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TECHNICAL PAPER ON
**WOMEN AND
GENDER**

FOR NDP REVIEW

OUR FUTURE, MAKE IT WORK!

This technical report was prepared for the National Planning Commission by D Budlender. The report serves as a background document to the Gender Review of the National Development Plan, the process was led by Commissioner Vivienne Taylor. This report was produced with the financial support of the Canadian High Commission in South Africa and cannot be taken to reflect their views.

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1 Executive Summary

Introduction

The National Development Plan (NDP) states that South Africa needs to build a more equitable society where opportunity is not defined by race, gender, class or religion. The National Planning Commission is thus interested in assessing the changes and status of women's development and gender equality in South Africa. This Technical Paper on Women and Gender aims to assist the Commission in this respect. It provides empirical and statistical data on the progress made towards women's emancipation in South Africa.

The main body of the paper broadly follows the structure of the NDP in terms of topics covered, with a focus on the chapters most relevant from a gender perspective. Issues related to poverty and inequality and their relation to gender and women are prioritised. This economic focus matches that of the Plan itself as well as the even stronger emphasis of the sixth administration on the economy. Unpaid care work, and its unfair distribution between women and men, emerges repeatedly as a factor in many of the issues discussed in the paper.

Demographic trends

Vision 2030 notes that the composition of the population is an important factor in shaping the overall needs of the population and, as a result, should shape government policy. The technical paper highlights the need to go beyond a simple distinction between rural and urban, to distinguish between (formerly white-owned) commercial farming areas, and the rural areas that previously constituted the apartheid homelands. The latter, where female dominance in the population is at its strongest, are shown to be especially disadvantaged in various respects. These areas also have an unusually high proportion of children in the population, placing an extra unpaid care burden on older women, in particular, in households which are among the poorest in the country.

The technical paper notes that while diverse forms of families are becoming increasingly common around the world, South Africa stands at the extreme in terms of a range of indicators. The paper focuses, among others, on the living arrangements of children, where more children live only with their mother than live with both mother and father. Some of the lone mothers and their children live alone, while others live in extended households with other family members. Lone-parent and extended households are the poorest in terms of per capita income, while households without children (couples and single-person households) are the wealthiest. The unpaid care work associated with caring for children adds to the burden faced by non-children in the poor households, but also forces many poor women to live apart from their children to find work.

The amendments to the Maintenance Act since 1994 have brought about important improvements for women. However, the law and regulations still do not provide for the amount of maintenance to be determined by a formula, as was recommended by the Lund Committee of 1998. There are also gender biases against the custodial parent (usually the mother) in the approach used by magistrates in implementing the Act.

The Recognition of Customary Marriages Act was enacted in 1998, only a few years after the first democratic elections in South Africa. However, in early 2020, Islamic marriages have still not yet been recognised in the same way despite the Constitution's recognition of the right to freedom of religion as well as to a recognised marriage. The September 2018 High Court judgment in the long-drawn-out court case initiated by the Women's Legal Centre directed the President, Cabinet and Parliament to correct the situation within 24 months. If they fail to do this, Islamic marriages will automatically be recognised.

Economy and employment

Vision 2030 states that “[a]chieving full employment, decent work and sustainable livelihoods is the only way to improve living standards and ensure a dignified existence for all South Africans...” However, the technical paper illustrates how the low value accorded to unpaid care work impacts on wages paid to workers doing tasks similar to those involved in unpaid care work and, in so doing, undermines women workers' opportunities to earn sufficient money to enjoy a decent standard of living.

The Employment Equity Act of 1998 came into being in 1998. However, the provisions in respect of income differentials have not yet been utilised effectively even in terms of access to the necessary data for reporting and monitoring purposes.

The Employment Equity Act was amended in 2013 to provide for equal pay for work of equal value, with regulations following in 2014 and a Code of Good Practice on Equal Pay / Remuneration for Work of Equal Value in 2015. Unfortunately, the provision applies only to employees within a single workplace. This limits its practical utility as much of the existing discrimination relates to male and female employees in different workplaces.

To date there have been few South African court judgments that provide guidance on how equal value can be assessed and in which circumstances a claim of alleged unfair discrimination might be successful. Statistical analysis of South African salaries and wages reveals under-valuing of working with people (production of services) when compared to working with machines and tools (production of goods). This can be seen as mirroring the invisibility of unpaid care work.

Some gender advocates see women's economic empowerment primarily as involving increasing the number of women entrepreneurs and their earnings. Some argue that this focus is especially important because women are more likely than men to work informally or in the informal sector.

However, statistical analysis reveals that women are less likely than men to work in the informal sector. Further, only a small proportion of both women and men are self-employed, unlike many other developing countries. The gender gap in earnings between self-employed women and men is larger than that for women and men employees. This suggests that an unsophisticated focus on self-employed women and formalisation as a major route to women's economic empowerment might need reconsideration.

Economic infrastructure

Vision 2030 envisages an energy sector that provides for economic growth alongside social equity and environmental sustainability. By social equity, it refers to expanded access for households and affordable tariffs and subsidies for households in need.

The target was to have 95% of households on the grid by 2030. However, since late 2007 South Africa has been plagued by a series of electricity crises. Women tend to suffer more than men when electricity or another reliable energy supply is not available. The reasons for this include women's responsibility for cooking and other housework that is greatly facilitated by electricity, and the fact that when other sources of energy must be collected, this task is done predominantly by women.

Vision 2030 envisages all South Africans enjoying affordable access to enough safe water and sanitation to sustain health and dignity. In the years since the NDP was adopted, almost all regions in the country have had water shortages, often accompanied by water restrictions for households and agriculture. The situation is attributed in large part to failures in planning and management, in some cases combined with corruption.

Time use surveys illustrate a similar gender bias in respect of water collection as that noted for fuel collection. The gender imbalance is largest in ex-homeland areas. Access to piped water on-site has increased since 2012 in urban and ex-homeland areas. However, there is not always water in the taps.

Inclusive rural economy

Vision 2030 sees access to land and agriculture in ex-homeland areas as important in addressing the economic woes of rural (African) people and, in particular, women.

Since 1994, Government has attempted to introduce a series of laws relating to land and governance in ex-homeland areas. Rural women have been among those opposing the laws, one of which was overturned by the Constitutional Court, and others abandoned after meeting strong opposition. However, in late 2019 President Ramaphosa signed two of the laws.

Opponents of the laws argue that they would recreate the old apartheid Bantustan system in which people living in ex-homeland areas are subject to different laws and controls, and denied rights enjoyed by South Africans living in other areas. They also argue that the law would result in dispossession of these women and men without their consent by allowing traditional leaders to enter into contracts in respect of land, including with investment companies, without the consent of the people living on and using the land.

These legal developments run counter to changes in customary law and practice that have seen women gain increasing access to and control over land in ex-homeland areas. Those gaining access include unmarried women – especially those with children – bringing reform in a system where traditionally rights and status were strictly linked to gender and marital status.

Improving education, innovation and culture

Vision 2030 highlights the need to address infrastructure backlogs in order that all schools meet the national standards set by the Department of Basic Education. The needs of girls and young women in respect of sanitation are greater than those of men because, physically, it is more difficult for them to urinate when there are no facilities; girls and women tend to need to urinate more often; women are at greater risk of gender-based violence; and the need for toilet facilities increases when girls and women are menstruating.

Government introduced the Accelerated School Infrastructure Development Initiative (ASIDI in the 2011/12 financial year supplement what the provincial departments were doing with the standard national infrastructure grant and their own resources. The DBE website shows faster ASIDI progress on sanitation than on any other element. However, the progress is erratic and the targets set going forward seem unrealistic. Different sources also contain conflicting information as to how many schools have been assisted.

The annual reports of the National Education Infrastructure Management System suggest that in 2019 there were no schools without toilets, although 26% had one or more pit toilets, and 16% had only pit toilets. This is a clear improvement on 2013, but any reliance on pit toilets is not in line with policy.

