume of literature that reports on the medical and public health aspects of initiation (for instance Bottoman *et al.*, 2009; Kanta, 2003; Meel, 2005). Since these conditions lead to the neglect of the well-being of their children (siblings and relatives) and pose a danger to their children's lives, women in this study were left with a bad perception of the custom. I discuss the implications of poor nutrition

and dehydration on the health and well-being of initiates later in this chapter (refer to section 5.2.2.1).

5.2.1.5 Physical Violence

Participants expressed a grave concern that initiates were subjected to physical abuse at the initiation school and found themselves at the mercy of the very same people that were supposed to protect them, the very men who were entrusted with the responsibility to keep them safe from harm. The degree of physical abuse in the Mpondoland area was reported to be serious. Participants indicated that younger men who had already undergone initiation, often referred to as “*amakhwenkwe*” in this region, had “appointed” themselves in charge of initiation schools on the basis that their own fathers had never been through *ulwaluko*, and therefore had no right to be involved in the tradition. It seemed strange and was confusing to me that these initiated men were referred to as “boys”. However, on exploring this concept, I learnt that this was a common way of distinguishing younger men to older men in Mpondoland. Participants reported that physical assaults were rampant and severe, and that initiates were subjected to this violence for no apparent reason. MamThembu revealed the following information:

They hide these things from us... we have seen that some [initiates] get assaulted there. We once saw this one who had died, and people had to go and see this. I was one of the people who were curious about it... He had been terribly beaten on his back... oh gosh, the back! It looked as though they made him lie on his... his stomach.

MamThembu mentioned that physical violence at the initiation school sometimes leads to fatalities, a problem also cited by Denniston (2013). Men were not only accused of meting out violence but were also alleged to make ludicrous demands on parents of initiates, as a leverage to perform rites associated with initiation, such as *ukojiswa*, the ceremony where an animal is slaughtered to mark the end of the deprivation period.

Participants claimed that for the performance of this ritual, men tended to make extravagant demands that incur huge costs, including alcohol and other unnecessary items. The discussions revealed that in many instances women felt bound to fulfil these demands, as refusal to cooperate usually leads to even harsher punishment for the initiates. However, some participants pointed out that obliging to these inane demands was not necessarily a guarantee that one's son would be spared the beating, as demonstrated by MaDlamini's response below:

Even though you know your child does not smoke, they will still ask for tobacco money. It does not mean that they will treat your child nicely if you give them all these nice things. He is the one who will be ill-treated the most.

In the Makana Local Municipality, violence was attributed to fellow initiates who would attack others for reasons such as "holding a grudge against them" about something that had happened prior to attending initiation school. Here, it was reported that initiates often fought amongst themselves; and that stabbings had resulted in the death of initiates in previous years. MaJay stated:

I have never heard of an initiate's death unless they had stabbed each other there... only in that case... it is not because things went wrong with the tradition.

I explore the consequences of physical violence when I discuss the denial to the right on the health and well-being (refer to section 5.2.2.1).

5.2.1.6 Alcohol and Substance Abuse

According to participants, men of the modern-day era have become a bad influence to initiates. This opinion was articulated in both research sites but appeared to be predominant in the Mpondoland region. Nothembile had this to say:

Older men from the township go to the bush to teach the kids about dagga and drugs. They go there for all sorts of bad things, and they even say alcohol is a good thing. And the other thing they say there is that when the kids take drugs, they feel no pain. Once they take these substances they become foolish, and see themselves as grown men. They hallucinate and become addicted.

In the statement above, Nothembile reveals the incompatibility of substances and *ulwaluko*, and demonstrates how such behavior places initiates at risk. This is another negative perception that women hold of the ritual. In Mpondoland, some participants stated that alcohol and substance abuse was not the only problem parents encountered, that young men also ventured into illegal activities such as stealing and housebreaking, an emerging behaviour that they had not displayed prior to their initiation. This conduct was documented in another study that was undertaken in Port Elizabeth – an urban area in the province – some years before (Ntombana, 2011a). I discuss the consequences of alcohol and substance abuse later in the chapter (see section 5.2.2.1).

5.2.1.7 Intra-group Tensions

In Mpondoland, participants reported on the prevailing and ongoing nature of disagreements among men in the community, and the negative impact this intra-group tension places on the custom. They indicated that older men who had not undergone initiation have, over the years, been overpowered and silenced by the new generation of initiated men, rendering their own fathers almost completely powerless. They also

reported that younger men looked down on older men and behaved in a disrespectful manner towards them, calling them boys and other derogatory names. This has created a rift between the younger and the older generations. It became clear that this conflict was causing major problems in the community; and that it did not sit well with the women. This view reveals tension that arises in multicultural societies about the rights of minorities within minority cultures, which tends to lead to collective discrimination within the same culture. I reflect on this challenge in greater detail where I discuss social stigma and rejection (refer to section 5.2.2.6).

5.2.1.8 Non-fulfilment of Initiation Objectives

One of the problems identified by participants was the custom's shift from its intended purpose. In isiXhosa culture it is believed that boys need to undergo *ulwaluko* in order to get socialized into manhood, in the hope that they will become responsible and accountable men in their families and the community at large (Mhlahlo, 2009). As Papu and Verster (2006) put it, initiation seeks to change the wayward boy into a grown-up man who has dignity and respect for himself. A man is also expected to demonstrate prowess in all the areas in which he acquired skills at the initiation school, such as language, socialization, traditional dancing, courtship and marriage. Furthermore, he also needs to take part in duties assigned to men in the community. Other reasons associated with initiation include learning to be brave, to acquire strength, to be resilient and to acquire a new identity as a man (Cape Town Project, 2015; Duka-Ntshweni, 2013; Momoti, 2002; Ntombana, 2011b; Papu & Verster, 2006; Tenge, 2006; Vincent, 2008a). It is interesting to learn that when some boys undergo initiation, it is not for the objectives I stated, but rather to fulfil the requirements of the culture. For instance, in a study conducted by Ntombana, he found that some of his participants did not understand why it was necessary to undergo initiation. Similarly, in another study conducted by Peltzer *et al.* (2008a) with traditional surgeons and traditional nurses in the Eastern Cape, respondents indicated that the main reason boys underwent initiation was tradition.

Although Ntombana (2011b) argues that present-day traditional leaders believe firmly in the inculcation of manhood principles to amaXhosa boys, in this study the views were different. Participants expressed disappointment in what they considered a failure in passing down the values of *ulwaluko*. Many of the participants asserted that boys did not demonstrate any form of change or development in character once they had been initiated. This view is supported by Ntombana's study where one participant claimed that "when men came out of this practice they became worse than they were in their behaviour before initiation" (pp. 161 - 162). What came out strongly in this study was that young men's behaviour after graduation appeared to be incongruent with the educational component of the practice, which seeks to teach them about the essentials of culture, social responsibility, respect and discipline, among other things (Stinson, 2007). In light of these views, it can be concluded that in some areas of the province the achievement of initiation objectives appears to be one of the neglected areas of *ulwaluko*.

Insight was given by participants on the reasons for the status quo, accusing men of false motives for getting involved in initiation rites and visitations to the initiation school. The latter included benefits such as free meals and free alcohol. The women argued that nowadays, men have become greedy and irresponsible. They also felt strongly that the lack of genuine interest and commitment to initiation on the part of elders has a negative outcome, leading to initiates not ascribing to the values and ideals of manhood that are expected to be taught during initiation. Some also attributed this failure to the pre-mature initiation of some of the boys when they were not yet physically or mentally fit for the process. While under-age initiation may be one of the factors in this regard, it can be argued that initiates in the affected areas appear not to be exposed to good quality role models. It is thus not surprising why initiation graduates fail to acquire the expected new identity, and to act like men "with an adult dignity and self-respect" (Papu & Verster, 2006, p. 181) that is expected. This poses the risk of these young men exhibiting the very same kind of irresponsible behavior reported by participants.

The challenges surrounding initiation that emerged in Theme 1, indicate a serious situation, particularly in Mpondoland. As shown in literature, the problems identified

around *ulwaluko* seem to have affected the custom negatively, which has led to the resentment of the practice by the women who took part in this study. Despite its grave challenges, and contrary to the view that *ulwaluko* no longer achieves its purposes, the majority of women in this study felt strongly that the custom should carry on, for various reasons that I discuss under theme 3 (refer to section 5.2.3).

5.2.2 Theme 2: Tensions Between Law and Culture

This theme highlights perceptions of participants regarding attitudes and behaviours associated with *ulwaluko* that work against the principles of democracy and multiculturalism. Below I discuss the incongruity and contradictions that appear to exist between law and culture; and I bring to light the difficulties involved in managing this evident clash.

5.2.2.1 Denial of the Right to Health and Well-being

Participants voiced concern about the well-being of their sons at the initiation school and argued that their health was comprised in various ways, such as: 1) through the prohibition of western forms of health intervention during initiation; 2) peer pressure; 3) poor construction of dwellings; 4) poor nutrition and dehydration; 5) physical violence as well as; 6) alcohol and substance abuse.

The denial to use medication puts initiates at risk and an even bigger risk for those that underwent initiation before the admissible age of 18. Due to their age, such initiates are deemed unfit to undergo this rite in terms of the AHSTCA (No. 6 of 2001). By putting the initiates risk at health, those in charge of the initiation school, and parents who sanction the initiation, are in transgression of the Children's Act, as well as the ACRWC, which are both concerned with the care and protection of children. The ACRWC is also mandated to safeguard the needs of the child regarding cultural rights among other factors. Furthermore, putting initiates' health at risk is also against the provisions of the UNCRC, which proclaims that any decisions taken on behalf of a child must make the child's best

interests a primary concern. Another concern about the denial to use medication is that it stands against the ethos of liberalism, which gives every individual the right and freedom to “decide on their own conception of the good life” (Kymlicka, 2017, p. 52). The refusal for initiates to use prescribed medication (which I discussed in section 5.2.1.1) for instance, alludes to the denial of initiates to exercise their “conception of good life”. Similarly, the peer and social pressure exerted on young amaXhosa boys to undergo initiation leaves them with little or no choice. I also view the other concerns that I listed above (such as poorly built *amabhoma*, inadequate nutrition and water, physical violence and the abuse of alcohol and substances) as other risks that initiates are exposed to, which jeopardize their well-being in a significant way, and are in contravention of the law the same way as denial to use medication is.

The risks I have alluded to above are in violation of the Constitution, the HRCA and the African Charter on Human and Peoples' Rights (Banjul Charter) which are all concerned with the promotion of respect, and fulfilment of human dignity. Furthermore, the refusal of women to take decisions on the well-being of their sons symbolizes sexism which flouts all laws relating to equality and gender discrimination in South Africa (which I discuss in more detail in the next section). Based on these factors, I argue that in some areas of the Eastern Cape, the cultural values of *ulwaluko* tend to supersede individual rights, a stance that is in conflict with the liberalist view of putting individual needs before the collective good (Kymlicka, 2017).

The denial to the right to health, and the contravention of the laws I mentioned above, implies that the custom is a harmful practice since it trounces individual rights that are designed to protect the physical integrity and life of all citizens. For the harm they cause to women in particular, Okin (1999) maintains that oppressive cultures of this nature (such as *ulwaluko*), have no place in liberal democracies, and thus should not be given succor. She argues that liberal states need to take a stand, either by education or through punishment, and pronounce that harmful practices cannot be tolerated in society (Okin, 1998). Failure on the part of traditional leadership and provincial government, to act swiftly in addressing the difficulties surrounding this custom, has seen these problems continue

throughout the years (refer to Table 2). The recurring dangers associated with *ulwaluko* lead to the rite being questioned and discredited, not only by outsiders, but also amaXhosa, the people who are expected to honour the tradition. Although *ulwaluko* seems unlikely to be discontinued anytime in the near future (refer to 5.2.3), its dangers, should these continue unabated, put the custom at risk of annihilation in years to come.

5.2.2.2 Exclusion of Women

In the introductory chapter I indicated that one of the basic principles of *ulwaluko* is its sacredness and secrecy (Vincent, 2008a). It is a man's territory and women are expected to stay away from any business of initiation. The intention is to prohibit "outsiders" such as boys, other races and women from getting any knowledge about how the ritual works. This also means that those who are excluded cannot even ask questions about the practice. As Nduna *et al.* (2015, unpaginated) aptly put it, "discussions around the meaningful involvement of women in the initiation process have been met with resistance from custodians of culture." As a result of their exclusion, women in this study indicated that they possessed little or no knowledge of the intricacies of the tradition. In two research sites, participants suggested that men almost always exhibit an unfriendly and openly aggressive attitude towards women, where *ulwaluko* is concerned. Those brave enough to express their unhappiness or attempt to ask questions about the well-being or progress of their sons at the initiation school, are threatened with open hostility, a total evasion of the topic or even violence. The results of this study suggest that the exclusion of women in *ulwaluko* is manifested through socially acceptable, oppressive systems and mechanisms such as division of labour based that is based on gender roles and fear-inducing tactics, such as the accusation of witchcraft. Mavuyi had this to say about women's exclusion:

They always keep us out of it... that is according to isiXhosa custom. We are not even allowed to speak about it, you see? This is why some things fail, because sometimes this woman has good advice but is scared she will be asked why is she getting involved in

this business... they keep us hidden, you see?

The statement made by Mavuyi is loaded. Firstly, her sentiments point to the control of women by men, a feature of cultures reminiscent of patriarchal societies that utilize social structures, systems and practices whose aim is to “dominate, oppress and exploit women” (Kalabamu, 2006, p. 238). Mavuyi suggests a closed chapter on *ulwaluko* where women have no voice and stand no chance of being heard, despite their interest and need to express their opinions on the practice. Secondly, she is fearful of the consequences of immersing herself in business not considered that of women. This position further emphasizes male dominance, which helps men “gain power” over women (Bloodworth, 1990, p. 5). In this way the “choices and chances” (Reeves & Baden, 2000, p. 28) that women have in their culture are severely limited. The custom in this sense violates the universal rights of women, as it denies them the basic principles of multiculturalism that are characteristic of liberal states. Lastly, Mavuyi expresses feelings associated with non-recognition when she states: “they keep us hidden.” Charles Taylor (1994) noted that recognition and identity are important and related factors that communities need to pay attention to in multicultural societies, as failure to do so poses a threat to women. He wrote:

...our identity is partly shaped by recognition or its absence, often by the misrecognition of others, and so a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves. Nonrecognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being.

(p. 25)

The control that is seemingly wielded by men on women through *ulwaluko*, the fear it instills in them and the lack of acknowledgement, are factors that have a great potential to silence women completely. As Gouws (2013) puts it, one of the challenges of liberalism

is that multiculturalism induces fear and distrust of culture for those whose individual rights are violated. Conversely, multiculturalism works for those who are in agreement with the culture. In the case of *ulwaluko*, multiculturalism does not work for women like Mavuyi, but advances the interests of men and custodians of the culture. In this way, the society may lose out on valuable contribution that women can make, not only on initiation but in other areas of community life. Furthermore, one of the negative implications of non-recognition is that pointed out by Taylor (1994), where he alludes to feminist literature that warns of the harmfulness of patriarchal societies with their predisposition to reduce women to an inferiority complex so grave that it results in low levels of self-esteem. Taylor also states that this can be so bad that “even when some of the objective obstacles to their advancement fall away, they may be incapable of taking advantage of the new opportunities” (p. 25). The author sees non-recognition as a dangerous mechanism that leads to women’s self-oppression. What Mavuyi’s views demonstrate is that *ulwaluko* is a cultural practice that entrenches patriarchy since it appears to look down upon women, and does not seem to consider them as equals to men

Another form of exclusion was expressed where participants indicated a change in role definition regarding initiation. Some of the women argued that in recent times their role has somewhat shifted, resulting in further marginalization. They stated that in the olden days, and in the old Transkei region in particular, women were, among other roles, responsible for the thatching of *ibhoma*. To undertake this task, village women would converge on a set day to go and collect straw which they would later thatch onto the roof of the hut in a communal effort. This duty is now exclusively done by men, and women are no longer allowed to do it. This was perceived as prohibition from doing something that is rightfully their responsibility. Participants also pointed out that their current role in the practice is disempowering since it involves mainly practical and labour-intensive tasks such as cooking, brewing traditional beer and preparing for ceremonies related to *ulwaluko*. This perception points to two notions. Firstly, it underscores fluidity of culture which Nhlapo (1995a) refers to as neither homogenous nor constant. He states that “cultural values in every era are continually in a process of contestation, with emerging mores challenging the dominant set and sub-cultures springing up in various forms” (p.