The 2007 amendment to the South African Schools Act provides for the Minister of Basic Education to make regulations prescribing minimum norms and standards for public school infrastructure. The first legally binding Norms and Standards for School Infrastructure were published in November 2013. A July 2018 court judgement found that government could not justify its failure to comply with these norms and standards on the grounds that it did not have the necessary available resources because the right to education is an immediately recognisable right that does not allow for “progressive realisation”.

In South Africa, the then President of the country, Jacob Zuma, announced a Sanitary Dignity Campaign in his State of the Nation address in early 2012. Subsequently other government departments and agencies as well as commercial entities organised their own events, campaigns and the like. The national sanitary dignity programme was launched in February 2019, the 2019/20 budget included an allocation of R157 million to provide sanitary pads to learners from poor households, and government published a Framework for Sanitary Dignity together with an implementation plan.

The framework acknowledges that provision of free sanitary products to poor girls and young women is not sufficient to achieve “sanitary dignity” and an end to “period poverty”. It lists sanitation and a “menstrual-friendly” water supply among the necessary other elements. The framework is extremely ambitious. It includes strict requirements in terms of locus and manner of production that might well delay the rollout of the programme to all the parts of the country where girls most need it, if not prevent such rollout completely.

Social protection

Vision 2030 envisages that most working-age South Africans will be employed by 2030, that households which are not at or above the defined social floor will be assisted, that people will be shielded from the negative impacts resulting from labour market failures, and

“[v]ulnerable groups such as poor women and people with disabilities [will] enjoy the full protection provided under the Constitution.”

Vision 2030 is contradictory in terms of targets for both the Expanded Public Works Programme (EPWP) and the Community Work Programme. Further, the available evidence suggests that the reach of the programmes is far below the various targets.

Vision 2030 offers home-based care and early childhood development as prime examples of social sector EPWP. These. Civil society actors have questioned the categorisation of these and other essential “care” services as EPWP rather than “proper” work that enjoys the full protection of labour law.

Non-profit organisations (NPOs) deliver the bulk of welfare services in South Africa. This is a gender issue because care work predominates in NPOs delivering welfare services; women are much more likely than men to work for NPOs; and the mean earnings for women are lower than those for men in a sector where the mean is lower than in any other except domestic work.

One of the factors that contributes to low remuneration in NPOs is the low level of government funding. The NAWONGO court case of 2010-2014 focused on this problem. The final judgment, delivered in August 2014, accepted the government’s third revision of the Policy on Financial Awards. However, the judge also noted government’s obligation to achieve progressive realisation of socio-economic rights which, in respect of this case, required that government try its best to increase progressively the budget allocated for social welfare services. Instead, government transfers to NPOs have, if anything, decreased as a percentage of Department of Social Development budgets since 2015/16.

In 2016, the National Minimum Wage Panel identified workers employed by the “welfare sector” and in “care work” as one of several categories of workers who are vulnerable. The Panel recommended that an expert group be established to address the problems in the sector. To date, this has not happened. Theoretically, NPO workers are therefore covered by the standard national minimum wage. This is unaffordable for many NPOs, even if a partial exemption is granted, without an increase in the subsidy from government.

With all three child grants – the child support grant, the foster child grant, and the care dependency grant – the adults who receive the grant on behalf of the child beneficiaries are overwhelmingly women. This is not surprising given the role that women play in caring for children. Meanwhile, nearly two-thirds of the older person’s grants go to women. This reflects their greater longevity as well as the relative poverty of women, which means that they are more likely to pass the means test.

Overall, then, women are the main (direct) beneficiaries of the grant system. This greater benefit cannot, however, be seen as unfair. Instead it reflects women’s disadvantage in terms of poverty and in terms of their disproportionate burden of care work.

The grant system is impressive, but there are three areas of concern: (a) the small amount of the child support grant; (b) the ongoing delays in implementing agreed proposals in respect of the foster child grant; and (c) payment of the grants by the South Africa Post Office.

Conclusion

All of the topics discussed in the technical paper fall within the scope of the selected chapters of the NDP. However, several of the topics are not discussed in Vision 2030 despite their salience for women's development and gender equality. Some topics are discussed to an extent, but the gender issues are not (sufficiently) elucidated. Yet other topics are covered in some detail in Vision 2030, but performance against Vision 2030 targets has been poor.

Acronyms

ASIDI	Accelerated School Infrastructure Development Initiative
CCMA	Commission for Conciliation, Mediation and Arbitration
CEE	Commission for Employment Equity
CWP	Community Work Programme
DBE	Department of Basic Education
DPWYD	Department of Women, Youth and Persons with Disabilities
DRDLA	Department of Rural Development and Land Affairs
ECD	Early childhood development
EPWP	Expanded Public Works Programme
GDP	Gross domestic product
GHS	General household survey
ICATUS	International Classification of Activities for Time Use Statistics
ILO	International Labour Organisation
MTEF	Medium-term expenditure framework
NAWONGO	National Association of Welfare Organisations and Non-Governmental Organisations
NDP	National Development Plan
NEIMS	National Education Infrastructure Management System
NPO	Non-profit organisation
NTTA	National Time Transfer Accounts
SESE	Survey of Employees and the Self-employed
SNA	System of National Accounts
TLGFA	Traditional Leadership and Governance Framework Act
VAT	Value-added tax

2 Background

In September 2012, Government officially adopted the National Development Plan (NDP), Vision 2030. It is now more than seven years later, and President Ramaphosa – who led the development of the Plan – has requested that the National Planning Commission undertake a review of progress. The NDP Review will assess what impact the implementation of the NDP has had on the development trajectory of the country. It will also interrogate to what extent the situation has changed within the country or what has changed since the adoption of the NDP.

The NDP states that South Africa needs to build a more equitable society where opportunity is not defined by race, gender, class or religion. The National Planning Commission is thus interested, in particular, in assessing the changes and status of women's development and gender equality in South Africa. The Commission has framed the following questions to guide this assessment:

- What does the NDP propose about women's development and gender equality?
- What progress has been achieved in terms of women's development and gender equality?
- What are the existing gaps on women's development and gender equality within the NDP?
- What needs to be done to ensure that goals and targets set integrate women's emancipation and gender equality in the NDP and what should be prioritised and achieved by 2030?

This Technical Paper on Women and Gender aims to assist the Commission in this respect. It provides empirical and statistical data on the progress towards women's emancipation in South Africa.

The main body of the paper broadly follows the structure of the NDP in terms of topics covered, with a focus on the chapters most relevant from a gender perspective. Thus each main section of the paper is named in line with one of Vision 2030's chapters. The coverage of the chapters is, however, not comprehensive, but instead focuses on aspects that are especially relevant from a gender perspective. The sub-headings thus name the key aspects rather than following Vision 2030 sub-headings.

Issues related to poverty and inequality and their relation to gender and women are prioritised. This economic focus seems appropriate as it matches that of the Plan itself as well as the even stronger emphasis of the sixth administration on the economy. It is especially important given the serious economic challenges facing the country at this point. Within this focus, the paper prioritises issues that affect poorer, disadvantaged and marginalised communities and individuals utilising a gender lens.

For each issue, the paper includes available and relevant statistics alongside discussion of what was proposed in the NDP and whether there are aspects where there are new developments, new data, or new and different perspectives that could influence proposals. The paper does not, however, reproduce easily available and well-known statistics and information unless this gives the basis for new points to be raised.

Where possible, we use data from 2012 as the base year for assessment of what has been achieved since that date. For the current situation we use the most recent available data.

Government assessments

Government has itself produced some assessments of progress on gender equality over this period. Unfortunately, some of these were produced too early in the period to be useful for our purposes. Thus both the Initial Report submitted to the African Union in respect of the African Union Women's Protocol and the B+20 Report submitted to the United Nations in respect of the Beijing Platform for Action were submitted in 2015 – less than halfway through the period being assessed. Two other reports are more useful. They are the B+25 Report (Department of Women, 2019a) submitted to the United Nations in respect of the Beijing Platform for Action and the chapter produced by the Department of Women (2019b) for the 25-year review of the Plan. Both of these reports were produced in 2019 and contain very similar information and analysis. In particular, the chapter for the 25-year review provides a wealth of statistical data that obviates the need to reproduce these in this Technical Paper.

The B+25 report names the top five priorities in respect of progress for women and girls over the period 2014-2019 as being (a) job creation and sustainable growth; (b) access to education especially in the STEM (science, technology, engineering and mathematics) field; (c) women's health and in particular maternal mortality and high levels of HIV and AIDS in young women; (d) gender-based violence; and (e) economic empowerment of women with a focus on non-employee forms of employment. Two of the five priorities thus relate to the economy. The Technical Paper's main focus is on employees given that they account for the overwhelming majority (86% in the third quarter of 2019) of those employed, and especially of employed women. This reasoning is expanded on below.

The B+25 report also names nine other issues on which South Africa has focused in respect of gender equality. The Technical Paper engages with four of these, namely unpaid care work; social protection; basic services and infrastructure; and social norms and gender stereotypes.

On the economic side, the B+25 report acknowledges that South Africa's progress in respect of women's empowerment has been limited. It attributes the lack of progress in part to the poor economic growth since the global economic crisis of 2007/08, and in part to gendered barriers to women's entry into the formal sector.

In reality, South Africa survived the global economic crisis much better than many other countries although South Africa was not unaffected. However, in subsequent years the economy has stumbled as a result, among others, of high levels of corruption. Women and men have been directly affected in terms of jobs. The population as a whole has been affected in terms of basic and other services, including education, health and social welfare, as funds they could have been used for these purposes have been diverted and the cost of services – including delivery of the all-important social grants – inflated. The impact of corruption on poor women, men and children is highlighted in civil society testimony to the Zondo Commission (Reddy, 2020). The discussion below also questions the emphasis in the B+25 report on barriers to women's entry into the formal sector.

What Vision 2030 does not adequately emphasise is the extent to which the unfair distribution of unpaid care work underlies women's overwhelming dominance in paid domestic work as well as several of the other issues explored in the paper.

Unpaid care work as a key issue

South Africa was one of the first developing countries to conduct a national time use survey. Statistics South Africa conducted the first such survey in 2000. The method it developed to accommodate the circumstances of a developing country has since been used in a range of other countries, including Brazil, Jamaica, Mauritius, Pakistan, and Tanzania. Statistics South Africa also committed to conducting follow-up surveys every ten years. The 2010 survey was conducted shortly before the period of assessment for this paper commenced, and the third survey should be conducted in 2020. However, time use patterns change slowly enough for the 2010 data to be useable for our purposes. The challenge is ensuring that the data produced by these surveys are used in policy-making processes.

Time use surveys explore how different categories of the population spend the 24 hours of their day. For the South African approach, the surveys do so by interviewing sampled individuals as to what activities they did in each half hour between 04h00 the previous morning and 04h00 on the morning of the interview. Interviewees describe the activities in their own words. Statistics South Africa officials subsequently code all the activities using the International Classification of Activities for Time Use Statistics (ICATUS).

Activities are coded at a detailed level, but can be easily grouped into broader categories. The broadest categorisation is between SNA (System of National Accounts) activities, extended SNA activities, and non-work activities. The first category consists primarily of employment-related activities, and reflects work that is counted when calculating the gross domestic product (GDP) of a country using the international SNA framework. The second category also consists of work (production), but is not counted for GDP purposes. The activities – which span housework, care for people, and unpaid volunteering in the community – are also known as “unpaid care work”. The third category spans all other activities, including social and cultural, learning (education), use of media, and personal care activities such as sleeping, eating, dressing and the like.

As in other countries, analysis of the data from the South African time use surveys reveals that women do far more unpaid care work than men. Men do more SNA work than women, but the amount by which men's SNA work exceeds women is less than the amount by which women's unpaid care work exceeds that of men. As a result, women tend to work longer total hours than men. In 2010 the value of the unpaid care work done predominantly by women would have added 30,4% to South Africa's GDP if unpaid care work had value imputed based on the median wage for all employees (Budlender, 2010: 89).

The gender differences are particularly noticeable in respect of child care. Women with children younger than seven years of age living in the same household spend an average of 80 minutes a day on child care, compared to an average of 13 minutes spent by the far smaller number of men living with their own children of this age. Women with children younger than 18 years living in the same household spend an average of 56 minutes each day on child care. Men in the same position spend only 8 minutes – the same number of minutes spent by women with no children of this age of their own (Statistics South Africa, 2013, table 4.4).

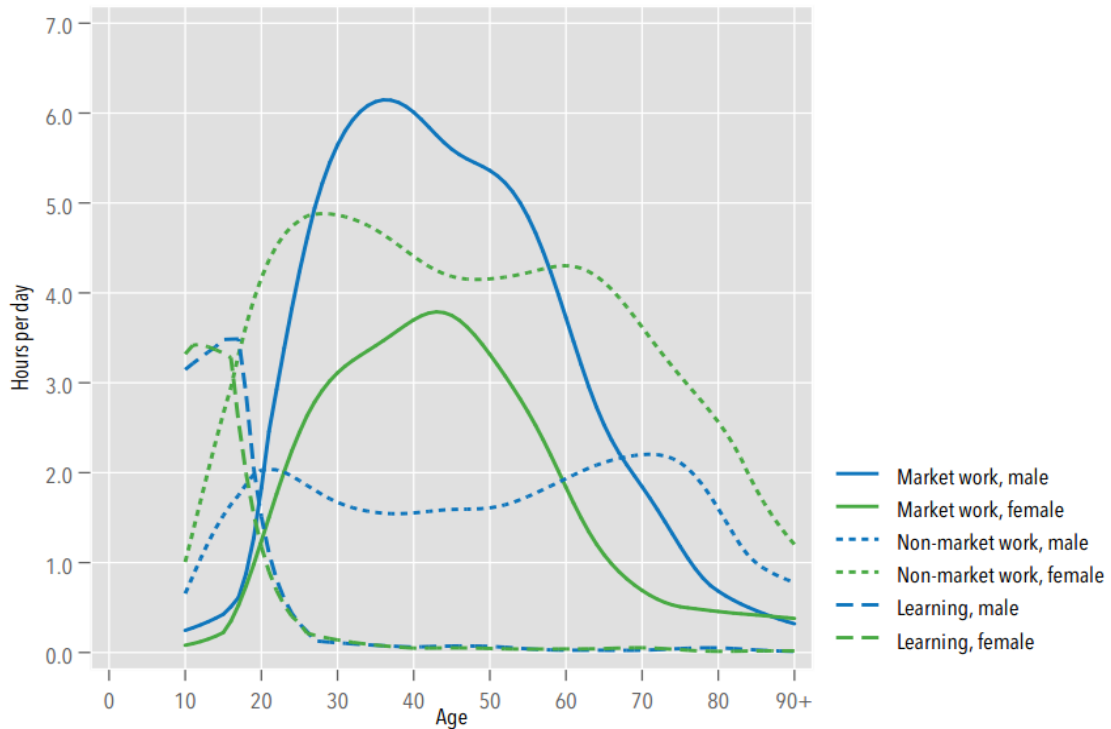
Recent analysis conducted in South Africa as part of the global Counting Women's Work initiative (Oosthuizen, 2018) uses data from the 2010 South African survey to construct National Time Transfer Accounts (NTTA). These accounts expand on the standard National Transfer accounts by including production and consumption of unpaid care work alongside production and consumption of the goods and services produced by the "counted" (GDP) part of the economy.

The analysis has some limitations, including the need to make assumptions about consumption of unpaid care work by members of the household and ownership of household assets. The analysis also omits unpaid care work done for people who are not members of the person's own household, and therefore represents an under-estimate of the true value of unpaid care work. Further, the analysis considers only the first activity reported for each half hour in the time use survey. In particular, it excludes any activities done simultaneously with the first reported activity. This is likely to result in undercounting of child care, which is often done at the same time as other activities. The limitations are not, however, substantial enough to undermine the general findings that if household-oriented unpaid care work was included, GDP would have been 27,3% higher than recorded, and women and girls were responsible for three-quarters of this additional production – a finding very similar to that noted above.