212). Due to this constant change over time, Hobsbawm and Ranger (1983) referred to culture as “invented tradition” back in the early 80s. They argued that while societies may retain some aspects of their culture, some may change as a result of social, economic, political and other factors. Secondly, while the dynamic nature of culture may be the reason for the reported changes on women’s roles in *ulwaluko*, it could also be explained in terms of gender inequality and hegemonic practices where women are controlled and denied opportunities (as already discussed above). Okin (1998), for instance, refers to the inclination of patriarchal societies to exclude women from the public sphere and confine them to the private sphere, or domestic setting, where gender construction and enforcement of oppressive practices towards girls and women mostly occurs. Baden and Reeves (2000) concur with this view, arguing that the subordination of women in patriarchal societies is carried out in a systematic manner through organized structures that are created to benefit men while restraining women’s choices. The authors identify housework as one of the main ‘sites’ of patriarchal oppression (p. 28). Again, this is a case of the problem of a liberal conception of multiculturalism where the rights of women are violated through cultural practice. The woman in this case is not recognized as an equal but rather confined to an inferior status that forbids her involvement in discussions concerning role definition in the practice. The implication of women being relegated to a lower status to that of their counterparts potentially leads, according to Spivak (1988), to a loss of power and a perceived sense of inability to speak for themselves, because of the entrenched domination and oppression they have become accustomed to in their daily lives. This view is supported by Taylor (1994), who as I have alluded to earlier, argues that oppressive cultures tend to produce dangerous levels of inferiority complex on women, such that they may be incapable of utilizing available opportunities when they have been afforded those.

Although it may be true that oppressed women may find it hard to stand up against their oppression, this view is not necessarily true about all women affected by *ulwaluko*. Many women have raised their voices against the practice in the province and have made it clear that they do want to play an active part in the custom. It is however, important to heed Spivak’s warning about the subaltern who cannot speak for themselves, as well as

Taylor's cautioning of the highly disempowering concept of non-recognition. These are difficulties that would have to be traversed if attempts to change the status quo and include women in *ulwaluko* would be made.

Adding to the voice of unhappiness, Nothembile lamented:

*If only they could allow us women go to the initiation school...
let us roll-up our sleeves and take action! It is just that they would
say we are practising witchcraft; it's taboo. We would make
a strong statement that way.*

Here, Nothembile alludes to a desire to get more involved in matters relating to initiation, but also refers to the belief that women practice witchcraft (Vincent, 2008b). Participants in both sites indicated that they made sure to steer clear of the initiation school, for fear of reprisal for initiates' ill-health or death. The accusation of witchcraft is strategy used to silence and control women to ensure that they remain in the private sphere, and under oppression. The banishing of women from the initiation school is also associated with the concept of *umlaza*, documented in some of the literature on *ulwaluko*, such as in Kepe (2010) where he quotes Gitywa as saying that "women are associated with uncleanness or impurity (*umlaza*), a condition which, according to the norms of the ritual as observed in the 'past', disqualifies a person from handling anything that will come into contact with initiates" (p. 732). Growing up in the isiXhosa culture, I know women to be prohibited from even accessing certain parts of the homestead on account of *umlaza*, the latter perceived as a result of menstruation and sexual fluids. This means women are kept in the dark, and are not involved in what happens to their sons in the initiation school, a transgression of the two fundamental pillars of liberal democratic states - autonomy and equality, the former seeking to provide women with the opportunity to live their lives based on their own choice, and the latter ensuring that women enjoy the same rights, and are treated the same as men. Most of the women supported Nothembile's views about exclusion from *ulwaluko*, stating that they have no decision-making powers on initiation. They indicated that they were often not consulted, and that all the decisions were made by their

husbands, male relatives and other male community members without their knowledge or contribution. In the case of female-headed households, women were expected to rely on their male representatives, usually from within their extended families, for all initiation related matters.

While critics of Okin (1999) such as al-Hibri (1999) maintain that her argument makes an assumption that minority cultures are internally oppressive, Nothembile's lived experiences appear to validate Okin's views about the patriarchal nature of some aspects of *ulwaluko*. The exclusion and oppression of women has the potential to cause dissatisfaction, and form a barrier between men and women, resulting in conflict in families and communities. We have already witnessed public displays of dissatisfaction where women have resorted to the media, advocating for their involvement in *ulwaluko*, the IYA a case in point. Furthermore, the marginalization of women that participants alluded to, in my opinion, points to the denial of human agency. Simply put, agency refers to "the power people have to think for themselves and act in ways that shape their experiences and life trajectories", which can be applied individually or collectively (Cole, 2017). In patriarchal societies, institutional structures are set up in a way that opposes agency for women where the latter, as Phillips (2009) puts it, are relegated to a status of victimhood. Feminists like Phillips advocate for the recognition that women have agency too. Women's agency can only be realized when custodians of the culture, government, women and other stakeholders work together in an effort to root out the harmful elements of the rite. Failure to find solutions to this challenge may lead to further social fragmentation.

The discussion above demonstrates in explicit terms that the tension arising between law and culture as a result of the silencing of women on *ulwaluko* leads to the violation of gender equality and human rights legislation, such as PEPUDA (Equality Act), CEDAW, SADC Declaration on Gender and Development, Protocol to the African Charter and the Constitution of the Republic of South Africa (refer to section 3.5.3.1 for detailed information on the laws). It is a great concern that the violation of women's rights, and the endangering of the lives of initiates, has been allowed to continue in some areas of the

province. This suggest two things; 1) that there are high levels of ignorance among men, about the illegality of their actions, or that the men are simply ignoring legislation. The former case, suggests a need for awareness creation whereas the latter requires that the law takes its course. Failure on the part of government to protect the rights of women (and initiates) by not acting against those who break the law, could result in women losing faith in the state and what it stands for. Furthermore, the situation encourages lawlessness and weakens the multicultural ideals that should be continually promoted in a liberal state.

5.2.2.3 Democracy and its Effect on Initiation

Participants argued that although they were structurally excluded from decision-making on initiation, they were, in the same vein, saddled with all sorts of domestic and labour intensive duties. For instance, some of the initiation-related responsibilities that were said to have been relegated to the already over-burdened and overworked women included the provision of new blankets and clothes for the initiate, sourcing of animals for slaughtering, provision of food and the traditional beer needed for different rituals performed as part of initiation. Participants also mentioned the need to attend to initiates' medical needs should they fall sick at the initiation school. They stated that it was not just the mere performance of these tasks that was left to women, but the financial responsibilities as well. Some participants argued that none of these duties would be undertaken if they left them to men who they denounced for what was perceived as a general uncaring attitude. Nomvuyo stated:

In our homes we have men.... but the women are the ones who have to deal with things, even though the men are there. Everything is the responsibility of a woman! The man tends to be stupid... you, the woman, must tell him what to do!

Nothembile added to Nomvuyo's remarks:

Women are unhappy! Men do not care about this initiation thing. Men are crazy, they are not okay! This initiation has become dangerous now. Men are weak-weak!

Nomvuyo and Nothembile point out the laxity of men, and a general uncaring attitude about their roles as fathers, husbands and men in the community. This points to the crisis of masculinity which I described in Chapter Three as an attitude found in masculinity studies (Dworkin *et al.*, 2012, p. 100), and which Hell (n.d.) describes as an “identity crisis” (unpaginated) that faces men and creates confusion about how they should respond to the expectations placed by the contemporary world on them. Ayton-Schenker (1995) supports the view and adds that men find themselves caught up between acting in a hypomasculine manner, and completely giving up their masculinity. It appears from the participants’ perspective, that some men tend to resort to the assumption of feelings of disempowerment and alienation, which in turn portrays them as irresponsible, inconsiderate spouses and partners, and uncaring fathers to their children. The perceived imprudent nature of men suggests, firstly, that their attitudes and outlook on *ulwaluko* has changed in the new liberal order. Secondly, that this change is detrimental to *ulwaluko* since it has resulted in the negation of men’s traditional roles. The inability or unwillingness of men to embrace their roles and responsibilities as is traditionally expected, in my view, poses a serious threat to the advancement of the tradition.

Seemingly in agreement with the crisis of masculinity, Nomvuyo makes the following observation of the effects of democracy on men:

*The marjority of men are failing in the democratic order.
It is the women that play a role; the men find it hard.
And they say “because of democracy, we will leave it up
to you... you are the ones with all the rights.*

Dworkin (2012) expands on the crisis of masculinity and describes the perceived negligence and slackness of men as a product of the efforts made by different structures that aim to address the oppression of women and promote gender equality in liberal democracies. She argues that this creates a threat to men, causes negative feelings about their masculinity and consequentially leads to resentment of women's gains. She adds that these intense emotions produce the notion of irrelevance on the domestic front. The combination of the contradicting stance between men and women on the provision of women's rights, and the clashing outlook on role definition on *ulwaluko*, poses a threat to family life among amaXhosa. Since initiation is at the centre of this controversy, it is likely to be seen as the cause of the strife in the family rather than the root causes of the crisis of masculinity, which may or may not be readily understood by the people concerned. This situation can intensify the negative feelings women have on *ulwaluko* as a result of the burden associated with the laxity of men.

The majority of the women across all sites asserted that democracy was not playing a meaningful role in their lives, and that it was thus failing women. MamBhele had this to say about democracy:

*In all honesty, democracy has not assisted in any way.
Folks, we are not involved at all in that thing!*

MamBhele's statement suggests that democracy has not been fully achieved in her area since they were not involved in many aspects of *ulwaluko*. Nomana shared her sentiments but believed the onus was on the citizens, and women in this case, to take responsibility and assume agency. She commented:

*What I would say is that since we are Mpondoland women,
we have not yet internalized democracy; we have not taken
cognisance of the fact that it is happening. If we were
serious about making democracy work, we could! We could
make use of it... it is just that we have not yet committed*

ourselves.

MamBhele and Nomana seem to suggest that the realization of the fundamental principles of a liberal democracy have thus far not been evident in their area. MamBhele maintains that democracy has not assisted women in any way, implying that the democratic ideals that every individual should be enjoying have not permeated Mpondoland to the women's satisfaction. MamBhele's observation appears to complement the views I discussed earlier with regards to the exclusion of women, their dominance by men, as well as their relegation to the private sphere. The participant's views also appear to be in agreement with the notion of non-recognition of women in their communities, which I also alluded to earlier (refer to section 5.2.2.2). It can thus be argued, that in the view of some women, the state has failed to democratize since it has not provided them with the necessary mechanisms to achieve an equal status to that of men. Sections 1(a) and (b) of the Constitution state that as a democratic state, South Africa is founded on principles that seek to preserve human dignity, equality, non-sexism and the advancement of human rights and freedoms. This clause is implemented through the HRCA No. 54 of 1994. Furthermore, the state proclaims in Chapter 2 of the Constitution (Bill of rights) that it will "respect, protect, promote and fulfil" these rights, and the Human Rights Commission is charged with the responsibility to promote and safeguard these rights. We learn from MamBhele's story that in their experience, these democratic values have not been realized for some of the women. In light of these views, I argue that the state has failed to democratize. Such failure is likely to exacerbate the resentment that some women in this study have already displayed towards the custom (refer to section 5.2.1), another factor that poses a threat to *ulwaluko*, and which could result in an even bigger contingency of people that do not support the practice. Consequently, this stance may increase the possibility of the strengthening of the call for the discontinuation of the practice (see section 5.2.3.1).

It should be noted however, that some participants in Makana Local Municipality had a different view about how democracy has played out since the new dispensation in South Africa. MaJay unequivocally stated:

Democracy is the right thing... but it is also wrong! In my view democracy is irrelevant in initiation. Personally, I am not comfortable with the democracy issue, because it brings about err... err... a lack of respect for each other... you see... a man will always be a man, a woman will always be a woman! But a woman and a man should work together like these hands (showing hands)... and do so in all cases.

MaJay expresses ambivalent feelings about the democratic ideals of liberalism. Although she is not opposed to democracy, her loyalties seem to lean more towards her cultural norms. So here we see the emergence of conflicting values. MaJay and a few other participants believe that there is nothing idiosyncratic about men excluding women from initiation, as this is in line with gender roles and isiXhosa custom. She further alluded to initiation being a matter that should be handled by men. She argued that *ulwaluko* was as much men's territory as childbirth was women's business. Her stance on the matter was demonstrated in the following statement:

*Let us look at the other side of this thing... men are not allowed [in isiXhosa culture, to participate] when a woman gives birth! We used to give birth in our homes... a male person is not allowed, even the child's father is not allowed [in the room]... So that is how I have always looked at it; that women are not allowed in the business of *ulwaluko*, just like men are not allowed in childbirth! I am not going to bother talking about this carefree attitude people have adopted nowadays... a child's birth should be treated as a woman's secret... just like it is for men with initiation.*

In support of this view, Mamvulana stated:

So we need to accord men their role. It is the husband who will privately share the boy's progress with you and say "hey, wife, the lad is progressing well...". We should not try and be in their space. It is not that we want to be there; it is not our business... not our place!

The opinions shared by MaJay, Mamvulana and other participants are indicative of a cultural relativist stance; the view that human beings subscribe to human values that "vary a great deal according to different cultural perspectives" (Ayton-Schenker, 1995, unpaginated) and that the application of universal human rights can interfere with their culture and cause some kind of interruption. Unlike the arguments made by women who felt left out of *ulwaluko*, MaJay and Mamvulana demonstrated that they were happy with the status quo, that women generally left *ulwaluko* in the care of the menfolk. The participants' views also appeared to communicate that democratic ideals may, in the case of *ulwaluko*, be encroaching on their way of life (which in cultural relativist terms is usually experienced as a Western ideal), hence the ambivalence on MaJay's part. The existence of divergent views of this nature contributes to the complexities of implementing practical solutions to a multicultural society, and threatens the efforts of feminists as their beliefs are – as illustrated in this case – not always representative of every woman's voice.

5.2.2.4 Exposure to Psychological Trauma and Emotional Distress

As I discussed earlier in this chapter, the results of this study revealed that the exclusion of women from their sons' health and welfare needs, especially during the translocation period, has often caused them immense distress. The experiences shared by some of the participants demonstrated that they had been deeply affected by a host of traumatic events related to the practice. It was reported that women whose children died during initiation were seldom, if at all, informed of their sons' death soon after it occurred, which reportedly brought immeasurable pain to the initiate's family, and the mother in particular. It is evident from this narrative that this occurrence prevailed largely in Mpondoland. In the case of the death of her a child, a woman usually learns of the tragedy indirectly, and

in one of two ways. Firstly, by finding the initiate's blanket thrown over the fence in the initiate's homestead, usually at night time when family members are sleeping and unlikely to see the arrival of the blanket. This blanket serves as a symbol of the death of the initiate. The second way of finding out about the initiate's death is by chance. Participants indicated that when a woman eventually finds out, she is usually not offered any explanation about the death of her child and is also not afforded the opportunity to ask questions. Lulu described how she and her sisters were confronted with the dreaded blanket:

Here is this blanket. We are waiting for the elders to come and say something... nothing! Even my older brother, the one I could ask what was going on... how the kids were doing, what they were doing etc etc, is nowhere to be found. He had disappeared, avoiding us. You are just left in the dark! We then asked around about this blanket, nobody gives us an answer! And then days later, we noticed that the others [initiates] were back, people were singing, celebrating their homecoming and things like that. Us, we are in the dark... we know nothing, and the child is not back!