Among others, the NTTA suggests that raising children is much more "expensive" than is generally assumed in economic analysis. Thus while the standard NTA puts consumption of a child under 10 years of age at 52% of the consumption of an adult aged 30-49 years, the NTTA increases the percentage to 83%. And while almost all adults aged 30-49 years will contribute some production, young children will do so minimally or not at all. Meanwhile women in this age group account for nearly 57% of all unpaid care work in the economy.

These findings provide important background for the later discussion of family composition in South Africa and its consequences for women's and men's responsibility for children. These consequences – and the work and time burden they represent – affect women's ability to engage in paid employment as well as their ability to focus on their own educational and economic development or simply to care for themselves. Figure 1 (from Oosthuizen, 2018) illustrates how the number of hours spent on each of the two types of work – SNA (market) and unpaid care (non-market) tend to change for women and men over the course of their life.

Figure 1. Allocation of time across the lifecycle by sex, 2010



3 Demographic trends

Vision 2030 notes that the composition of the population is an important factor in shaping the overall needs of the population and, as a result, should shape government policy. It points, in particular, to the influence of age, gender, and geography in this respect. It notes also the specific impact that HIV and AIDS has had on the demographic profile and the impact it is likely to have going forward both on the demographic profile and on demand for health services.

The complexities of urban and rural

In most countries, analysis distinguishes between rural and urban. While this is also often done in South Africa, Vision 2030 notes that measuring urbanisation in South Africa is more difficult than in some other countries because of the legacy of circular labour migration. This pattern was established prior to 1948, but was accentuated during the apartheid years when pass laws were strengthened and expanded to women, and as black people living in “white” areas were forced to move.

The apartheid legacy also necessitates a distinction between two types of rural area. The first type (called “traditional” or even “tribal” areas by Statistics South Africa) incorporates the areas that were previously apartheid “homelands”. Demographically it includes quite dense settlements as well as areas more suited for at least small-scale agriculture. These areas accommodate the overwhelming majority of the rural population, and their population is overwhelmingly Black African. The second type of rural area (“commercial farming”)

consists of what were previously white farming areas. Many of Statistics South Africa’s datasets distinguish between these two types.

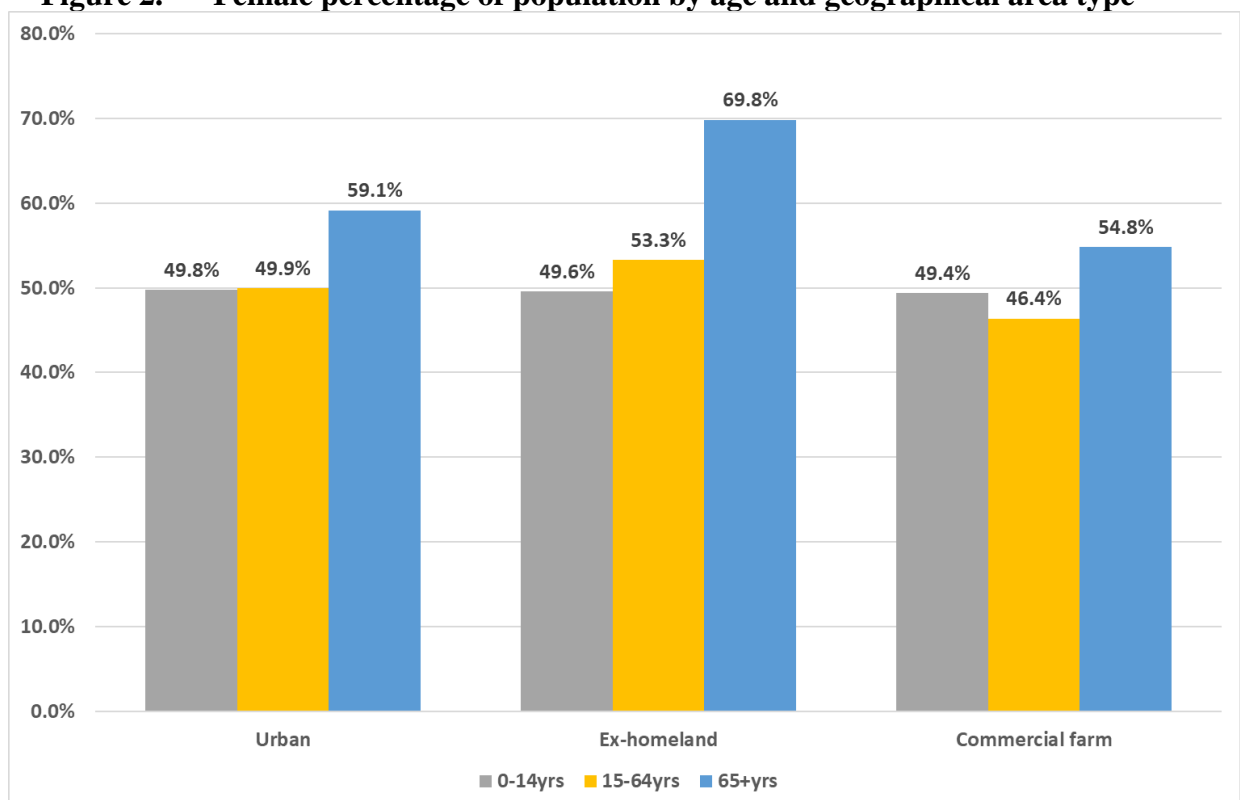
Vision 2030 highlights informal settlements as a point of affordable entry to urban life for many poor migrants. It notes that length of residence in these settlements has increased dramatically since the end of apartheid. Nevertheless, these areas remain informal and continue to attract new people. Unfortunately, Statistics South Africa datasets no longer distinguish between informal and formal urban settlements.

In 2016, urban areas accounted for a little under two-thirds (63,7%) of the population, ex-homeland areas for close on a third (32,4%), while commercial farming areas accounted for only 3,9%. The Community Survey of 2016 shows some differences in the gender composition of the three areas – urban, ex-homeland and commercial farms – even at the aggregate level. Women and girls account for 50,4% of the population in urban areas, 52,8% in ex-homeland areas, and 47,6% in commercial farming areas.

If analysis is restricted to Black Africans, the percentages are 49,9%, 52,8% and 47,2% respectively. The fact that the percentage for ex-homeland areas is constant reflects the fact that more than 99,5% of the ex-homeland population is Black African, as compared to about 72% of the urban population and 67% of the commercial farming area population.

Meanwhile analysis of data from the general household survey (GHS) of 2018 shows a mean per capita monthly income of R5 415 in urban households, compared to R1 949 in ex-homeland areas, and R3 984 in commercial farming areas.