What Lulu seems to be describing here is, again, the case of exclusion of women from the practice through measures that Kalabamu (2006, p. 238) describes as "a system of social structures and practices in which men dominate, oppress and exploit women." As I indicated earlier, this kind of practice infringes upon the women's right to make decisions about their lives, and in the case of *ulwaluko*, the health and well-being of their children (refer to 5.2.2.2). What also emerges from Lulu's story is a picture of a woman who is placed in a demeaning position, who is not given any form of recognition and whose worth and dignity is violated. These constructs allude to Taylor's (1994) concept of recognition, and how misrecognition "can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being" (p. 25).

The most acknowledged form of harm participants referred to in this study was the severe and prolonged emotional distress linked to the death of their sons. It appears that such incidents resulted in drastic reactions for the affected women, such as considering keeping their sons away from the practice, a totally unacceptable stance among amaXhosa. Another participant mentioned that she has since had a continual reaction to the tragedy, causing her to experience severe emotional distress every year at the onset of the initiation season. MaDlamini had the following to say about the death of her son:

My child died at the initiation school, err... firstly I would say he was neglected... because the traditional nurse was absent. ... in fact the initiates were on their own. According to my informant, the initiate asked that they send for his father. It was at night and too late for them to... to... to walk home... They waited for the morning because they did not know what else to do... He died, in the presence of the young ones! Then they saw this man walking in the fields... They beckoned, and he went to them... [and they said,] "Father, we have a problem, we have a guy... who has died here.

Participants revealed that in the unlikely event that a woman was informed of her son's death during initiation, it would be with little or no sensitivity. Furthermore, it was stated that women are often not given the space to express their pain over the sdeath of their sons, which points to the denial of the opportunity for women to grieve properly for their children. MaDlamini, who picked up cues about the death of her son from a discussion village men were having with her husband, and from witnessing the return of the initiate's blanket and other belongings, had this to say:

Just when I was about to start screaming, this young man... said, "do not ever do that auntie, you are not supposed to do that!"

Furthermore, participants reported that women were prohibited from visiting their dead sons' graves, as it was believed that paying their last respect at the burial site would bring about what is known as *umkhondo*, a bad spirit, to the family. Speaking from first-hand experience, Lulu mentioned:

They say when a child dies there, they are not allowed to bring him home. You are not supposed to know where he was buried because if you do go and visit the grave, it will lead to this thing called umkhondo, which means the same thing will happen to other people.

Nduna *et al.* (2015) report that historically, initiates who died at the initiation school were buried there, and that the father of the initiate was responsible for handling the burial. The authors further state that it was normal for the deaths not to be announced to the community. They also allude to the changing nature of the custom, which has seen families wanting to bury the initiate themselves in the unfortunate event that he passes on, leading to mothers seeking answers about the death of their sons. The result is that nowadays “circumstances surrounding his death are now disclosed, despite the fact that the custom stipulates that initiation should not be discussed with the female relatives” (Nduna *et al.*, unpaginated). Although not necessarily referring to changes around initiates' deaths, other scholars have reported on shifting patterns on the custom (for instance Stinson, 2007; Venter, 2011; Vincent, 2008), including modernization of the practice (Siswana, 2015). It is not surprising to see these changes, given not only the consternation that has engulfed the practice in the last ten years or so, and the consequent legislation on *ulwaluko*. This also points to the mutability of culture which was observed by Hobsbawm and Ranger (1983) and Nhlapo (1995a) as constantly changing (which I discussed earlier in section 5.2.2.2).

The experiences shared by participants on how the death of initiates is dealt with in isiXhosa culture, illustrate that some acts around *ulwaluko* sometimes subject women,

and initiates, to serious trauma. The incidents I mentioned above, aggravated by the proscription of women from proper mourning, appear to lead to difficulty in finding closure on the death of initiates for the women. There were a number of issues that surfaced as hindering factors to closure. These included the lack of knowledge about the manner and cause of the initiate death, whether 'he suffered during his death, whether anybody was responsible for the death, as well as the inability to identify the burial site. The women's intense suffering was evident as they attempted to articulate their feelings. Lulu, whose 14-year-old child died at the initiation school about ten years earlier, stated:

No, nobody tells you anything, because you are a woman. My brother came to my house with these other men, to say he [the initiate] did not heal, so he was left there. That is what they said, "he was left there!" They said the blanket we saw was a symbol that he was supposed to be coming home, but he did not.... he got sick there, in this thing they were doing there. A thing I still know nothing about... I do not even want to know... (Tears welling in her eyes and her voice starting to shake). And I do not even want to talk about those things... because that is my child! I never ever saw him again. I last saw him the time he disappeared... and they said "he was left there!" They took him in whatever manner they did, and buried him wherever they did. And you as a woman are expected to grieve... grieve for this child. No-one comes to explain what happened... the whole story... That was the end.

Some of the participants in Mpondoland, and particularly those who lost their children through *ulwaluko*, displayed extreme levels of distress over the ritual and its debilitating consequences. Many of them appeared not to have healed many years after the death of initiates. The emotional pain appeared so severe that some participants were not keen on discussing events around their sons' initiation. Others could not bring themselves to say the name of their deceased son, or even the word initiation. For instance one woman

kept referring to initiation as “this thing” or “that thing”, a symbol of complete dissociation from the custom. I also observed that some participants appeared fearful of the prospect of having to send more of their children to initiation school. Again, this points to the harmfulness of the practice (refer to section 5.2.2.2), and lack of recognition of women. As I indicated earlier, Taylor (1994) warns of dangers associated with non-recognition in society, that it leads to dangerously low levels of inferiority complex which may lead to an inability to utilize opportunities that are at the disposal of those affected. The significance of Taylor’s theory here is the implication that should *ulwaluko* continue to disregard women’s worth and dignity, and further perpetuate their relegation to the private sphere, isiXhosa culture could present itself as a site that breeds a community of vulnerable women. As a result of this oppressive nature of the tradition, such women may lack the capacity to contribute meaningfully to their family life, community needs and the society at large.

While participants in Mpondoland exhibited severe emotional pain, the prevalent feeling in Makana Local Municipality was that of anxiety and generalized stress, and not so much trauma. These differences can be associated with the fact that the challenges and fatalities reported in Mpondoland were uncommon in the Makana Local Municipality. Although deaths were almost unheard of in Makana Local Municipality, participants at this research site showed a high degree of empathy for the rest of the women affected by the death of initiates in other areas of the province. They demonstrated that they, to some extent, identified with the feelings of all women who had lost their sons to initiation. Nomalady remarked that:

You just feel it in your heart once, err... it is time. You see now that it is the month of June, we are anxious! We err... do not enjoy June and December because... it is just not nice! Uhm... once you hear them singing then you realize, oh God... here comes trouble!

5.2.2.5 Exploitation and Sexual Abuse of Women

One of the experiences related to *ulwaluko* that a number of participants shared, was the the problem of single women's dependence on men. They claimed that this need exposed them to sexual abuse as they were expected to perform sexual favours in return, for the help and support they receive from the men during the initiation process. Thozi stated:

Today if you are a single parent you have to re-pay some men, and become his isicamba. It is not nice; these things hurt us. You also pay for the alcohol! We are still oppressed as women in as far as initiation is concerned. When you are a single parent you even have to sell your body because you want this man to take good care of your child. Men who want to do good for the community no longer exist!

Thozi's case about the coercion to return sexual favours to men - and not necessarily the boy's father - demonstrates ways in which men sometimes use initiation as a tool to wield power over women. She uses the word "oppressed" to demonstrate the inequality that is perpetuated by the custom between men and women, and the harm it causes on women. As shown in studies conducted in the province, *ulwaluko* has proven to be a breeding site for masculinity values that are heavily entrenched on hegemony (Ntombana, 2011b; Siswana, 2015; Vincent, 2008a; Wood & Jewkes, 1998). Ntombana supports this view when he states that initiation has in the past "been associated with irregular teaching" (2011b, p. 33). In his study, he refers to a court case in the Eastern Cape where *amakrwala* defended themselves against a rape charge they were accused of. According to the author, these young men claimed to have carried out the rape in line with the principles of isiXhosa culture, which encourages newly-initiated men to practice *ukosula*, and where they are "instructed to have sexual intercourse with any woman who was not a girlfriend of theirs" (p. 25). He goes on to say that the aim of this lurid act is "to remove any bad luck that they had acquired during the initiation" (*Ibid*). It has also been reported that young men often give their genitalia names such as a "Maserati, Mercedes-Benz and

BMW” which they feel the need to “test drive” by having sexual intercourse with women, without any consent (Gasa, 2013, unpaginated). Wood and Jewkes also allude to unorthodox behaviour and modelling demonstrated by men in a study they conducted in the province. They found that men felt entitled to sex and thought that coerced sex was appropriate, that the idea of getting as many partners as they wanted was considered a good thing by young people, and that it defined prowess and masculinity. They go on to say in the view of men, “sexual refusal on the part of girls, which contradicted this 'contract', as well as challenging norms about male sexual entitlement and female sexual availability to their partners, was an important catalyst for assault” (p, 12). Ntombana agrees with this notion, and states that such practices tend to accentuate sexual assault and lead to “a moral decline” in society (p. 25).

5.2.2.6 Social Stigma and Rejection

Almost all amaXhosa males undergo *ulwaluko*, and many undertake this experience with much gusto and pride. The expectation for amaXhosa boys to take up initiation for purposes of ushering them into manhood is not fulfilled by all. Some males are known to have demonstrated a lack of interest in the custom, leading to them not taking part in it. Such a stance is not welcome to the proponents of the culture. Those who do not get initiated are considered “non-conformists” who take no pride in themselves and in their culture. They are considered a disgrace to the tribe. Other groups that are considered non-conforming are those who opt for VMMC, as well as those who seek medical treatment in dealing with health issues and complications resulting from initiation. The reasons for refusing initiation did not come out explicitly and I did not interrogate the matter further since that was not the focus of this study. Participants did, however, make mention of the reasons why they, as women, felt the need for their sons to make use of VMMC instead of *ulwaluko*. In South Africa, VMMC is considered an alternative method of circumcision that is endorsed by medical practitioners and other stakeholders concerned with the consequences of what is perceived to be unsafe practices in *ulwaluko*. As an alternative to the practice, VMMC is strongly denounced by amaXhosa, labelling it

a western phenomenon that is not appropriate for initiating boys into manhood. For this reason, VMMC is usually nullified and not considered initiation at all.

Since initiates are expected to be treated only with traditional herbs and no western medication in the bush, those who resort to medical intervention are viewed in a bad light and are condemned in the worst possible way. All “non-conformists” are perceived as unconventional males who have no right to transgress the most sacred and valued traditions of the tribe. They are considered weak and not “man enough”. Consequently, they are given extremely derogatory names such as *ilulwane*, which amaXhosa regard as a confusing animal since it resembles both a mouse and a bird. Another derogatory term used in this study was *umdlezana*. It refers to a woman who has recently given birth, particularly a birth in a hospital ward, and the term appears to be endemic in the Eastern Cape. In another area of the province where Ntombana (2011b) conducted a study on *ulwaluko*, men who took up VMMC or visited the hospital during their initiation were not only referred to as *abadlezana*, but were also called “*amadoda ephepha* (paper men)”, which means they had opted for the western route (p. 223). VMMC is considered easier, a sign of weakness and thus comparable to a woman (Duka-Ntshweni, 2013; Vincent, 2008b). It can be argued, therefore, that in isiXhosa culture, an initiate who goes to the hospital for VMMC or medical attention is seen as incomplete and not worthy of the title of “man”.

All “non-conformists” run the risk of being looked down upon, discriminated against in different ways and excluded from community activities that men engage in. Ntombana (2011b, p. 224) asserts that such a person becomes “an object of ridicule” who is equated to a dog and who nobody places a high expectation on. This disparaging labelling is not the only price such men pay in their communities, they are also punished severely through exclusion from social life in their communities. A male person that has not undergone initiation is called a boy despite his age. Ntombana also reports in his study that “the issue of stigmatisation went beyond just name-calling, as the men who were initiated in hospital are not allowed to sit at traditional ceremonies with other men. If they did, they are chased away and told to sit with the boys” (2011b, p. 223). As I have

mentioned in Chapter Two, such men do not qualify to get married. Should any woman marry a man that has not undergone initiation, she is seen as lacking self-respect (Meissner & Buso, 2007; Mavundla *et al.*, 2009; Ntombana, 2011b). This view was substantiated by Nowam when she mentioned:

*As a woman I would never sleep with a boy when circumcised
men are all around!*

The banishment of “non-conformists” has far-reaching consequences. As Vincent (2008a) puts it, such exclusion is known to cause enormous pain and frustration; and can lead to embarrassment. It appears that for fear of humiliation and rejection, many initiates choose to stay at the initiation school instead of going to the hospital, despite evidence of deterioration in their health. Ntombana (2011b, p. 223) echoes this view, stating that he remembers a time when he himself underwent initiation in Whittlesea in the 1990s, and “some boys would rather stay at the lodges and hide it from their families that they were sick for fear of being discriminated against.” All these factors relating to non-conformity lead to a life of total marginalization and relegation from community affairs. The rejection and stigmatization of those considered non-compliant in these communities is an indication of the existence of a philosophy that prohibits initiates and their families from making use of their right to self-determination. In this way, the society forbids them from seeking alternative options to initiation and to seek medical attention where it is needed, for this stance is equated with failing the ritual (Meintjies, 1998).

The stance adopted by the custodians of *ulwaluko*, demonstrated by the differential treatment of the “Other”, brings to the fore the rejection of certain groups of people. This is indicative of the illiberal practice found in multicultural states where minorities tend to be prejudiced, and become “objects of collective discrimination” (Hacker, 1951, p. 60) on the basis of not endorsing the authority, practices, or principles of the culture they are born in. In the case of *ulwaluko*, the justification that is often used for the severe punishment of men who are considered to have abandoned their own culture is their adoption of “Western ways”. It was found in a study conducted across the country that

the adoption of such ways was viewed by many as central to the decay of cultural and moral values that form the basis of initiation (CRL Rights Commission, 2010). Furthermore, those participants blamed “Western ways” for the discontinuation of the ritual in some parts of the country. The social stigma attached to amaXhosa men for their unwillingness to take up initiation and their denial to live life in the manner they choose, suggests that their individual rights are not sufficiently protected, an indication that democracy is failing them. This stance contravenes principles of liberalism which allow people to “decide on their own conception of the good life”, and to take up any religious or cultural of “ascribed or inherited status” (Kymlicka, (2017, p. 52). Such discrimination is also in contravention of the section 15 of the Constitution, which give individuals the right to freedom of religion, belief and opinion, as well as section 30 which allows people to practice any culture of their own choice, as long as this is consistent with the provisions of Chapter 2 (Bill of Rights) - the right to dignity and the right to equality. The coercive aspect of initiation makes initiation illegal. It is encouraging to see that in recent years, people who have been accused of this practice have been prosecuted in the Eastern Cape. It is however, not clear whether such prosecution is implemented consistently across the province.

5.2.3 Theme 3: Factors Enabling the Preservation of *Ulwaluko*

5.2.3.1 Acceptance of the Custom and Loyalty in the Practice

As a result of the problems associated with *ulwaluko*, such as the violation of human rights and the oppression of women, many participants displayed disdain towards this practice. In Mpondoland, most of the women called for the abolishment of the custom. They argued that the practice was never a part of the Mpondo culture, hence the older generation of males in this region had never initiated (refer to 2.3). They also maintained that the lack of extensive knowledge and the dexterity required in executing the practice was one of the reasons for the high rate of injuries and fatalities in this area. The condemnation of the practice is echoed in Ntombana’s (2011b) study where he found that the majority of his participants in the Mpondoland area wanted initiation to be discontinued. He states:

The majority of the informants in Mpondoland suggested that this practice be abolished as it no longer played its moral traditional role and the number of lives that were lost due to it... Some informants from the amaMpondo responded that the other groups can continue with the practice but it should be abolished in Mpondoland as it carried no meaning to their communities (pp. 161 – 162).

Almost all participants in Mpondoland, as well as in the pilot site, were not in favour of *ulwaluko*, indicating that they would prefer VMMC instead. However, they stated that they had no choice but to tolerate the continuation of the tradition. According to MaMntambo:

*All of us the women of Mpondoland... we are not happy!
But since it is something that is happening, we accept it as
parents. It is happening...*

MaMntambo's statement is another case one that shows denial of agency. It also demonstrates the question of "coerced acceptance". Most of the women emphasized that if they were at liberty to choose, they would opt for the abolishment of the practice. They argued that *ulwaluko* is deeply entrenched in their communities and therefore impossible to root out. This, for them, meant they had no choice but to accept the status quo. This view again illustrates the solid establishment of oppressive practices against women in the culture, and the unequal balance which results in women feeling powerless to take action. This situation reflects Okin's (1999) argument that the problem with multiculturalism is that it prioritizes group rights over individual rights; and it suppresses minority rights.

In addition to isiXhosa culture being deeply-rooted in its principles, other reasons cited for women's acquiescence were related to the risks associated with the inability to convince their sons of the importance of avoiding initiation. The women also feared for

the stigmatization their sons would face should they not comply with the prescripts of the culture. The significance of women accepting the ritual despite its problems poses a peculiar paradox. This contradiction was observed by various researchers in this field. As I indicated in Chapter One, Venter (2011) mentions that she became aware of such inconsistency during discussions she held with her university students, some of whom were mothers of initiated men. She posits that the women expressed concerns about the mortality rates of initiates while others strongly defended the ritual. Her subsequent study revealed that the majority of the women wanted the cultural practice to be upheld, despite its health risks. This strong stance on upholding *ulwaluko* is also supported by Ntombana (2011b, p. 22) who states that “amaXhosa in particular take pride in this practice and refer to it as *isiko elingenakuphela* (rite/ritual that will never come to an end).” He adds that in his study participants emphasised that amaXhosa “will never abolish the initiation rite” (pp. 170, 220). Duka-Ntshweni (2013) also reaffirms the view that the practice has moved through, and survived various eras, such as “colonization and the apartheid era to the current democracy” (p. 27). According to Ntombana (2011b, p. 167), findings of a study conducted in the Eastern Cape in recent years also indicated that the majority (84%) of initiates that were interviewed about initiation “expressed pride” in the practice.

Since injuries and fatalities were an uncommon phenomenon in the Makana Local Municipality, it is not surprising that the majority of women in this site condoned and defended the practice. They felt strongly that initiation should never be abandoned and emphasized its significance for amaXhosa. They expressed satisfaction in the way the custom was carried out, as demonstrated Nancy’s opinions below:

It is fine; I do not see anything wrong with the way it is conducted, because us here in Grahamstown, for example, we know our traditional surgeon in the township... we know who it is! Who takes the child [to the clinic]? It is that man! He goes with that man and my brother, because my kids’ fathers do not live here. They... go to the clinic first so he can be examined, to see if he is fit enough to undergo initiation...

[Then they look at] whether he is the right age to undergo initiation. They will send him back if he is under-age... they turn him back! If he is not fit enough, he will go at a later stage... If he is fine, then they set a date to go to the bush... it is set by the traditional surgeon, and he (the boy) is informed.

What emerges from Nancy's views is her unwavering support for the custom, resulting from her satisfaction with how it is implemented in her region. As I have shown above there is an abundance of literature that points to the resilience of the practice. *Ulwaluko* has not only stood the test of time, it has also depicted amaXhosa as staunch followers of the practice despite its grave challenges (Gwata, 2009; Papu & Verster, 2006; Ntombana, 2011a; Venter, 2011). The conclusion I draw from the participants' views, and the literature I reviewed, is that given how strongly amaXhosa feel about *ulwaluko*, attempting to end the practice is unlikely to yield positive results. I argue therefore, that instead of trying to abolish the custom, new ways of addressing the challenges it is facing should be solicited.

5.2.3.2 Efficacy of Traditional Leadership

Although Mpondoland has become notorious for its atrocities over the years, it appears that in some areas significant changes have been taking place. This positive change was attributed to the role played by traditional leaders, who are sanctioned by sections 211 and 212 of the Constitution to implement customary law such as the AHSTCA (No. 6 of 2001) in their communities, in partnership with the provincial government and all relevant stakeholders. One such leader was the young and modern-looking Chief Bathande Gebula of kwaThahla area, who was hailed by participants for endorsing and reinforcing legislation that regulates *ulwaluko*. Mbuyi, one of many satisfied women who participated in one of the focus groups I conducted, had the following to say about the effectiveness of traditional leadership:

They get back looking well, and you feel happy, because in the olden days they would come home with wounds on their heads, others would have stab wounds... and having been assaulted! What was happening there at the time is that the kids were circumcising each other without parents' permission. That is why I feel initiation is very important... it all went well!

In line with with Nancy's views about *ulwaluko* being a highly significant custom for amaXhosa, Mbuyi's statement suggest a successful implementation of rules and procedures related to the custom in this particular area of Mpondoland. It is important to note and applaud the positive role ascribed to traditional leaders in this area of Mpondoland. Such an achievement should not only be praised but also exploited as a resource that could be utilized in addressing the challenges facing *ulwaluko*. In regions like this, traditional structures serve as gatekeepers that cannot be overlooked when dealing with initiation, a demonstration of their importance and clout in rural communities. When addressing *ulwaluko*, it is however, also critical to note the existing contradiction between the communal nature of African culture and the principles of liberalism that prioritize the individualistic approach (Vincent, 2008b). I revisit this last point in section 5.2.4.6.

5.2.3.3 Celebration of the Custom

Participants in all research sites described the day of homecoming from initiation school, known as *umgidi*, as a very emotional and unforgettable day for any woman who has sent her son to the bush. The women mentioned that while *umgidi* is often exciting, it is also characterized by pain and sadness. They asserted that the thought of sending one's child to the bush is always fraught with trepidation. Participants noted that while women always look forward to *umgidi*, the initiation experience generally made them feel unhappy, anxious, overpowered, oppressed, distraught, confused, fearful and heavy-hearted, amongst other things. It is for this reason that they felt a great sense of relief when their

sons returned from initiation school. They rejoiced at welcoming *amakrwala* home. Nancy described the event as exhilarating. Reminiscing about her son's graduation from initiation, she had a big smile on her when I asked her to share her experiences of the day, and she stated:

It makes your heart jump for joy when you see your son coming home covered in those blankets. You just get excited... because you almost felt like your baby wasn't gonna come home! Your heart is at peace... You are dressed to the nines... and he sees you like that! In our family we do not do what you see other families do, where you find the child covered... He has to see you... see his mother who has been missing him so much... and his sisters would be there too.

While it is known as a troubling custom in some respects, *ulwaluko* is also revered by those who practice it. It is evident from Nancy's remarks that women usually experience *umgidi* as a beautiful and exciting event. Ntombana (2011b) corroborates the conflicting emotions of fear and excitement, and refers to the jubilation experienced by the entire community when initiates graduate. He aptly points out how everybody dances and celebrates to the song "Somagwaza" (refer to 2.7.1.1) even when they do not know the graduate, or his family personally. The initiate's homecoming marks the initiation process as a resounding success, and the whole society celebrates the accomplishment. *Umgidi* is thus an exceptional day; it is to initiation what a showstopper is to a fashion show. The electric mood that characterizes this day provides the much-needed relief to *izibazana*, the mother of the initiate who has been apprehensive and uptight throughout her son's initiation. What we can learn from Nancy's account is that *umgidi* is a very important occasion for mothers of initiates, a day they await with eagerness and which appears to ascribe meaning to *ulwaluko*. Furthermore, the *izibazana* status appears to give women a sense of gratification and importance. In this way *ulwaluko* becomes highly significant to women. As Singh (1999) puts it, culture gives people a sense of identity and forms the gist of their relationships with others. Seemingly in agreement with Singh, Phillip (2009)

posits that culture is a very important factor in people's lives. In my view, *umgidi* gives credence to initiation and is thus one of the most crucial aspects of this revered tradition. Based on the importance of culture, it is critical that while liberal democracies promote the sustenance of distinct traditional cultures, they also strive for the enforcement of the elimination of harmful components of these cultural practices. In this way, people can still identify with their traditions while preserving their identity and pride.

5.2.4 Theme 4: Mechanisms to Address the Challenges

Participants had various strategies in mind that they believed could be applied to address the complications and adverse effects of *ulwaluko* in the province. Below are some of the mechanisms they recommended:

5.2.4.1 Safety of Initiates

Lack of safety for the initiates was one of the most concerning difficulties for the women who participated in the study. They asserted that safer dwellings needed to be constructed for the initiates to keep them warm in winter and dry during the rainy season. They also stressed the need for their protection from physical harm and the use of substances at the initiation school, and thus recommended the regulation of alcohol. I discussed the views of participants on how the well-being of initiates is sometimes compromised at initiation schools and the implications thereof (refer to section 5.2.2.1)

5.2.4.2 Re-evaluation of the Initiation Period

Many participants believed that over the years there has been an increasing transgression of the old cultural ethos of *ulwaluko*. For this reason, they suggested that traditional values and norms of the practice be revisited in the belief that such a stance would cut down the rate of botched circumcisions, resultant fatalities and many other problems associated with the custom. Mankala's opinion on the matter was:

We should go back to the olden days. What we like about then as women is that there were no deaths at the time; our kids were not messed up. They used to come back home and establish their own homes. Culture has changed a lot. It should be done just like in the past; leave June alone, whether you go to school or not, it must be December, just December! It has to be December [holidays] because that gives us a long way to go. [The] June [vacation] is short, it gives them only two to three weeks. They think he is healed but it is only externally, inside he has not healed properly. In the olden days they even observed how the initiate walks, to see if he can walk properly. These ones come back weak from the initiation school because [the] June [recess] is too short.

Mankala's beliefs allude to a part of the society that remembers a time when *ulwaluko* was conducted differently. Although there appears to be a contradiction between her statement and literature about the traditionally-preferred initiation season, namely the winter period (Ntombana, 2011b), Mankala's main argument appears to be about the length of time required for proper healing of the wound. She links some of the problems of initiation with the shortness of the duration and wishes that this could change. Based on the present day demands such as schooling and other roles young people have to undertake to pursue their modern lifestyle, resorting to any one season for initiation in my opinion, is always going to pose a challenge.

5.2.4.3 Inclusion of Women in the Practice

Women in this study argued that they had a right to be involved in matters affecting the health and well-being of their offspring. Some stated that any attempts to express their need to get involved (for instance to their partners, husbands, family and traditional leaders) would not succeed, as the women's opinions about *ulwaluko* are never entertained in their communities. They therefore voiced a need for assistance by external stakeholders to help amplify their voices. Nokulunga remarked:

That is why we ask the government to help. Perhaps we could have a group of women who would go around like you... going to the villages... as we mentioned we are being oppressed. It is painful... I wish women could go around preaching on how initiation should be conducted... we are not stopping [anyone]... we want it [too], since there is abuse in colleges and universities. We do not like that our children are being abused, or that that they stay boys. That is the reason we ask government to work with us... cooperate with us where we are lacking.

Nokulunga communicates the community's desire for state intervention, but most importantly, she brings out the need for the women's voice to be heard. She believes there is more strength in a cooperative effort than there is in working in silos. As I demonstrated earlier in this chapter, the involvement of women in *ulwaluko* has been heavily denounced in some areas of the Eastern Cape and in response to the situation, Nokulunga's suggestion has been proposed by many other women on public platforms in the past. In many instances, as in the case of IYA, their appeal has been met with resistance and considered a provocation to men (refer to section 4.5). In responding to public calls on this subject, Cogta, attempted to legalize women's participation in initiation through the CMIP in 2016, but had to retract the clause because of pressure from men who considered this move "a serious mistake" (Majangaza, 2016, unpaginated). Considering all these dynamics, it is clear that the inclusion of women in *ulwaluko* will not be achieved easily, and not in a short space of time. Its success requires a deliberate and purposeful engagement of all the necessary stakeholders - including women - to find ways of bringing women out of the private sphere and into the public sphere. This would address Okin's (1998) critique of multiculturalists who she argues, do not pay adequate attention to systems designed to assign women to the private sphere and thus further intensify their marginalization. Such a step would be one way of according women an equal status to that of men. It is also critical that in the process of assimilating women in

isiXhosa culture, difficulties associated with entrenched patriarchal practices are not underestimated, and thus continued resistance should be expected. This requires that constructive mechanisms be put in place to address possible fear of change, and opposition. The emergence of shifting patterns in some areas of the province (as I discussed in section 5.2.2.4) should however be acknowledged and used as a benchmark in the process of integrating women in the practice.

Surfacing from Nokulunga's statement on the involvement of women in *ulwaluko* is her belief in agency. She expresses the need for women to exercise their agency in order to become part of the solution. This is in line with Phillips' (2009) view who argues that everyone has agency but that society gives too much power and influence on some cultures which in turn, deprives women of their agency. This dispossession of women's power and influence is ingrained in *ulwaluko* (as demonstrated by their exclusion and oppression that I discussed in section 5.2.2.2). Failure for the government to recognize and act on the need for the inclusion of women in initiation, bears the risk of a continual production of communities of disgruntled women who, as a result of their marginalization, may lose their sense of identity and pride in their custom.

5.2.4.4 Implementation and Reinforcement of the Law

In places where it had been reported that legislation governing *ulwaluko* was violated by those involved in the practice, participants recommended an urgent implementation of such laws. Where participants had witnessed a recent and gradual introduction of the law, it was recommended that more rigorous efforts be applied in establishing the law, and that law enforcement be spread to other areas where legislation was still not being adhered to. The implementation of the law referred to included aspects such as the age of admission, alcohol and substance use, training of caregivers as well as supervision and monitoring of initiation schools. Mankala stated:

Well, then the law must be implemented. Children still go for initiation under the age of 18. If it is already promulgated

law, then the government has to enforce it because the reason for these deaths is the fact that kids go when they are still underage; these kids we are talking about right now. By now there should be no child who is initiated when he is underage.

The importance of adhering to the conventional and legislative requirements of *ulwaluko* was emphasized vehemently in all research sites. Participants were of the view that adherence to the law by all those involved in the initiation of boys would lead to the alleviation of the problems associated with the practice. They argued that the challenges posed by initiation were largely connected to the ever-increasing contravention of legislation which I discussed in great detail in theme 2 (refer to sections 5.4.2.1 – 5.4.2.6). Under the same theme I demonstrated how *ulwaluko* works against the multicultural principles and democratic ideals of liberal states.

5.2.4.5 Timeous Planning and Proper Organizing

In Chapter Two, I discussed the process of initiation and what this entails for isiXhosa culture. The combination of literature that I reviewed and the data emanating from this study suggests that *ulwaluko* can be an encompassing, expensive and drawn out event. Participants argued, therefore, that the need to send their sons to initiation school required consultation and careful planning long before the time. They also added that timeous planning on its own was not enough; that the event requires a fastidious co-ordination of activities and tasks amongst all the internal role-players (family) and external role-players (traditional surgeon, traditional nurses etc). As reported by participants, in many instances, and in Mpondoland in particular, boys who wish to undergo initiation usually deny their families this opportunity as they tend to run away and get initiated without their parents' permission. Participants agreed that lack of consultation about and planning of initiation processes often led to devastating results for both the initiate and his family. In the context of amaXhosa being communitarian in their way of life, it is important that the planned initiation of any boy be placed on the agenda of communal structures

and traditional leadership, so that it is addressed as a collective effort. I discuss the communitarian approach below.