Figure 2. Female percentage of population by age and geographical area type

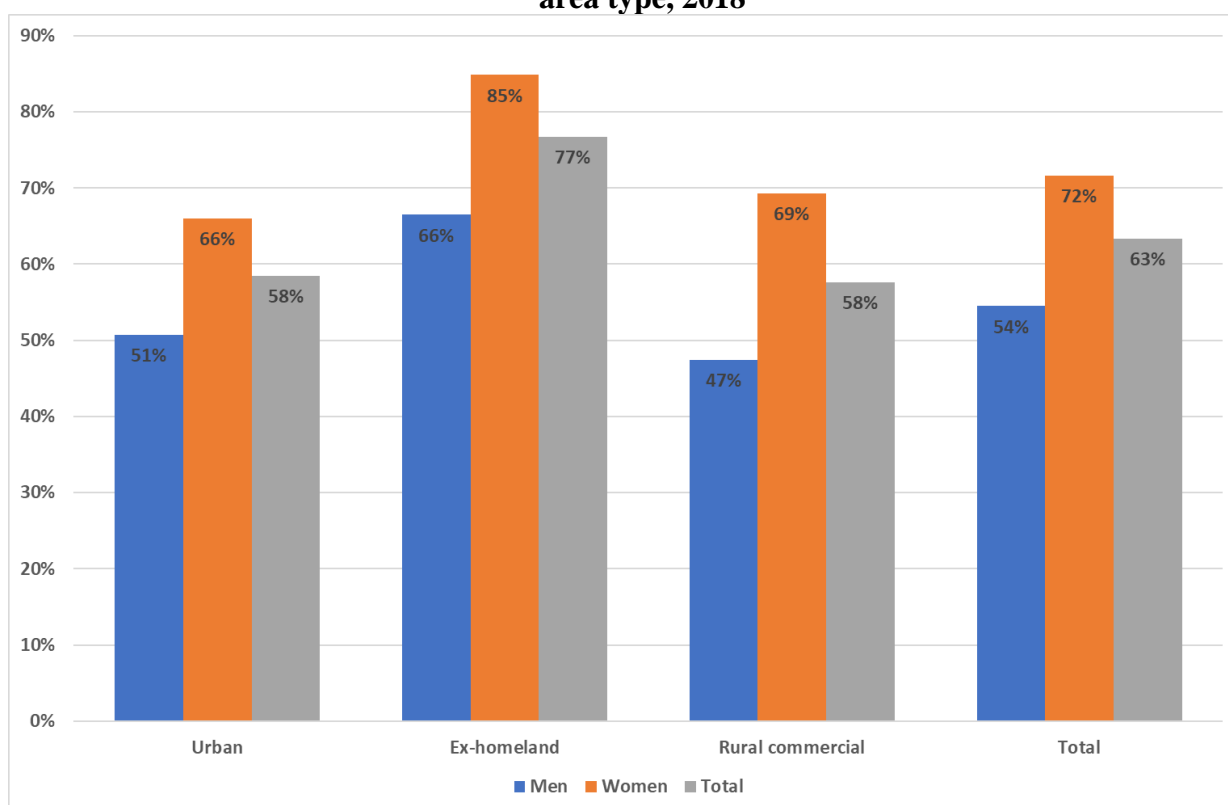


Source: Own calculations using data from the 2016 Community Survey

Figure 2 reveals that while the male and female population are of similar size among children, for the working-age population women outnumber men in the ex-homeland areas while men outnumber women in commercial farming areas. Women outnumber men in all three types of areas among those aged 65 years and above, reflecting their greater longevity. However, the imbalance is largest by far in ex-homeland areas.

In all three types of area, the oldest group accounts for 5% of the total population. Children account for 37% of the population in ex-homeland areas as compared to 27% of the population in urban and commercial farming areas. Figure 3 shows that, regardless of the type of area, adult women are noticeably more likely than adult men to be living in households that contain children. However, women and men in ex-homeland areas are most likely to be living in households with children.

Figure 3. Share of adults living in households with at least one child, by sex and area type, 2018



Source: Own calculations using data from General Household Survey, 2018

Older people in ex-homeland areas – shown above to be overwhelmingly women – are thus much more likely than those in other areas to do unpaid care work in the form of child care given the relative absence of working-age people. These same older women will experience difficulty in obtaining care and other services for themselves due to relative scarcity of available and affordable services. For example, travel time to the nearest health facility is more than 30 minutes for 31% of households in ex-homeland areas, as against only 8% in urban areas (own calculations using GHS 2018 data). It is also Black African women who will be most affected by the Traditional and Khoi San Leadership Act and Traditional

Leadership and Governance Framework Amendment Act which were signed by President Ramaphosa late in 2019. These laws are discussed below in the section on “Inclusive rural economy”.

Diverse families

Recent years have seen increasing global and local acceptance that families take diverse shapes and forms. Globally, this is seen in the focus of UN Women’s most recent biennial *Progress of the World’s Women* “Families in a Changing World” (UN Women, 2019). Locally, the annual *Child Gauge* report of 2018 focused on “Children, Families and the State” (Hall et al, 2018). As suggested by the title of the *Child Gauge*, both publications focus on the policy implications of diverse families.

While diverse families are found elsewhere, South Africa stands at the extreme in terms of a range of indicators. Budlender & Lund (2001) discuss how apartheid policies contributed to creating the current patterns, including those described below, and the extent to which policies have, or have not, addressed the care burdens that arise.

One of the extreme indicators relates to children, in that in South Africa, only about 35 per cent of children live with both their mother and father, with a greater number (41% in 2017) living only with their mother. If household composition is examined from the perspective of children – excluding household that do not include members under 18 years of age – in 2016 only 25% of children lived in nuclear families consisting of a couple and their child/ren and no other members, 10% lived with one parent and no other members, 62% in extended households where all members were related but there were members other than parent/s and their child/ren, and 2% lived in households which included non-relatives. These indicators point to the large number of lone mothers living in extended households (Hall and Mokomane, 2018).

Lone-parent and extended households are the poorest in terms of per capita income, while households without children (couples and single-person households) are the wealthiest. This makes intuitive sense as there are costs attached to children but children themselves should not be earning income. The median per capita income for couple households is more than double that of lone-parent and extended households (Budlender, 2018).

It is not only lone mothers who bear a disproportionate child care responsibility. Many children are orphans. In some cases both parents have died. In many other cases, the mother has died and the whereabouts of the father are unknown – or even whether he is still alive. The overwhelming majority of children who are not living with their father are cared for in terms of both material and care needs by a woman, in particular their mother, grandmother or another female relative. Many grandmothers care for their grandchildren, often in the absence of the children’s parents. If one excludes children who live with one or both of their parents, 68% or more of children were living with a grandparent in 2017.

Lone mothers – whom we have seen are many – must take responsibility for ensuring that the child’s material needs are covered, as well as their care needs. However, with only 24 hours in a day, these two responsibilities compete with each other. Further, the child support grant is insufficient to meet the material needs of a child in the absence of other income. Rural mothers, in particular, may choose to live apart from their children in order to find

income-earning work, but they can do so only if they find someone else to look after the children. The tensions are evident in the statistics. In 2002, more than three-quarters (77%) of African mothers aged 20 – 49 years who were not living with their children were economically active – either working or looking for work. This was the case for 68% of non-mothers, and 61% of mothers living with their children (Budlender, 2018).

The Maintenance Act requires that non-custodial parents contribute financially towards the upkeep of their children. This obligation exists whether or not the parents of the child were ever married and also regardless of whether their name is on the birth certificate. The South African government has introduced amendments to the Maintenance Act and related processes since 1994 which have brought about some improvements in the system. However, the law and regulations do not provide for the amount of maintenance to be determined by a formula, as is done in some other countries and as was recommended by the Lund Committee of 1998. Instead, the amount is determined by the magistrate. This results in women in very similar positions receiving very different awards.

There are also gender biases against the custodial parent (usually the mother) in the approach used in implementing the Act. Firstly, if the father has no income, he is not obliged to pay any maintenance. In contrast, the woman must cover the child's costs whether she earns or not. Further, the magistrate is expected to prioritise the man's basic needs over those of the child in that the magistrate subtracts an amount considered sufficient for the father to support himself before deciding how much of the remaining income (if any) should be paid in maintenance.

Islamic marriages

While marriage rates are relatively low in South Africa and have declined since at least the 1960s, a large percentage of women and men marry. Doing so has legal consequences in respect of rights and responsibilities of the two partners towards each other in addition to the other social and other benefits and forces that encourage marriage. Judgement in the recent Western Cape High Court judgment discussed below notes that marriage brings with it “socio-economic benefits such as the right to inheritance, medical insurance coverage, adoption, ..., spousal benefits, bereavement leave, tax advantages and post-divorce rights” (Women's Legal Centre Trust v President of the Republic of South Africa and Others, 2018). The strong advocacy that resulted in gay couples being able to enter into a legal marriage-like union testifies to the importance that many people attach to the institution.

The Recognition of Customary Marriages Act was enacted in 1998, only a few years after the first democratic elections in South Africa. However, in early 2020, Islamic marriages have still not yet been recognised in the same way despite the Constitution's recognition of the right to freedom of religion as well as to a recognised marriage. The Community Survey estimated that there were more than 150 000 married women who were recorded as having Islam as their religion (own calculations using Community Survey data).