5.2.4.6 Existence of a Functional Support Structure

Many participants in all research sites spoke extensively about the financial hardships and psychological distress caused by initiation demands and existing challenges. These women believed that it would be extremely difficult, if not impossible, for any woman to go through this life event without any support structure. They cited family, women's societies and the community at large, as structures they received support from during initiation. It appears that most participants were grateful for not only the financial support they received from their families, but also the moral support. This view brings to the fore yet another contention between multiculturalism and liberalism. Kymlicka (2017) points out that many scholars argue that multiculturalism is an expression of the principles of communitarianism who advocate for the importance of building solid relationships between individuals and their communities. They believe this position enhances inclusion and group cohesion. Kymlicka goes on to say that liberals promote the idea that individuals have the freedom to "decide on their own conception of the good life", and that they sanction systems and practices that render people free from any types of "ascribed or inherited status" (p. 52). The recommendation for an all-inclusive support structure that extends to the community demonstrates existing tension with the principle of autonomy that does not view communal values as a priority. This is one of the challenges of liberalism that make it difficult for communities to reach consensus on cultural issues.

5.3 Conclusion

The analysis and interpretation of data revealed a mixed bag of results. The findings confirmed widely available information on the biomedical challenges associated with the practice. However, emerged strongly from the women's views and their experiences, was the harmful nature of the practice, which is associated with bio-psychosocial risks of the custom, as well as with the entrenchment of patriarchal and hegemonic practices that

lead to the oppression and marginalization of women. This discriminatory treatment of women denies them a voice and human agency; and it contravenes the fundamental principles of a democratic, liberal state. Shifting patterns in *ulwaluko* have, however, been noticed in some regions, and these appear to allow for the involvement of women in some aspects of the practice. However, the said changes appear to vary between communities and regions, and within groups, which points to the heterogeneous and fluid nature of the custom.

Data analysis also revealed that although *ulwaluko* is considered harmful, some positive elements about the practice were identified by participants, and this encouraged them to want to see the tradition carry on. The findings of the study demonstrate that the practice is deeply entrenched among amaXhosa and is unlikely to be discontinued. It is a practice that has stood the test of time as it has survived many eras. The need for the preservation of initiation appears heavily ingrained among those who practice this custom.

CHAPTER SIX DISCUSSION OF FINDINGS

6.1 Introduction

In Chapter Five, I analysed and interpreted the raw data I had collected from research sites and presented it in the form of a comprehensive and thick description of themes and sub-themes. I compared and contrasted this data with the literature review on *ulwaluko*, as well as with the theoretical framework on multiculturalism and feminism. In this chapter, I discuss the findings in more detail in view of presenting a coherent whole, and I do this by using the analysis and interpretation from Chapter Five as a catalyst. Below I have broken the discussion into two broad segments. In the first part (paragraphs 6.2 – 6.5) I align the findings with the goals of the study as I outlined them in Chapter One, whilst in the second section (paragraph 6.6) I reflect on the results of the study and reconcile them with the research question. I lay the foundation for the next chapter in which I discuss future implications of *ulwaluko* in the province; and I then draw the study to a close.

6.2 Experiences and Perceptions of Women on the Practice

6.2.1 *Ulwaluko* as a Harmful Practice

The first goal of this study sought to explore and describe the experiences and perceptions of women on *ulwaluko* as it is currently practiced by amaXhosa. Numerous unjust practices associated with the rite were cited by participants in different situations, and here I consolidate those views to substantiate the perception of initiation as a culture that damages communities. As I demonstrated in Chapter Five, various grave challenges associated with the ritual were raised by participants based on their experiences as well as from observations they made about the practice. The identified problems pointed to the harmfulness of the custom, both from the biomedical and psychosocial perspectives. Harmful practices are defined by Grabman and Eckman (n.d.) as those that include nutritional taboos, that affect the health of women and children in an adverse manner, as well as those that aim to control women's behaviours and lives. I must however point out,

that since this study was concerned mainly with socio-cultural aspects of initiation, I did not focus much on the biomedical concerns of the rite, but wish to reiterate that these had a major influence on how the women perceived the practice. In line with available literature on *ulwaluko* (and taking into account the large volume of reports and stories reported in the media about the ritual), the Mpondoland region emerged as the most afflicted area (Bank & Ntombana, 2012; Douglas & Maluleke, 2016), while the Makana Local Municipality seemed to experience minimal problems and almost no amputations or deaths of initiates (WHO, 2008). There were numerous grave concerns expressed by participants on the practice in all research sites. These included the continuous spate of penis amputations and in other instances, the death of initiates (Bottoman *et al.*, 2009; Kanta, 2003; Mhlahlo, 2009; Ncayiyana, 2003; Peltzer *et al.*, 2008a; Vincent, 2008a; WHO, 2008). Furthermore, these problems mirrored those that had been reported across the country in general, which were linked to the negation of traditional norms and values of initiation, as well as the contravention of standards and laws set to regulate the practice (Bank & Ntombana, 2012; CRL Rights Commission, 2010). What stands out from this finding is that despite the introduction of the AHSTCA (No. 6 of 2001) in the Eastern Cape in 2001, incidents of circumcision-related complications and fatalities remain a worrying factor, a concern that had also been noted by Meissner and Buso (2007) about 6 years after the introduction of the legislation, and 16 years to-date. Although it should be acknowledged that certain aspects of this law have worked in some parts of the province, it is evident - as mentioned by some of the participants in this study - that the objectives of this piece of legislation have not yet been fully realized. The lack of law enforcement allows people to perform the rite in any manner they prefer, even when their acts pose a potential risk to initiates.

Emerging strongly from the study was a deep-seated resentment of the tradition among women that was spurred by the harmfulness of the practice. In Chapter Five, I mentioned that the lives of initiates were reported to be placed at risk in situations where for instance, their mothers were denied the right to take decisions about their health and well-being. Such denial is unconstitutional as it is an infringement of the right to equality and autonomy. Another factor that depicted initiation as a harmful practice was the

fundamental clash of ideas and choices between subgroups within the same culture. This created disharmony in some of the communities of amaXhosa and thus presents *ulwaluko* as divisive. This position supports the argument that in multicultural societies, the right to culture is often used as a basis to condone practices that are usually oppressive to minorities within that same culture, a major setback to liberalism.

Patriarchal practices of *ulwaluko* that place women in an inferior position to men were identified across all research sites. The marginalization of women was one of these practices. Gender stereotypes were also common, such as in cases where women were accused of witchcraft when seen in close proximity to the initiation school. Negative labels of this nature tend to ascribe women a victimhood status that places them in an awkward, unpleasant and at worst, dangerous situation. Another harmful practice that emerged from the study was the sexual exploitation of women who were expected to perform sexual favours in return for the assistance and support men had given to them during the initiation of their sons. Hegemonic practices related to sexual exploitation of women in the province were also found in other studies (for instance Ntombana, 2011b; Siswana, 2015; Wood & Jewkes, 1998). The sexual abuse of women is often manifested as an unwritten social contract where men enforce their sense of entitlement to sex by having unconsensual sexual intercourse with women and young girls. The justification of this behavior is attributed to socially and culturally acceptable ways of masculinity (Wood & Jewkes, 1998). A case in point is the practice of *ukukhupha ifutha* or *ukosula* (Ntombana, 2011b; Siswana, 2015) where *amakrwala* are known to force themselves on young women as a way of testing the adeptness of their sexual organs following initiation (Gasa, 2013). Sexual violation of women constitutes rape in South Africa and is a serious infringement of gender equality and women's rights. This crime of power further intensifies the view that *ulwaluko* is a harmful practice. Wadesango *et al.*'s (2011) view of harmful traditional practices crystalizes the seriousness of these acts. The authors define harmful traditional practices as those that "subject people to agonizing physical pain, humiliation, degrading treatment and those that emanate from the deeply entrenched discriminatory views and beliefs about the role and position of women in society" (p. 121). Sexual violation of women produces a host of related social problems. Among other things, it

encourages promiscuity on young people, increases the risk of (teenage) pregnancy as well as the spread of HIV/AIDS and other STIs. The phenomenon also produces heightened levels of anxiety among women, young and old. Furthermore, it points to the nonrecognition of women which according to Taylor's (1994) theory, is likely to damage their dignity and self-esteem. It was disquieting to notice that patriarchal attitudes on *ulwaluko* were also reinforced from higher echelons in the province. In Chapter Five, I alluded to the efforts of Cogta to legalize the inclusion of women on initiation, which were thwarted and referred to by some traditional leaders as a grave mistake. As a result of this opposition, the clause in question had to be reversed.

As portrayed by feminist literature, the domination and oppression of women by men – in other words, their exposure to harmful practices - is not a new concept. Njogu and Orchardson-Mazrui (2013) argue that for a long time, African women have been subjected to various forms of male dominance and cultural traditions, some of which are viewed as oppressive and in direct contradiction of women empowerment. If the exclusion and oppression of women is something to go by, it can be argued that *ulwaluko* has worked against multiculturalism rather than embraced it since the tradition presents itself as a culture that dilutes women's rights and undermines the provisions of a liberal state. It is on this basis that Okin (1999) argued that multiculturalism is bad for women. I give an account of my views on Okin's stance on multiculturalism towards the end of this chapter (see section 6.6 below).

As a result of the harmfulness of the custom, some of the participants appeared confused about whether amaXhosa should continue to practice *ulwaluko* or not, a debate that has dominated the media in recent years. Many people from all corners of the province have started questioning the value of the tradition (Diakanyo, 2013; Le Roux, 2006; Myemana, 2004). Although the majority of participants demonstrated general dissatisfaction with initiation, they indicated that they had accepted its continuation (I discuss this view below). The women also alluded to methods and systems that could be applied to address the current challenges of the custom, such as the inclusion of women in the practice, the reinforcement of the law etc. Implied in the propositions is the view that attempting to

discontinue the practice is unlikely to produce a different outcome, a notion similar to attempting to swim against a strong current. Participants also shared their reasons for holding on to the practice which I discuss these below.

6.2.2 *Ulwaluko* as an Espoused and Celebrated Custom

It should be noted that participants in this study did not see *ulwaluko* as all doom and gloom. While several negative views and experiences emerged from the study, some positive aspects were also shared where participants claimed espousal and celebration of certain norms and values of the custom. Mothers of newly graduated men, or *amazibana* to be apt, took great pride in the notion that their sons had been initiated and had returned home safely. Their feelings demonstrated a sense of achievement interspersed with excitement. This illuminated the value amaXhosa attach to initiation. Failure to achieve the manhood status usually brings disappointment to the family and the entire community. This positive outlook on *ulwaluko* was one of the reasons participants held a strong conviction that the custom should continue being practised. It was evident in this study that the need for the preservation of initiation is deeply ingrained among most of those who follow the rite. While some of the participants defended the custom on ethnic moral grounds, others argued against its abolishment in the belief that it would be impossible to root out because of its significance to amaXhosa. It was clear from the results that even those who were sceptical about the practice were resigned to its continuation. The permanency and durability of *ulwaluko* thus cannot be taken lightly, for it is a force that promises to continue making its mark for years to come. This commitment was reported in other studies as well (for instance Gwata, 2009; Venter, 2011). As shown in literature, initiation among amaXhosa has stood the test of time as it has traversed and survived many eras including westernization, colonization, the apartheid regime and the current liberal democracy (Duka-Ntshweni, 2013). Studies conducted by other scholars also allude to this point (for instance Gwata, 2009; Papu & Verster, 2006; Ntombana, 2011a; Venter, 2011).

Some of the reasons participants associated with the success of *ulwaluko* included: 1)

the role played by traditional leadership; 2) observation of the prescripts of the law and; 3) adaptation to the demands of the modern era. The application of initiation legislation was more prominent in the Makana Local Municipality where participants indicated that, among other things, traditional surgeons and traditional nurses were registered, that the age of admission was observed and that the necessary administrative requirements were adhered to. In some parts of the Mpondoland region, participants alluded to a similar experience, although to a minimal extent. A case in point was the area under the jurisdiction of Chief Gebula, where initiation rules and regulations were reported to be applied with consistence. Furthermore, in this area traditional leadership was working in collaboration with the IF to ensure the advancement of the tradition, and to attend to any challenges that the community was grappling with. This collaboration also meant that initiation laws such as the AHSTCA (No. 6 of 2001) were adhered to (at the time of conducting this study the CMIPB had not been passed). This stance is a clear demonstration that it is possible to merge tradition, authority and principles of multiculturalism but that this requires a concerted effort and commitment among all the stakeholders.

Another positive aspect that was identified by participants about *ulwaluko* was the shift in patterns on how the practise was conducted. The inclusion of women in the practice in some areas was a big step, one which I witnessed in Mpondoland when I visited the area to conduct the study. In one village, women of all ages had been invited to form part of the initial meeting where I met with the Chief, his counsels and men from the community, to explain the rationale behind the study and to request permission to carry it out (refer to section 4.6.2). This move quells popular belief that all traditional leaders rebut the involvement of women in the practice. The marked change on traditional value has been observed in other studies (Nduna *et al.*, 2015; Ntombana, 2011b; Siswana, 2015; Stinson, 2007; Venter, 2011). For instance, Nduna *et al.* report that in the Mpondoland region they noted that, contrary to the olden days, in recent years there had been a move towards notifying women about the death of their sons when such an occurrence happened at the initiation school. The authors relate these changes to the high rate of female-headed households that are characteristic of the modern South Africa. Some of the

contemporary changes mentioned include the awareness that *ulwaluko* is no longer viewed as men's territory but a "human right and health issue" (Ntombana, 2011b, pp. 75 – 76). The use of technology at the initiation school and general modern practices, including "mobile phones, radios, bed mattresses, special dieting" etc, was also another change linked to modernity (Siswana, 2015, p. 18). The remodelling of the custom, in my opinion, encourages the modern boy to undergo initiation (which they otherwise may view as an outdated practice), since it allows them to keep in touch with their world while at the initiation school. It also decreases the mother's anxiety and uncertainty about her son's well-being. For instance, the initiate's possession of a cellphone allows for communication which is however, not sanctioned traditionally. Siswana, cautions that the modernization of *ulwaluko* has been viewed as a reason for the dilution of the culture and the consequent nullification of the purpose of initiation. These opposing positions call for ongoing dialogues about the norms and values of the custom, and the implications the modern lifestyle poses on it.

In my personal capacity as a mother of a boy that underwent initiation, I had also witnessed the change in dynamics. Contrary to some of the participants' experiences of being left out of the decision-making process, this was not entirely true in my case. Although I was not involved in direct "male conversations", my male relatives who oversaw the initiation process had committed to consulting with me and my mother – who is the matriarch in the family – about pertinent issues relating to the initiation process. They did this without fail, from the preparation phase to the end of the incorporation phase. Their openness to the involvement of women in the practice may have to do with three things: 1) my uncle's progressive outlook in life; 2) my resolve to exercise agency in all areas of my life; 3) the constant support given by my mother and her wisdom in general. As the lead person, my late uncle was a man who thrived on finding solutions to problems, and who showed great respect to women and people in general. He was knowledgeable about both the traditional and legislative aspects of the tradition and he explained in detail what would be required in each step. Furthermore, he took our (the women involved) views into consideration when decisions had to be made. We also had regular meetings where he updated us on the initiate's progress; without giving too much

detail, in respect of the culture. The intention here was to make us aware that processes were going according to plan, and to allay any fears we may have had about the initiate's well-being.

During this period, my mother played a pivotal role in the process, not only because she was more erudite about village life (my son underwent initiation in my traditional home where my mother lived) but also knew the people around. For instance, when we had to decide on the traditional surgeon of choice, my mother knew which traditional surgeons were reputable in the area. She also asked pertinent questions and gave good advice, which I attribute to her experience of isiXhosa culture and her general wisdom. It was during this period that I became fully aware of the respect accorded to matriarchs, and the role they could play in isiXhosa culture if they were always accorded the opportunity. With regards to my involvement, I had indicated to my uncle when we first discussed the initiation of my son, that as a single parent I believed I was the main person to make decisions about matters that concerned his health and well-being, and that I would exercise the law if any of the caregivers or village men put his health at risk, which he agreed to without any misgivings. Not only did the recognition we received give me a sense of relief, it also made me feel respected. According to Gasa (2013), women are known to have been accorded the opportunity to influence decisions about their sons' initiation from the background while men lead visibly from the front, which was a true reflection of my experience. The problem with this position, however, is that women are still kept lurking in the shadows and are not accorded an equal status to that of men which, in the end, defeats the ethos of multiculturalism.

The emerging contradictory views about *ulwaluko* point to the heterogeneous and inconsistent nature of culture. However, what this study revealed was that in circumstances and areas where women were involved in the initiation of their sons, the involvement remained inadequate. This position is not in tandem with a state that prides itself on equality and non-discrimination of minorities, and women in particular. The discrepancy requires the intervention of chapter nine institutions like the Human Rights Commission and national gender machineries.

6.3 *Ulwaluko* and Gender Equality

The second goal of this study sought to articulate ways in which current attitudes and approaches to *ulwaluko* harmonize with or contradict the dictates of gender equality in South Africa's liberal constitutional order. In my discussion above, I argued that *ulwaluko* was viewed in negative light since it represents itself as a harmful cultural practice due to: 1) the existing hegemonic practices in isiXhosa culture; 2) the discrimination levelled against women; 3) the domination and oppression of women by men. I also pointed out that such acts are in contravention of the ideals of multiculturalism, a philosophy that is at the centre of democracy and liberalism. In Chapter Three, I alluded to Kymlicka's (2007) three principles of multiculturalism, one of which refers to the need for liberal states to acknowledge the historical injustices that women, as a sub-group or non-dominant group in our society, have been subjected to in the past. I then investigated how the South African government has attempted to rectify the historical injustices that perpetuated what is considered women's "past" subservient position to men (refer to 3.3). I have also shown that rectifying the situation was operationalized through the provision of legislative framework that extends universal rights to all citizens and protects women through gender equality. The objective of the presentation of the legal framework in Chapter Three was to introduce the reader to universal rights and human rights endorsed by liberal democracies such as ours. In this discussion, I take the process further and attempt to establish the effectiveness of the legislation. Below I revisit South African legislative frameworks and I demonstrate how *ulwaluko* transgresses these laws. I reflect on the pieces of legislation in no particular order.

Sections 15(1), 30, 31 and 185 of the Constitution are consonant in their protection of the rights of the people of South Africa concerning participation in cultural practices of their choice, free from hindrance or coercion by any person or group in the community. I have demonstrated earlier how, on one hand, people who choose not to undergo *ulwaluko* become social outcasts among amaXhosa. On the other hand, I alluded to how women who are not in favour of initiation feel obliged to let their sons undergo the ritual, not only because of their fear that their sons may be rejected by the community, but also for fear

that they may be damaged during initiation, or not survive the custom. Both positions amount to indirect coercion. The Constitution makes it clear that the process of practising one's right to culture should not be in violation of the Bill of Rights, or any international treaties that South Africa is party to. Considered the cornerstone of democracy, the Bill of Rights upholds the democratic ideals of human dignity, equality and freedom. The coercion of people to participate in *ulwaluko* is therefore unconstitutional as it is a violation of the right to culture.

PEPUDA (Equality Act) promotes the right to equality and prohibits any form of discrimination. Of importance is that this Act classifies patriarchy and discrimination as critical areas requiring intervention, since these concepts breed oppression of women. Section 8(d) of the Act condemns inequality between men and women, or any other groups. The exclusion of women in *ulwaluko* is again in contravention of the prescripts of PEPUDA, and clashes with the Bill of Rights as I have indicated earlier.

It is the prerogative of the state to put measures in place that are aimed at the eradication of social and cultural practices resulting in the prejudice and discrimination against women, and other groups. For that purpose, the South African government established the SAHRC, a body charged with the responsibility to implement the HRCA. The latter is a tool that aims to promote respect for human rights and to advance the attainment of such rights for all citizens. The organization is also tasked with the roles of educating the society on the concept of human rights, monitoring the observance of human rights and addressing human rights violations. The exclusion of women from decision-making in *ulwaluko*, as reported by some participants, is unconstitutional as it is a violation of the right to culture. The results of the study that was conducted by the SAHRC, in collaboration with the CRL Rights Commission and the NHTL (refer to 2.8.2), also revealed that initiation is in contravention of the prescripts of the HRCA.

Although the CRL Rights Commission does not exclusively promote and protect women's rights, it is at the centre of the debate about *ulwaluko* and the law. As I mentioned in Chapters Two and Three, as a chapter nine institution, the CRL Rights Commission is

tasked with the responsibility to safeguard the rights of people in their pursuit of activities relating to culture, religion and language, as legislated by the Constitution. Based on the perceptions and experiences of participants in this study, their right to culture appeared inadequately protected. Over and above the establishment of the SAHRC and the CRL Rights Commission, the state also put in place national gender machinery (discussed in detail in 3.5.3.1), which includes the Office on the Status of Women, the Commission on Gender Equality and the Parliamentary Joint Monitoring Committee on the Improvement of the Quality of Life and Status of Women. There are also NGOs that run programmes in this field. A question I was left pondering was whether the measures and processes that have been put in place by the state to fight gender discrimination and the marginalization of women have, over the years, yielded any success? Based on the results of this study, I conclude that South Africa's progressive laws on non-discrimination and social justice, and the consequential national gender machinery, have not fully realized their objectives.

Another question remains as to why practices that violate women's rights in *ulwaluko* still persist in a liberal democratic state. In their study on men's perceptions of women's rights, Dworkin *et al.* (2012) argue that the legal framework has not worked as intended, since the laws have not been fully endorsed by a certain segment of men in the society. Furthermore, Geisler *et al.* (2009, p. 3) maintain that "the impact on the empowerment of women and the reduction of inequalities has been patchy and incomplete." Hames (2006) also supports this view. She posits that the South African legal framework "may have opened up avenues for women to seek their rights, but prevailing societal norms continue to present significant barriers to the deeper structural change that is needed if women are to realize these rights" (p. 1318). According to Momoti (2002), the transgressions of the law that we are witnessing are a result of the dispute between the right to gender equality and the right to culture in multicultural societies – a contention which Okin (1999) questioned in her famous essay on multiculturalism.

The issues raised in the literature above have been clearly demonstrated in *ulwaluko*. There is also the opinion that gender equality structures have not exhausted their mandate. For instance, in a study conducted by African Development Bank (AfDB) on promoting gender equality in its operations as well as in regional member countries, the CGE was found to be concentrating on awareness creation and research rather than “more important tasks such as acting as a watch dog of government and legislative performance on gender equality goals”, and that they failed “to take up identified problems with government” (Geisler *et al.*, p. iv). Hames (2006) argues that there is a deficit found in the legal framework and gender machinery. In an investigation on the effectiveness of legislation on marginalization of women that was done midway between now and the advent of democracy in South Africa, Hames concluded that the national gender machinery was insufficient in ending gender inequality. As she puts it, these legal provisions remain largely “on paper” (p. 1320). She argues that social injustices, as in the exclusion of participants in matters relating to the well-being of their sons in this case, “have to a large extent remained deeply entrenched within the broader societal framework” (p. 1317). As I demonstrated in the analysis of the results in Chapter Five, some women felt that democracy was not working in their favour. Hames supports this view, concluding from her work that “for the majority of black women even the notion of liberal citizenship is still a pipe dream in spite of the progressive laws and the much celebrated gender machinery” (p. 1325).

To conclude this discussion, I argue that although there are pockets of fulfilment reported by participants in this study, *ulwaluko* is in direct conflict with multiculturalism and the universal human rights of a liberal, democratic order.

6.4 Implications of *Ulwaluko* in Contemporary South Africa

In line with the third goal of this study, in this section I highlight the consequences that may arise from the ways in which *ulwaluko* is carried out in the contemporary South African socio-political context. It is evident from the discussion on the experiences and perceptions of women involved in this study that their views were largely divided into two

broad categories: the positive and the negative. While some precepts of the practice may have been crucial at some point in time, developments over time - such as the democratic governance that was adopted in 1994 in South Africa - have antiquated these practices. The infringement of these principles has resulted in detrimental consequences for women, such as continued oppression, the silencing of their voices and severe emotional distress. Similar outcomes have been observed for the dissenters of the culture. I have, of course, alluded from the beginning of this thesis to the detrimental effects of *ulwaluko* to those who undergo the tradition. The implication for initiation among amaXhosa – or any other cultural practice – is that the custom must be conducted in ways that observe and respect the dictates of the South African political dispensation. *Ulwaluko* cannot be preserved and conducted wholly in the same way it was in the late 1700s, or any other century. What this suggests, therefore, is the inevitability of change. As Kepe (2010) puts it, “it would be foolish to assume that traditions and rituals do not change as societies change” (p. 732).

In earlier chapters, I stated that all cultures are fluid (Hobsbawn & Ranger, 1983; Nhlapo, 1995a) in that they are redesigned and reformulated by those who practice it in accordance with the needs and demands of that era. This explains the existing differences in how initiation is conducted between and outside various clans and regions of amaXhosa (as discussed in Chapter Two). What can be learnt from the results of this study is that the doctrines, values and norms governing *ulwaluko* must be revisited and consciously reconfigured to suit the needs and demands of contemporary South Africa. For this kind of change to take place, it needs to be acknowledged that while initiation is not considered harmful in some parts of the country, it does pose a threat to the health and well-being of minority groups within isiXhosa culture, as demonstrated in the discussion under 6.2.1.

6.5 Incorporation of Women in *Ulwaluko*

The fourth and last goal of this study sought to examine ways in which the voice of women could be assimilated in *ulwaluko*. In sections 6.2 and 6.3, I already discussed at length

the precepts of *ulwaluko* that no longer make sense, expressed in the form of patriarchy and marginalization of women. It appears that domination of women by men, and the demand for the practice to remain rigidly unchanging, serves to perpetuate gendered power of men over women as is intended in patriarchal societies (Okin, 1998; Okin, 1999). As demonstrated by the results, the marginalization of women in initiation leads to their denial of human agency. In other words, the women are not given the space and opportunity to think for themselves; and to make their own decisions in matters relating to the custom. Such repression takes away the women's right to "democratic self-determination", defined by Donnelly (2007) as a communal expression of the principles of equality and autonomy that lie at the heart of the idea of human rights (p. 297). Recourse is also not provided for citizens where the law has been violated, as I demonstrated with the legal framework infringements earlier. As Hames (2006) puts it, it is a requirement that all citizens are protected by a "rights-based constitution and its progressive legal framework", which gives everybody the right and the chance to seek legal justice "in principle" (p. 1326). Chief Phathekile Holomisa (2009), who is of isiXhosa background and is a previous President of Contralesa, also agrees that "every human being, male or female, adult or child, has an inalienable right to the protection of the law and the enjoyment of a cultural life" (p. 147). The estrangement of mother and son during initiation is also a cause for concern. In many communities of amaXhosa where women are denied a voice on the basis of their gender, their right to protect their sons from harm is also squashed. Citing Gertrude Shope, Hassim (1991) argues that as people who bring life to this world, women have a duty to make sure that the life of their offspring is preserved and protected.

The results of this study suggest a dire need for women to be fully represented in decision-making structures pertaining to *ulwaluko*, in all levels. Chief Holomisa (2009) disagrees with the notion that isiXhosa culture is patriarchal in nature and that it excludes women. He maintains that there are traditional leaders who support the recognition of women and want to involve them in decision-making structures. Holomisa further argues that "[w]omen are loving and beloved mothers, sisters, daughters, wives and friends of the nation" (p. 186) and he thus calls for their inclusion in community matters. In support of

Holomisa's claim, the involvement of women in *ulwaluko* by some traditional leaders has been reported in this study, for instance in the case of Chief Gebula in Mpondoland (see section 6.2.2 above). What was not so clear however, was the extent to which women were involved. For instance, when I collected data in this area, participants were invited by the Chief to a meeting where I gathered with community to explain the objectives of the study, and request permission. This was a positive thing. The question I have though is on the quality and meaningfulness of women's involvement. I wonder whether the women are accorded the same status as that of men, which allows them to sit in decision-making structures in the community and air their views, or whether they are relegated to lower levels of participation as it appears to be the norm with initiation. Entering the debate from a land ownership angle, Holomisa (2009) states that traditional leaders are keen on the democratization of traditional leadership and support the view that women should not be discriminated against. He writes: "if women are excluded in decision-making forums, they must be brought in. If some traditional leaders are holding on to positions that do not belong to them, let the requisite law and custom take their course. But let us not paint all traditional leaders with the same brush of oppression and illegitimacy" (pp. 173 - 174). The paradox in Holomisa's claims is that such statements are hardly ever made by men in public platforms. Men also do not seem to challenge other men on women's allegations of marginalization and exclusion from the practice.

Holomisa (2009) also advocates for collaboration between women and traditional leadership. Although referring mainly to governance and women empowerment, Holomisa argues that "partnership between women and traditional leaders has for years proved very fruitful for rural communities" (p. 188). Having grown up and lived in the Eastern Cape all my life, my experiences in relation to women's inclusion in traditional leadership are in complete disagreement with Holomisa's claims. Although it has happened in the past that women occupied traditional leadership positions, this is a very rare occurrence. The argument Holomisa is making is sound and inspirational, but remains to be realized in many parts of the province. An important consideration to make in the effort to assimilate women in *ulwaluko* would be to identify the kind of traditional

leaders Holomisa writes about and encourage the formulation of such collaborative structures.

The results of this study indicate that from a legal point of view, women need to continue striving for social justice. However, since patriarchal practices are mainly manifested in the private sphere, women will need a more concerted effort on the part of the government and other relevant stakeholders to be successful. The availability and accessibility of universal human rights is questionable, since there are other factors impacting on recourse for women that have been observed in South Africa. Hames (2006) mentions the following challenges:

- Pervasive lack of awareness regarding the existence of gender equality rights
- “Legalistic language” in which these rights are presented
- Hostility and long distances involved in accessing institutions
- Lack of financial means to access the structure

If women are allowed to develop and exercise their human agency, the factors above will need to be addressed.

6.6 Reflection

The purpose of this chapter was not only to demonstrate how the findings have addressed the research goals of this study, but also to elucidate on how these relate to the research question. In the discussion above I have addressed the former, and below I endeavor to answer the research question. In chapter One, I stated that through this inquiry, I was interested in learning whether the human rights and gender equality rights of women (as entrenched in the multicultural principles that underpin South Africa’s liberal, democratic order) are adequately protected? In other words, I wanted to establish whether the women’s individual rights, or gender rights, could in any way be compromised as a result of the practice of *ulwaluko*. Furthermore, I wanted to establish whether the deferral of such rights would, in the South African legal framework, be legal.

Firstly, I must state upfront, that the results of this study as I demonstrated in Chapters Five and Six, varied between sites. Secondly, the findings have shown quite clearly, that the rights of women in many areas of the Eastern Cape, both as a minority within a minority culture, and as individuals in the society, are not adequately protected from the unjust and oppressive practices of *ulwaluko*. The experiences shared by participants indicated that they did not enjoy equal rights to that of men in their communities, and that through exclusionary practices, women were denied the opportunity to make a contribution, or even their own decisions about the initiation of their sons. This therefore suggests that equality and autonomy – the two principles that define the concept of human rights, and that form the basis of multiculturalism – are violated through patriarchal systems and processes associated with the culture. This stance thus signifies dominance of men over women which results in the compromising of their gender rights in the interest of respecting traditions and cultural values associated with *ulwaluko*. Such a deferral signifies a violation of the Constitution, the supreme law of the Republic of South Africa. Section 30 of the Constitution states that “everyone has the right to ... participate in the cultural life of their choice, but no one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights.” Furthermore, the discriminatory and sexist practices of *ulwaluko* over women is in contravention of other pieces of, not only South African legislation, but international treaties such as PEPUDA, CEDAW, SADC Declaration on Gender and Development and the Protocol to the African Charter (see detailed discussion in 5.2.2.2). I would however, not be doing justice if I do not stress once again that a concerted effort to incorporate the voice of women in *ulwaluko*, spearheaded by traditional leadership and foregrounded on initiation legislation, has been reported in some areas. Notwithstanding this emboldening development, adherence to gender equality and human rights legislation is still a serious concern in the province.