The September 2018 High Court judgment in the long drawn-out court case initiated by the Women's Legal Centre and referred to above documents the many cases brought over the years on behalf of women married according to Islamic rights. The cases resulted in many victories. These included giving effect to a contractual agreement between the parties to the

marriage; recognising the spousal duty of support in monogamous Muslim marriages; recognising the spouse in a Muslim monogamous marriage for purposes of intestate succession; finding that the husband's duty of maintenance applied in polygamous Muslim marriages; holding that the word "spouse" in the Intestate Succession Act should apply in respect of all spouses in a polygamous marriage; and the declaration that the term "surviving spouse" in the Wills Act of 1953 should include all spouses in a polygamous Muslim marriage. Several of these judgments were explicitly supported by the Minister of Justice.

Improvement of the law in this piecemeal fashion is far from ideal. Firstly, the changes happen slowly. Secondly, it is only women who have access to the necessary resources (or to an agency such as the Women's Legal Centre that has the necessary resources) that can bring the cases. Thirdly, court decisions are less likely to be known to women in need of assistance than a law.

The recent judgment documents the drawn-out history of attempts to recognise Islamic marriages in the post-apartheid era, starting with the 1996 recommendation of the South African Law Reform Commission that a Project Committee be established to investigate the issue and draft legislation. More than two decades later, no draft legislation has reached Parliament.

The September 2018 judgment directed the President, Cabinet and Parliament to correct the situation within 24 months. If they fail to do this, Islamic marriages will automatically be recognised. Costs were awarded to the Women's Legal Centre Trust as well as to the applicant in one of several similar cases that were joined to the Centre's cases. The awarding of costs reflects the court's strong concern over the plight of women married under Islamic rites.

4 Economy and employment

Vision 2030 states that:

Achieving full employment, decent work and sustainable livelihoods is the only way to improve living standards and ensure a dignified existence for all South Africans... This will be achieved by expanding the economy to absorb labour and improving the ability of South Africa's people and institutions to respond to opportunities and challenges.

It states further that "earnings will need to be realistic from the standpoint of long-term competitiveness and sufficient to ensure a decent standard of living."

The issue of unpaid care work was discussed in the introduction to this paper. This section of the paper explores how the low value attached to unpaid care work impacts on wages paid to workers doing tasks similar to those involved in unpaid care work. It thus engages with the question as to whether women workers have the same opportunity as men workers to earn sufficient money to enjoy a decent standard of living.

Equal pay for work of equal value

The Employment Equity Act of 1998 came into being in 1998. It was seen by many as key to ensuring gender (and race) equality in the South African workforce by countering the predominance of men and white people at the upper levels.

There has been some progress over time for women, especially in relation to higher-skilled occupations such as professionals. The Department of Women (2019b), based on reports of the Commission for Employment Equity (CEE), records an increase in the female percentage of top management from 13,0% in 2001 to 22,9% in 2017, and of senior management from 20,0% to 38,8%. However, the CEE (2018) cites econometric research that confirms that women tend to earn less than men with the same education levels.

From the start, the Employment Equity Act included provision for reporting of income differentials among workers in each workplace. This provision presents the opportunity to record and explore race and gender differentials between workers in similar jobs in the same workplace, as well as the differential between lowest and highest paid workers in a workplace.

Designing a reporting format that exploits the opportunity offered by the income differentials provision but does not place an unmanageable burden on employers is not a simple task. Unlike other reporting, the Employment Conditions Commission was given responsibility for the income differential aspect. It took some years for the two Commissions to agree on the EEA4 form to be used for this purpose. After the forms were eventually issued and employers' submissions received, no analysis was made public.

In 2019, the EEA4 form was amended. The new form came into effect in August 2019. With the Employment Conditions Commission replaced by the Minimum Wage Commission, the latter is now responsible for analysing and reporting the data.

The new form differs from the previous form in several respects. The differences include qualitative alongside quantitative questions, differentiating between fixed and variable remuneration, and requiring that employers themselves conduct more analysis. It is not clear that employers will manage completion of this form better than they did with the previous form, with which they already experienced challenges. As with other Employment Equity forms, the new EEA4 ones require reporting only in terms of occupational *levels*. This will unfortunately prevent triangulation against Statistics South Africa's survey data, which records standard international occupational *categories*.

Exploration of income differentials is relevant in terms of South Africa's ratification of the International Labour Organisation (ILO) Equal Remuneration Convention 100 of 1951. This convention outlaws "any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation..."

The convention goes beyond stating that workers doing identical jobs should receive the same remuneration to say that workers doing different jobs that have equal value should enjoy the same remuneration. This nuance is important from a gender perspective given that

women and men tend to congregate in different jobs. *The SADC Protocol on Gender and Development* of 2008 also requires that member states introduce legislative measures to ensure that women and men receive equal pay for work of equal value (Ebrahim, 2016).

South Africa ratified ILO Convention 100 in 2000, and was subsequently criticised by the ILO for not explicitly referring to equal pay in its legislation. The Employment Equity Act was eventually amended in 2013 to cover this principle, with regulations following in 2014 and a Code of Good Practice on Equal Pay / Remuneration for Work of Equal Value in 2015.

In other countries, pay equity tends to focus only or primarily on gender discrimination. However, the ILO Convention does not restrict the principle to gender. And in South Africa, item 3.3 of the Code is clear that the “principle of equal remuneration for work of equal value applies equally to equal value claims based on race, or any other ground listed in section 6(1) or any other arbitrary ground.”

The amended Section 6(1) of the Act outlaws direct and indirect discrimination “on one or more grounds, including race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, HIV status, conscience, belief, political opinion, culture, language, birth or on any other arbitrary ground.”

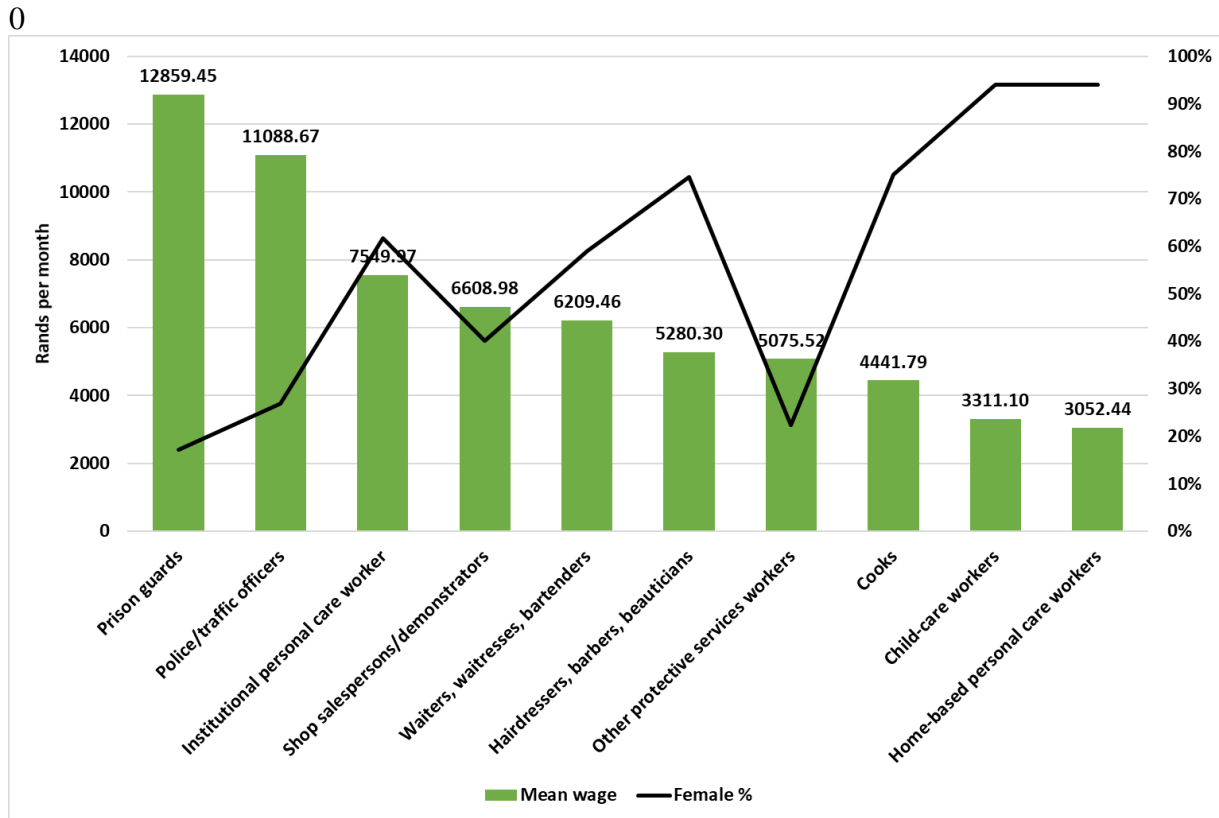
Unfortunately, the fact that the provision applies only to employees within a single workplace limits its practical utility as much of the existing discrimination relates to male and female employees in different workplaces. This in part reflects that women and men tend to congregate in different industries and in different occupations. The differences in respect of occupation are especially important as, globally, occupation has been found to be a key source of gendered differences in earnings (Anker, 1998). The Department of Women’s Beijing+25 report (Department of Women, 2019a) thus rightly acknowledges that occupational segregation is an important factor in explaining women’s disadvantage in the labour market.

Budlender (2019) uses Statistics South Africa’s survey data from 2017, which spans employees in many different workplaces, to explore the extent to which there appears to be discrimination between workers in the same occupation. The analysis focuses on an occupational category in the middle of the international standard occupational classification hierarchy in terms of skills, namely service and sales workers. This is the second largest of nine categories in terms of numbers of workers. The only other larger category is elementary (“unskilled”) workers. More than 2 million employees (16% of all employees) were categorised as service and sales workers in 2017 – 1,2 million men and 1,0 million women.

The focus on a services category seems especially apt given the Vision 2030 observation that three-quarters of all new employment opportunities in middle- and high-income countries are in services. It is not only low-skilled people who are employed in services. The Department of Women’s draft 25-year review (2019b) notes that two service-oriented industries, namely community, social and person services and finance and business services, employ nearly 80% of high-skilled women in South Africa (Department of Women, 2019b).

Analysis of available data reveals that the educational profiles of male and female service and sales workers are very similar. However, the mean wage for women workers (at R5 028) is only 72% of the mean wage for men workers (R6 943).

Figure 4. Figure 1: Mean monthly wages and female percentage of different categories of service and sales workers, 2017



Source: Labour Market Dynamics Survey 2017, own calculations.

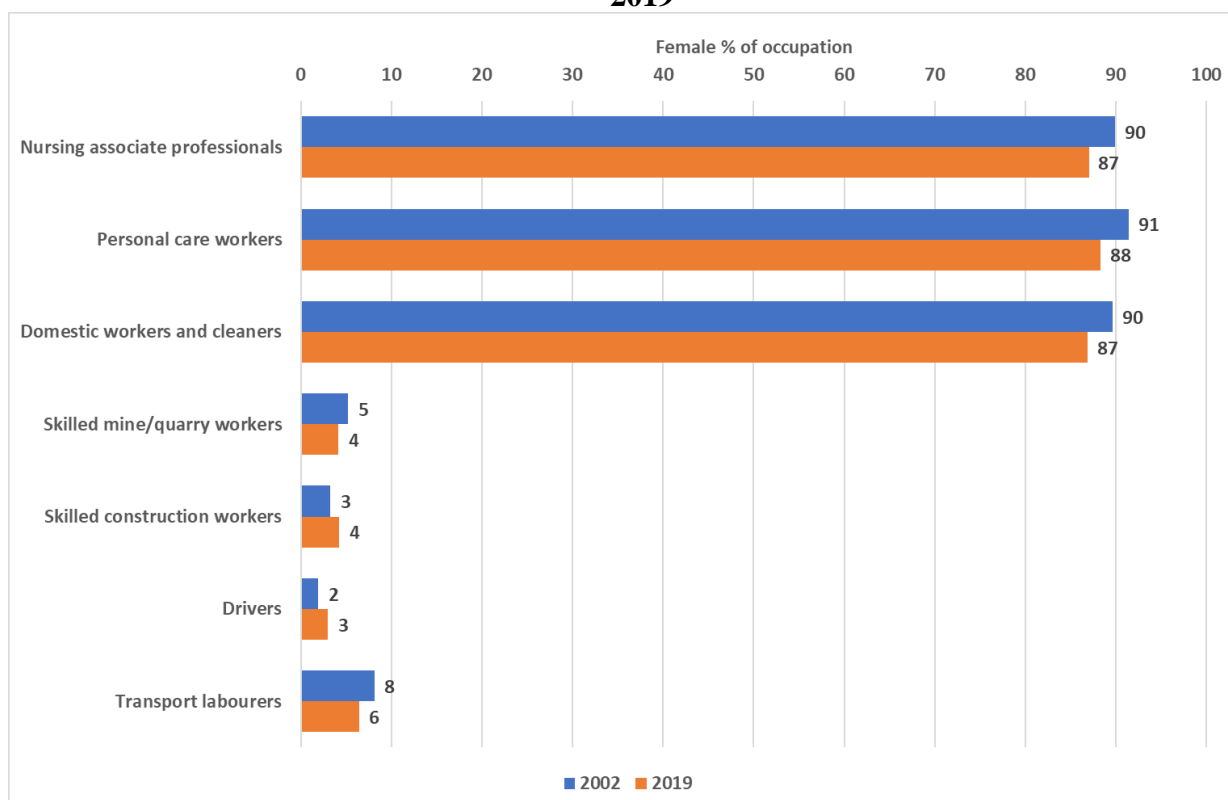
Each occupational category is made up of smaller sub-categories. Figure 4 shows all sub-categories of service and sales workers that account for 2% or more of the group. In the figure, the percentage of the sub-category which is female (shown by the black line) tends to increase as the mean wage (shown by the green bars) falls. At the extremes, the mean earnings of the home-based personal care workers, more than 90% of whom are women, is only about a quarter of the mean earnings of prison guards, of whom nearly 90% are men.

The relatively low mean wage for the male-dominated “other protective services workers” is explained by this group consisting primarily of outsourced private security guards. Once outsourced, they lose the opportunity of bargaining together with other workers at the workplace for higher wages. The extremely low mean wage for the female-dominated personal care workers reflects, at least in part, that many are employed by non-profit organisations (NPOs). In 2017, service and sales workers in NPOs earned, on average, R2 444 per month, as against R5 568 in private enterprises, R7 482 in parastatals, and R8 215 in government. NPOs also have an unusually large gender disparity in earnings for service and sales workers. The low earnings of the NPO workers are discussed further below in the section on “Welfare services”.

As noted above, the CEE has recorded some (slow) progress in terms of women (and black people) moving into higher-skilled occupations. However, it appears that there has been minimal reduction in clustering of women and men in the most female- and male-dominated occupations.

Figure 5 shows the female percentage of employees in 2002 and 2019 for all occupational groupings where there were at least 100 unweighted observations in Statistics South Africa’s labour force survey of 2002 and where the male percentage was 10% or less or the female percentage was 10% or less. (The 2019 data are from the quarterly labour force survey of the third quarter). All three female-dominated occupations show a fall of only 3 percentage points over the 17-year period. For the male-dominated occupations, the change is even smaller, and the extent of male domination increases for two of the four occupations. These patterns cast doubt on the viability of shifting the patterns of women’s and men’s employment distribution as a method of tackling inequality.

Figure 5. Female percentage of female- and male-dominated occupations, 2002 and 2019



Source: Own calculations using data from quarterly labour force survey 2019:3 and labour force survey of 2002

Individual workers have the option of a legal challenge if they feel they are discriminated against in terms of pay. While taking a case to court is expensive, Section 10 of the Employment Equity Act, as amended, provides that the Commission for Conciliation, Mediation and Arbitration (CCMA) – which provides its services free of charge – should provide arbitration as well as conciliation services for cases of alleged unfair discrimination, including pay inequity. Prior to 2014, only the Labour Court could arbitrate in such cases.