Against this background I thus ask: was Okin (1999) correct in suggesting that multiculturalism is bad for women? The results of this study have demonstrated that *ulwaluko* is a complex phenomenon, and that the serious challenges it is faced with require urgent attention. I posed the research question in Chapter One in the belief that its interrogation will give an answer to Okin’s (1999) question, whether multiculturalism

was bad for women. I have already demonstrated above, that women's rights are not adequately protected by the law in South Africa, that cultural norms and values do supersede universal human rights of minorities within minorities. I therefore argue that Okin was correct when she suggested that the right to practise one's culture should never be seen as grounds for condoning patriarchal and oppressive practices against women. Although I fully agree with this view, I do, however, disagree on another level and argue that, as pointed out by Kymlicka (1999), Okin's concern that multiculturalism exposes women to harmful and oppressive practices does not in itself render the doctrine wholly unsound. I believe there is value in acknowledging the functional aspects of multiculturalism; that its central position of granting all citizens universal human rights is an excellent principle. In the attempt to interrogate the the philosophy, it is critical to ensure that those involved do not cause more harm than good. As Kymlicka points out, the stated setback about multiculturalism signifies a serious limitation, one that poses grave implications for liberal democracies. My claim therefore is that multiculturalism is not bad for women; but that the inclination for ethnic cultures and religions to flout multicultural ideals remains a serious problem.

Thirdly, I believe that all cultural practices should be allowed to coexist in liberal states; but that custodians should be willing to part with the harmful aspects of those cultures. This would eliminate problematic aspects of multiculturalism. For multiculturalism to thrive on one hand, rigorous education campaigns must be undertaken to create awareness on existing tensions, but most importantly to find solutions to existing cultural problems. On the other hand, cultural relativism and the unwillingness to modify harmful practices should render harmful cultural practices illegal.

Lastly, following the interrogation of the complexities of the multicultural discourse in relation to feminism, and the relevant legislation applicable in the South African liberal democratic order, at the end of Chapter Three I posed some questions which I attempt to answer briefly below:

As a custom, would ulwaluko in itself be in contradiction of equality should the problems identified in its practising be eliminated?

I believe that if patriarchal and hegemonic practices were to be eliminated in the process of initiating boys into manhood among amaXhosa, *ulwaluko* in itself would not be contravening the laws promoting gender equality, and thus the exclusion of women in the practice would not be such a huge concern.

Are women as a minority group in isiXhosa culture, and, in light of “recognition and identity”, in a position to speak for themselves in their communities?

In recent years we have seen pockets of women rising and speaking against the values and norms of *ulwaluko*. However, as shown in this study, it is not uncommon for such voices of defiance to be met with scorn. This therefore implies that women are not at liberty to exercise their rights, and their will to speak out may be curtailed for fear of reprisal, or at the least, not being taken seriously. Furthermore, there is the risk suggested by Spivak (1988) that subalterns, and women in this case, maybe unable to speak for themselves (see section 5.2.2.2) which would require that empowerment takes precedence.

Would the application of liberal democratic ideals practised in Western cultures that seek to amplify the silent voice of marginalized groups, and women in particular, be relevant in the initiation of amaXhosa?

I believe that multiculturalism and its principles has a place in *ulwaluko* – however, a sound and fitting approach to African problems requires an African outlook. We cannot endorse Western principles blindly and in a wholesale fashion, hoping that these will fall neatly into the ways of amaXhosa and their customs.

Are new ways of merging culture with human rights and gender equality ideals in South Africa possible (A la Ayton-Schenker, 1995)?

I strongly believe that finding new ways of blending human rights and gender equality with culture is a possibility that is waiting to be explored in South Africa and that which requires not only collaboration amongst various structures and stakeholders, but also a mindset that allows for equality and transformation.

6.7 Conclusion

Ulwaluko is perceived in two contradictory ways; that it is an important, fulfilling custom; or that it is a harmful cultural practice that violates the rights of women and other minorities within the ethnic group. The study demonstrated that the tradition is in contravention of national and international legislation aimed at protecting universal human rights. For this reason, the state has failed to democratize. Although some forms of modernization of the practice have already been taking place, these remain inadequate as long as they evade human rights and gender equality ideals. This therefore suggests that a concerted effort needs to be taken at all levels, to give women a voice and their rightful status as equals to men.

CHAPTER SEVEN

SUMMARY, CONCLUSION AND RECOMMENDATIONS

7.1 Introduction

In Chapter Six, I discussed the findings of the study in relation to the goals I set out in Chapter One. In this chapter, I summarize the entire study into a concise but exhaustive synopsis before I make recommendations and draw the study to a close.

7.2 Summary of the Study

Ulwaluko is a ritual that bears great significance and pride for amaXhosa who reside predominantly in the Eastern Cape province of South Africa. I drew an important distinction between circumcision and initiation in this thesis. As I indicated in Chapter One, the term *ulwaluko* is used to describe *isiko lokwaluka* or *ukoluka*. This basically refers to all the activities and processes amaXhosa engage in to transform youngsters from what is usually considered a lowly boyhood standing, to the higher and more prominent status of manhood. It includes cutting of the prepuce (circumcision), which is but one of the many events that characterize this practice. The tradition is undertaken in the belief that it will “produce accountable and responsible citizens of society fully committed and dedicated to the value of nation building” (Ntombana, 2011b, p. 199). The practice is compulsory among amaXhosa in that each and every boy is expected to undergo initiation to be considered a genuine man. If he does not, he is most likely to be ridiculed and ostracized by the society. Due to the unabating injuries and deaths of initiates in the province, the practice has over the years been, the subject of considerable public scrutiny and has received negative attention from the media.

In Chapter One, I outlined my motivation to conduct this study, namely that, firstly, the interest arose out of my experiences as an academic at a university in the Eastern Cape; secondly from a personal level as a mother of a boy that had to undergo initiation, and

thirdly; as a result of the paucity of scholarly research on studies conducted on the views of women on *ulwaluko*. The study sought to examine the following goals:

- 1) To explore and describe the experiences and perceptions of women with respect to *ulwaluko* as it is currently practiced by amaXhosa in the Eastern Cape.
- 2) To articulate ways in which current attitudes and approaches to *ulwaluko* harmonize or contradict with the dictates of gender equality in South Africa's liberal constitutional order.
- 3) To suggest (based on goal 2 above) what consequences - be they positive or negative - may arise from the manner in which the custom is carried out, and in view of the contemporary South African, socio-political context.
- 4) To inquire what, if any possibilities exist, to legitimize the greater incorporation of the voice of women in all societal levels in line with the principles of multiculturalism in a liberal, democratic order.

The nature of goal 2 and 4 required that the study is framed in the multiculturalism and feminism discourses, two frameworks that are concerned with the empowerment of discriminated minorities, as well as the elimination of gender discrimination (McDowell & Fang, 2007). It was imperative in Chapter One that I also reflect on my positionality as a researcher, so as to be conscious of how my outlook could bias my epistemology.

In Chapter Two, I demonstrated that *ulwaluko* is an age-old custom that has been practiced by different people and cultures throughout the world for many years. I also showed that it has always been a significant and revered practice among amaXhosa. I also distinguished between *ulwaluko* and other models of circumcision before I outlined the initiation process in terms of the stages a boy has to go through to become a fully-fledged man. Furthermore, I alluded to the multi-pronged purpose of the practice and concluded the chapter by examining the legal framework that impacts on *ulwaluko*.

In Chapter Three, I discussed multiculturalism, the theoretical framework and liberal philosophy that I have framed this study upon. I highlighted the tensions that exist

between multiculturalism and feminism before I attempted to reconcile the two movements. I then interrogated Okin's (1999) views on whether multiculturalism is bad for women, looking at various criticism of her essay. In so doing, I outlined the clash between the liberal commitment to individualism and the recognition of the rights of minority cultures in the face of the challenge posed by cultural groups with illiberal practices, in particular.

In Chapter Four, I outlined the research design and the methodology I chose for this study. I gave an explanation behind my choice of interpretive phenomenology, the non-probability sampling I utilized in selecting participants, as well as the manner in which I gained entry in the three research sites. I also described the use of FGDs and semi-structured in-depth interviews that I used to collect data and also gave details of how I analysed data, which I later presented in four themes and sub-themes. These were: problems associated with injuries and fatalities leading to the resentment of *ulwaluko*, tensions between law and culture, factors enabling preservation of initiation and mechanisms that can be used to address the challenges. Lastly, I discussed the challenges I had encountered in my attempt to observe ethical considerations, as well as the general limitations I faced in the process of conducting the study.

In Chapter Five, I analyzed and interpreted the findings by providing a comprehensive and thick description of the themes and sub-themes that emanated from data analysis. I used theory and literature to support or dispute the findings. The analysis revealed that *ulwaluko* was perceived in both positive and negative light. It was also viewed as a custom that entrenches patriarchy, a practice that is in contravention of liberal democratic principles. However, positive shifting patterns, including the involvement of women in some areas, were noted by participants. It also emerged quite strongly, that *ulwaluko* is a significant practice that is unlikely to be abolished by amaXhosa.

In Chapter Six, I discussed the findings in relation to the goals of the study as I had set them out in Chapter One. I also discussed how *ulwaluko* has adhered, or failed to adhere to the legal framework that underpins multiculturalism. More importantly, I reconciled the

findings of the study with the research question. I then concluded that in some areas of the province, women were discriminated against and did not enjoy equal rights to that of men. This therefore suggests that the rights of women, both as a minority within a minority culture and as individuals in the society, are not sufficiently protected against the discriminatory and oppressive practices of *ulwaluko*.

In this last chapter I wrap up the study, make recommendations and draw the enquiry to a close.

7.3 Conclusion

In conclusion, it is critical that the clash between the provision of individual rights and the recognition of cultural practices that are harmful to women is treated as problematic. I argue, however, that seeking creative and transformative ways of addressing this fundamental oversight is an opportunity that needs to be examined closely in advancing *ulwaluko*. One way of doing this would be by striving towards cleansing communities of their patriarchal attitudes and practices. Another option would be ensuring that in their quest to finding alternative solutions, communities refrain from endorsing positions that analogize cultural practices in concrete binary terms, thus implying homogeneity, which they are not (al-Hibri, 1999; Nhlapo, 1995a, 1995b; Phillips, 2009). Furthermore, it is important that Spivak's (1988) warning of Western feminists' disposition to speak on behalf of the subaltern is heeded, that collective principles and philosophies that may not be applicable in some contexts should not be applied across the board. Contrary to the views of many feminists (for instance Phillips, 2009; al-Hibri, 1999), I disagree with the philosophy that Western scholars (including researchers who interrogate traditions such as *ulwaluko* from outside-in, and who I refer to as "outsiders") should not criticize Third World cultures. My view is that such critique should be given attention since it may offer valuable insights about the culture and its associated practices. However, I do support Spivak in that when Western critics do speak for the subaltern, they need to be cognisant of their positionality in entering the debate. Furthermore, Western scholars should also

seek to collaborate with “insiders” in examining foreign cultures, so they can do this from the emic perspective. This position will allow for a culturally informed stance.

As I demonstrated in Chapter Two, minor variations in the practice can be found between different clans as well as between different regions. The results of this study, which point to conflicting perceptions and procedures applied in conducting the initiation of amaXhosa, reinforce the conviction that culture is heterogeneous and that its fluidity causes changes at varying strides in varying regions (Hobsbawn & Ranger, 1983; Nhlapo, 1995a). Given these circumstances, I argue that context-specific solutions aligned with democratic principles should be sought in addressing challenges associated with *ulwaluko* and, more specifically, its contravention of liberalism. This could be done by ensuring that in the attempt to adopt 21st century demands, the custodians of the culture strive towards retaining African ways of life. I agree fully with Holomisa (2009) who advises that “[i]f for once we were to fashion our newly-found freedom in ways that are informed by our cultural experiences, we would find solutions” (p. 186). In line with the influence of Western philosophies and the potential dependency of the subaltern on outsiders, Holomisa warns of the possible danger of Africans falling into the trap of embracing European cultures while looking down upon their own as a result of “colonialism, Western education, religion, culture and civilisation, apartheid and foreign ideologies” (p. 204). As this study demonstrates, some elements of the tradition appear to be functional in certain areas. It is therefore critical, that the aspects of *ulwaluko* that work well be retained and used as a benchmark in similar areas or regions.

7.4 Recommendations

The dominant challenge reported by the women who took part in this study was the entrenchment of patriarchal attitudes and hegemonic practices they faced in their communities, which appeared to further exacerbate their marginalization. They also raised the question of gender stereotypes. Against this background, I make recommendations that aim to destabilize patriarchal practices embedded in *ulwaluko*, thereby fostering a culture of inclusivity and bringing about better outcomes for initiates,

their mothers and the community at large. Furthermore, in these recommendations I take into account suggestions made by participants on addressing the challenges of initiation (refer to theme 4 in section 5.2.4). Below I present the recommendations in no particular order.

7.4.1 Establishment of Gender Equality Programmes

Since patriarchy is manifested largely in the private sphere, both boys and girls must be taught liberal principles from a young age, at the core of which should be gender equality principles. However, not only must these topics be integrated into the school curriculum, they should also form part of socialization in the home environment, as well as in community programmes. Moreover, similar projects based on varying community needs should be organized for different adult groups. Local NGOs are best suited to provide such educational programmes. Although it is important to create opportunities for men and women to work together, it may also be necessary to separate these groups, such as when running empowerment programmes for women. The establishment of the latter programmes would ensure that injustices of the past will be restored, a philosophy that is endorsed by liberal societies. Such initiatives would give women a sense of equality with men. Ultimately, these programmes should have a skills transfer component, where locals reach a stage where they can conduct these activities successfully on their own.

7.4.2 Modification of Values and Norms of the Custom

Since the prohibition and abolishment of *ulwaluko* does not appear to be a feasible option, the practice needs to be embraced for its significance among amaXhosa. However, in view of the belief that cultural practices are constantly shifting, *ulwaluko* is similarly not immune to changing times and circumstances. The modification of the norms and standards associated with *ulwaluko* will create a platform to address the problem areas identified in this practice. The custodians of initiation need to consider the endorsement of new ways of conducting the practice such that it eliminates all forms of harm. When such changes are made, they should take into consideration the context of each

community while observing the prevailing prescripts of the law. High on the agenda of modernization of cultures should be the incorporation of systems that promote gender equality and that denounce the inferior status accorded to women, as well as gender stereotypes that underlie patriarchy. Measures that are geared towards ensuring the safety of initiates (such as training and registration of traditional surgeons and traditional nurses etc) should also be given serious attention as this would not only save initiates' lives but also lessen the psychological harm inflicted on mothers when they lose their sons. These changes must, however, be such that African values and indigenous knowledge systems are retained and celebrated. The endorsement of such a position will lead to the compliance of all the laws that are transgressed in the process of applying initiation practices.

7.4.3 Representation of Women in Decision-making Structures

To achieve social justice and to rid communities of patriarchal practices that lead to the marginalization of women, women need to be accorded an equal status to that of men. This requires representation at various levels in society where women can be part of decision-making structures; a principle at the centre of multiculturalism that requires that all individuals - men and women - be provided with the opportunity to act freely in political life as full and equal citizens of the country. It is important that the incorporation of women starts in the family where important decisions are taken during the four phases of *ulwaluko* (refer to Chapter Two). For example, during the preparation phase, women could be involved in the choice of *ingcibi* and *ikhankatha*, or even in the discussion about the construction of *ibhoma*. During the transition phase, women could be involved in the decisions taken about the initiate's diet instead of being instructed by men on the type of food prepare, and when problems arise at the initiation school, women need to be part of the solution. Furthermore, women's involvement needs to stretch beyond the domestic terrain and be included in local structures, as well as government formations at provincial and national levels. When taking part in local authority, women can thus be part of policy formulation. Such representation will not only help in circumventing unjust practices towards women from being implemented as law but would also strengthen women's

advocacy. It will put men and women on par while also promoting their dignity and well-being, in line with the ethos of cultural pluralism.

7.4.4 Establishment of Collaborative Networks

It is critical that communities establish collaborative structures aimed at addressing *ulwaluko*. These structures need to be based on a fair and all-encompassing representation of all relevant stakeholders, including men and women of different age groups, as well as government departments, civil society structures etc. A key aspect of these structures would be to identify prescripts of the culture that no longer work and that require modification, as well as to find appropriate solutions. These networks could, among other activities, host dialogues which should be mainstreamed into standard community activities where the subject of *ulwaluko* would be addressed.

7.4.5 Widening of Access to Services

To assist women in exercising their agency, chapter nine institutions (such as the SAHRC) and national gender machinery need to take their services to the people, and communities that need these the most. Multicultural states require that all citizens be able to access state institutions. More consolidated efforts in reaching “forgotten communities” (such as the remote villages in Mpondoland), need to be made so that people can be educated on gender equality rights in a language they understand. To achieve this objective, the adoption of a rights-based model that is “owned” by the community is key. All forms of communication, such as print, radio and television, should be used to transmit messages. The widening of access to services will also ensure recourse not only for women, but other minorities within the culture including gay, bisexual, transgender and intersex men.

7.4.6 Documentation and Sharing of Effective and Inclusive Practices

The media is dominated by an influx of the negativity that has engulfed *ulwaluko* over the years. Reports on the death of initiates are common, but very few positive stories or even educational programmes about the custom appear to make it to the media. Maintenance of a balance in the way the custom is presented is required. As I demonstrated in this study, some participants maintained that there were successful and positive elements in *ulwaluko* that need to be celebrated. A critical, conscious mind-shift thus needs to be cultivated, not only by the media but communities at large. Practices that have been found to be successful need to be documented and shared on various platforms, both locally and nationally. There should also be a focus on communities that promote the equality of men and women, and how a partnership between these groups can contribute to nation building. The spotlight therefore needs to shift to the goodness of the custom. Communities that work hard to avoid the death of initiates and all the other initiation-related problems need to be given support. When this happens, such successes can be used as a benchmark for other areas. However, it would be important to ensure that communities are aware of contextual issues (since culture is not homogenous even amongst the same ethnic groups) so as not fall into the trap of using a wholesale or one-size-fits-all approach when endorsing other communities' standards.

7.4.7 Creation of Awareness on Legislation

In line with advancing the continuation of *ulwaluko* in the Eastern Cape, it is critical that the prescripts of the law be observed by individuals and communities alike. To achieve this objective, continuous awareness efforts on initiation laws that are flouted by those involved in the practice, and legislation that is transgressed through patriarchal practices, need to be undertaken. This educational process should also include women who, for instance, need to be familiarized with the provisions of the AHSTCA (No. 6 of 2001) and other policies and procedures necessary for the education of their sons about the phenomenon. Furthermore, women who are familiar with the contents of legislation could

also educate other women since there were areas where some women appeared to lack knowledge about legislation, and initiation laws in particular.

7.5 Implications for Further Research

Ulwaluko is a rich and complex cultural practice with various foci that could further be interrogated to give academic scholars the opportunity to better understand its dynamics while increasing the knowledge base on the subject. Some of the aspects that require scholarly investigation concerning *ulwaluko* include:

- An in-depth examination of the role women can play in developing *ulwaluko* into a nation-building programme
- The significance of matriarchs in isiXhosa culture and their positioning in *ulwaluko*
- An examination of socio-political and structural factors that contribute to the success of *ulwaluko* in areas where the practice has proven to be effective.
- The psychological impact of the challenges associated with *ulwaluko* on initiates and their families
- A comparison of *ulwaluko* and Jewish circumcision rights from a feminist perspective
- *Ulwaluko* and heteronormativity: its implications on the construction of masculinity in isiXhosa culture

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APPENDICES

APPENDIX A1: PARTICIPANT LETTER AND CONSENT FORM (ENGLISH)

Informed Consent Form

Research Topic: Perceptions of *ulwaluko* in a liberal democratic state: is multiculturalism beneficial to amaXhosa women in the Eastern Cape province of South Africa?

Dear Participant

Thank you for agreeing to participate in this study. This form gives you details about the research study, it describes the extent of involvement required from the research participant and also explains the rights of participant in the study. The purpose of this study is to explore and describe the experiences and perceptions of amaXhosa women with respect to *ulwaluko* as it is currently practiced in the Eastern Cape.

The methods that will be used to collect data are:

- Focus group discussions (FGDs) which in simple terms involve a group of people coming together to discuss a particular topic
- In-depth interviews that will be conducted one-on-one at a different time

In order to achieve the objectives of the study, I request that you participate by responding to questions that I would like to ask. Please be informed that your participation in this study is purely voluntary. This means that you are in no way forced to take part in this study. The choice of whether to participate or not, is yours alone. Should you choose not to get involved in this study, you will not be affected in any way whatsoever. If you do agree to participate, note that you will be allowed to stop at any time if you no longer wish to participate. There is no penalty associated with pulling out of the study, and you will not be prejudiced in any way. You are encouraged to ask questions or raise any concerns you might have at any time about the nature of the study or the methods that I will be using.

It is envisaged that the study will offer some benefits in that it will make a major contribution to the knowledge base in the field of traditional male initiation of AmaXhosa people, and that it will also encourage an open discourse on this rite of passage especially on the women's part.

Please note that it is important for me to do some recording during the interviews. Both FGDs and interviews will need to be audio recorded. This will help me capture the discussions and your insights accurately, and in your own words. Over and above the audio recordings, still pictures of the setting may be taken. If at any point you feel uncomfortable with the recordings, or pictures being taken, the recorder will be switched off at any time and photographing will be terminated. In the event you choose to withdraw from the study all information you provide (including tapes) will be destroyed and omitted from the final paper.

Anonymity and confidentiality will be observed throughout the study. Your name and any other personal details will not be recorded anywhere on the interviews, FGDs or notes taken during data collection. This means that no one will be able to link you to the answers you give. It is only the researcher who will have your personal particulars. All information will remain confidential.

The results of this study will be used in writing my thesis for fulfilment of a doctoral qualification at Rhodes University, and the information will be disseminated locally and internationally.

Statement of Consent

I give my voluntary consent to take part in this study. I have been informed that I will be given a copy of this consent form for my records.

Name of Participant (Printed)	Signature of Participant	Date

Statement of Researcher

I have carefully explained to the research participant what she can expect from the study. I certify that to the best of my knowledge, the participant understood the purpose, procedures, and potential benefits of the study at the time of signing this form.

I also certify that the participant:

- Understood the language used to explain this research
- Reads well enough to understand this form
- Does not have any problems that could make it hard to understand what it means to take part in this study

Name of Researcher (Printed)	Signature of Participant	Date

In case any concerns arise about this study, you are welcome to contact me the researcher to discuss such issues. My contact details are as follows:

Name: Mmampho Gogela (Ms)
 Cell: 0762112396
 Email: mgogela@wsu.ac.za

APPENDIX A2: LETTER AND CONSENT FORM (ISIXHOSA)

Imvume Yokuthatha Inxaxheba

Research Topic: Perceptions of *ulwaluko* in a liberal democratic state: is multiculturalism beneficial to amaXhosa women in the Eastern Cape province of South Africa?

Mvavanywa Obekekileyo

Mandibulele ngokuthi uvume ukuthatha inxaxheba kolu phando. Eli phepha likunika ingcaciso malunga Nophando olu, uchazelwa banzi ngalo ukwaxelelwa nokuthi xa uthe wayithatha inxaxheba, yintoni ecelwayo nelindelekileyo kuwe, kwakunye nangamalungelo akho ngalo lonke ixesha ukule nkqubo.

Isizathu sokuthi ndenze olu phando kukuba ndingathanda ukwazi banzi ngeendlela abantu basetyhini abalibona ngayo usiko lolwaluko lwamadoda nendlela elihamba ngayo kubantu abangamaXhosa apha kwiphondo laseMpuma Koloni.

Olu phando luzakuthi luqhutywe ngezi ndlela zilandelayo:

- *Focus group discussions (FGDs)* apho iqumrhu labantu lidibana khona ngeenjongo zokuncokola ngomba othile
- *In-depth interviews* uviwano-ndlebe apho umntu ngamnye athi ancokole nomvavanyi ngomba othile, oku kuzakwenzeka ngaxesha limbi

Khona ukuze lukwazi ukuqhubela phambili olu vavanyo, uyacelwa ukuba uphendule imibuzo ethile endizakuthi ndiyibuze. Yazi ke ukuba ukuthatha kwakho inxaxheba kolu phando akunyanzelekanga, kuxhomekeke kuwe ukuba uyathanda na ukungena. Ukuba uthe wakhetha ukungathathi nxaxheba, oko kwamkelekile kwaye akusayi kubakho ngxaki. Ukuba uthe wangenelela, uvumelekile ukuba urhoxe xa ngaba uthanda njalo. Akusayi kohlwaywa nangaluphi na uhlobo kwaye akukho mntu uyakukusola ngokubuya

kwakho umva. Nceda ke ubuze imibuzo, uchaze xa ngaba kukho nto ongakholwayo yiyo, okanye ongaqinisekanga ngayo malunga nolu vavanyo, nokuba ziindlela ezizakuthi zisetyenziswe.

Kulindeleke ukuba olu phando lunganoncedo ngokuthi luphuhlise ulwazi malunga nosiko lolwaluko lwamaXhosa, kwaye lungenza kuvuleleke iingxoxo ezibanzi malunga nalo mba, ingakumbi kwicala labasetyhini.

Uyaziswa ke ukuba kubalulekile ukuthi umvavanyi arekhodishe xa luqhuba olu phando. Kuzo zombini ezi dlela, iiFGDs noviwano-ndlebe, umvavanyi uzakurekhodisha amazwi xa kuthethwa. Loo nto ke iyakunceda ukwenzela ukuba izinto ebezithethwa apha zibhalwe kanye ngale ndlela bezithethwe ngayo. Ngamanye amaxesha ke umvavanyi angathanda ukufota indawo le kudityanelwe kuyo. Ukuba kuthe kwenzeka ukuba kubekho umntu okanye abantu abangawuva kakuhle lo mcimbi wokurekhodisha nokufota, oku akusayi kwenziwa. Xa uthe warhoxa kolu vavanyo, izimvo nolwazi obuthe walunikeza, kwaneefoto obukhona kuzo ziyakutshatyalaliswa zingafakwa nakwiphepha elizakuthi libhalwe ngolu vavanyo.

Imfihlakalo yinto ebalulekileyo kuzo zonke izigaba zolu vavanyo. Igama lakho kwakunye nazo zonke iinkcukacha zakho azisayi kubhalwa zibekwe elubaleni, nto leyo ethetha ukuba akukho mnu uyakukwazi ukudibanisa izinto othe wazithetha neembono zakho kunye nawe. Ngumvavanyi kuphela oyakube eneenkcukacha zakho, hayi omnye umntu. Zonke iinkcukacha zolu vavanyo zizakugcinwa ziyimfihlakalo.

Ndithanda ukukwazisa ukuba iziphumo zovavanyo olu ziya kusetyenziswa ekubhaleni iimpepha ezinxulumene nezifundo zam zobugqirha kwi univesithi yaseRhodes, kwaye ezi ziphumo ziyakupapashwa apha kweli, ukanti nakwanye amazwe.

Inkcazelo Yokunikeza Imvume

Ndingathanda ukunikeza imvume yokuthatha inxaxheba kolu phando. Ndazisiwe ngumphandi ukuba ndizakunikwa olu xwebhu lubonakalisa imvume yam ze ndihlale ndinazo ezi nkukacha.

Igama Lomvavanywa (ngokupheleleyo)	Ukusayina Komvavanywa	Umhla Nosuku

Inkcazelo Yomphandi

Ndiyavuma ukuba ndicacise ngokubanzi kumvavanywa malunga novavanyo ngokupheleleyo. Ngokokwazi kwam, ngexesha esayina eli phepha, umvavanywa uziqondile zonke izinto endimchazele zona malunga nophando olu njengesizathu sokwenziwa kophando, iindlela zokuluqhuba nendlela olu phando olunganceda ngayo.

Ngaphezulu ndithanda ukongeza oku ngomvavanywa:

- Uyalwazi ulwimi obelusetyenziswa ekuchazeni ngolu phando
- Uyakwazi ukufunda ngokwaneleyo ukuba ayilandela into ebhalwe kweli phepha
- Akanangxaki ndiyaziyo enokwenza nzima ukuba aqonde ukuba kuthetha ukuthini ukuthatha kwakhe inxaxheba kolu phando

Igama Lomphandi (ngokupheleleyo)	Ukusayina Kophandi	Umhla Nosuku

Xa kunokwenzeka ukuba ube nento othanda ukuyiqonda okanye ukuthetha ngayo malunga novavanyo olu, nceda uqhagamshelane nam mphandi ngale ndlela:

Name: Mmampho Gogela (Ms)

Cell: 0762112396

Email: mgogela@wsu.ac.za

APPENDIX B: FOCUSING EXERCISE PICTURES



APPENDIX C: FOCUS GROUP GUIDE

Focus Group Guide

Procedure

1. Opening and welcoming
2. Introduction of research study and signing of consent forms and attendance register
3. Setting of groundrules

Make use of a “focusing exercise” to elicit a discussion on feelings and perceptions. Start off with a demonstration of still pictures of *abakhwetha* and others related to circumcision.

Questions

1. I would like you to look carefully at the pictures. As mothers of initiated boys, what kind of memories, thoughts and feelings would you say these pictures evoke/bring to your mind?

Ask follow-up questions and ensure that all critical issues are discussed, e.g

- How do these pictures make you feel?
- What was/is it like to be the mother of an initiate? Let them describe experiences
- Explore and inquire any issues related to:
 - current practices vs old practices/erosion of the culture
 - conflict with the dictates of gender equality in SA
 - inclusion/exclusion of women
 - female headed households
 - the now prominent role of women in policy-making and medicine

If not already covered, ask:

2. Some people believe that culture should remain static. What are your views on that?

- What and whose purposes are fulfilled by the demand for 'culture' to remain rigidly unchanging?
3. What are your thoughts on the role of women in male initiation?
- Would it be necessary to incorporate the voice of women to the practice? (including at the level of policy-making and medical intervention)

Tips

- Listen actively with minimum interruption. Listen more and talk less.
- Ask for clarification, concrete details and request stories. Ask to hear more.
- Observe the interaction taking place between participants
- Take notice of withdrawal, discomfort, disagreements etc, handle appropriately
- Be non-directive
- Stick to the research topic

APPENDIX D: INTERVIEW SCHEDULE

Interview Guide

If the interviewee participated in FGDs prior to this interview, ask:

Q1: Would you like to share any thoughts or feelings that might have come up during the FGD?

- Ask specific questions flagged during the FGD, if any.

If the interviewee did not participate any FGD prior to this interview start here:

Q2: Please describe your own personal experiences with *ulwaluko*, in relation to how it went/what transpired when your son(s) went initiation?

Explore the experience further:

- What role did you play?
- What role did the family, community and/or government play?
- In your knowledge, was there any piece of legislation applied in this case?

Q3: Given what you shared about your experiences of *ulwaluko*, how do you feel about this practice?

- Have your feelings/opinions changed in any way, between then and now? If so, why?
- What are your thoughts on the role of women in male initiation?

Q4: What was the impact of this practice on you, your son(s), family and community at large?

Q5: What recommendations would you give as a woman regarding the practice?

Tips

- Listen actively with minimum interruption. Listen more and talk less.
- Ask for clarification, concrete details and request stories. Ask to hear more.
- Take notice of withdrawal, discomfort, disagreements etc, handle appropriately
- Be non-directive
- Stick to the research topic