The CEE's Annual Report for 2018-2019 (CEE, 2019) includes a short section drafted by the CCMA which notes the jurisdictional change of 2014 increased their responsibility for cases of sexual harassment and unequal pay for work of equal value. The section notes that the number of cases of unfair discrimination referred to the CCMA after 2014 increased when compared to the period 2000-2002. Unfortunately, it does not provide a breakdown showing how many of these cases related to pay equity. The concluding section of the report notes the need for commitment from those in charge of workplaces to put policies and strategies in place to address the widespread existence of pay inequalities.

To date there have been few South African court judgments that provide guidance on how equal value can be assessed and in which circumstances a claim of alleged unfair discrimination might be successful. In general the existing judgments highlight the difficulty of bringing a successful case against an employer. In *Louw v Golden Arrow Bus Services* the Labour Court held the main onus of proving unfair discrimination lies with the applicant (Scheepers, 2015). A later amendment brought some relief from this imbalance (see below).

In *Ntai & others v South African Breweries*, where the court required that the company explain why pay of different workers differed, the company said that the higher pay was based on performance-related pay increases and on the longer experience of the higher paid workers. Further, while the company acknowledged that the pay gap was large, the court found that the applicant had not shown that the size of the gap was based on race. Instead it reflected the market-related pay policy of the company. The judge noted that the difference in experience might reflect apartheid-era policies and thus constitute indirect discrimination (where experience is a proxy for race), but said that the applicant had not presented evidence to show this and had not argued on the basis of indirect discrimination.

In *Transport and General Workers Union and another v Bayete Security Holding* the Court emphasised that the application had to be based on the grounds specified in the law. The fact that a black worker earned R1 500 per month while a white supervisor earned R4 500 did not necessarily constitute discrimination as their jobs were different and no other evidence had been presented.

The difficulties in respect of onus of proof highlighted in these judgments were reduced by amendments to section 11 of the Act. The section now places the onus on the employer if discrimination is claimed on any of the listed grounds. These grounds include sex and gender. The onus remains on the applicant worker if discrimination is claimed on any other, arbitrary ground.

There have also been some judgments that are more positive for workers than those discussed above. In the *Mangena and Others v Fila* judgment, the Labour Court noted that the provision was not restricted to equal pay, but could also be used in respect of other conditions of work, employment policies or practices. The Labour Court has also accepted that the workers being compared do not have to be doing the same or a similar job for a claim to be successful. Instead, workers can compare themselves with an employee whose job is different but whose job they can prove to be of equal value to their own.

Scheepers (2015) lists the following as examples of jobs that have been deemed to be of equal value in other jurisdictions:

- Primary school classroom assistant - library service driver messenger.
- School nursery nurse - local government architectural technician.
- Wholesale news distribution clerical assistant – warehouse operative.
- Cook – shipboard painter.
- Head of speech and language therapy service – head of hospital pharmacy service.
- Nursing home sewing room assistant – plumber.
- Motor industry sewing machinist – upholsterer.
- Canteen workers and cleaners – clerical workers.

Regulation 6 suggests the following criteria for assessing whether two jobs have the same value:

- Responsibility for people, finances and material.
- Skills, qualifications and/or prior learning and experience
- Physical, mental and emotional effort
- Physical environment, psychological conditions and geographic location.
- Any other factor that the employer shows is relevant

The regulations further prescribe that the evaluation must be “objective”, and must not be biased from a race, gender, disability perspective or any of the other listed grounds.

The provision for mental and psychological effort to be considered implicitly introduces gender to the extent that men tend to occupy jobs seen as more physically onerous, while care work often involves psychological effort. Clause 6.1 of the Code of Good Practice (Minister of Labour, 2014) notes that the ILO suggests that sex discrimination in remuneration is due to stereotypes about women’s and men’s work, job evaluation schemes that are based on male-dominated jobs, and women workers having weaker bargaining power. Clause 6.2 elaborates on this. It notes that evaluation based on male-dominated jobs might value money or equipment more than responsibility, and accord low value to care-related occupations on the assumption that women automatically have the necessary skills for care work.

Budlender (2019) provides evidence that this is a reality rather than simply a possibility. She notes that statistical analysis of South African salaries and wages reveals under-valuing of working with people (production of services) when compared to working with machines and tools (production of goods). She argues that the invisibility of unpaid care work contributes to the under-valuation of services i.e. care-related work. This includes the work done by workers employed by NPOs providing social welfare services, which is discussed further below.

The discussion of *Ntai & others v South African Breweries* notes that basing pay on experience might indirectly reflect against black workers who were held back from gaining experience during the apartheid years. The Code similarly notes that basing pay on length of service may introduce unfair discrimination against women as they are more likely than men to take time off to raise children, and so have shorter service.

The 2013 amendment to the Employment Equity Act has introduced clear improvements. However, there is still at least one serious flaw, namely that the comparison with other workers applies to a single workplace. This rules out claims by the many discriminated

against women (and black) workers who are paid less than workers doing work of comparable value in other workplaces.

As a result the 2013 amendment to the Employment Equity Act is insufficient to address very real gender disparities in earnings that are clearly evident in the South African labour market. These gender disparities arise primarily from indirect rather than direct discrimination. While there are probably relatively few cases where women are paid less for the same job, there are large numbers who are paid less because the jobs that they do are seen as women's (care) work, and women's (care) work is under-valued.

The solution cannot be to try to get more women into "men's" jobs, because that would not address the undervaluing of care and the workers who continue to be needed for the care work. Instead, we need to change the value attached to different types of work by, among others, giving appropriate weight to all the different criteria proposed for assessing the value of a job.

Non-employees

The discussion above focuses on employees. Some gender advocates see women's economic empowerment primarily as involving increasing the number of women entrepreneurs and their earnings. Some advocates of this approach argue that this focus is especially important because women are more likely than men to work informally or in the informal sector. As noted above, the Department of Women's Beijing+25 report (2019a) attributes the lack of progress in women's economic empowerment to gendered barriers to women's entry into the formal sector. The informal sector is often assumed to be made up (solely) of self-employed people.

However, framing the problem in terms of the formal labour market and women's lack of access to it could mislead policy makers.

There are two different measures of informality in the labour market. The first – formal and informal sector – relates to the nature of the establishment in which a person works. For the self-employed, this classification takes into account whether the establishment is registered for VAT. For employees it takes into account the number of workers employed in the establishment. The second measure – formal and informal employment – focuses on the nature of the individual worker and their job. It takes into account factors such as whether the worker has a written contract, and whether the employer contributes to a retirement fund on behalf of the worker.

Statistics South Africa separates out workers in private households – primarily domestic workers – before classifying workers into formal and informal sector. It also provides two different versions of the sector classification – one which includes agriculture in the formal-informal division, and the other which has agriculture as a separate category.

Table 1 shows that with both versions of the classification, the formal sector dominates. With the inclusive classification, the formal sector accounts for 75% of all male employed and 70% of female employed. With the exclusive classification the respective percentages are 70% and 66%. The lower percentages for women do not, however, mean that women are more likely than men to be in the informal sector. Instead, the difference is more than fully

explained by the large share of women workers who are domestic workers. In contrast to what is often asserted, women are thus not more likely than men to work in the informal sector.

Table 1. Formal and informal sector classification by sex, 2019

Sector	Male	Female	Total
Agriculture included in sector			
Total employed	9269903	7323915	16593818
Formal sector (Including agriculture)	75%	70%	73%
Informal sector (Including agriculture)	22%	16%	19%
Private households	3%	14%	8%
Total	100%	100%	100%
Agriculture as separate sector			
Total employed	9269903	7323915	16593818
Formal sector (non-agricultural)	70%	66%	68%
Informal sector (non-agricultural)	20%	16%	18%
Agriculture	7%	4%	5%
Private households	3%	14%	8%
Total	100%	100%	100%

Source: Own calculations using QLFS2019:3 data

In terms of the second conception of formal and informal, Table 2 shows that women are more likely than men to be in formal employment. The percentages for informal employment are similar for men and women, with men more likely than women to be in an undefined “other” category.

Table 2. Formal and informal employment classification by sex, 2019

Employment	Male	Female	Total
Total employed	9269903	7323915	16593818
Formal	63%	67%	64%
Informal	31%	30%	31%
Other	7%	3%	5%
Total	100%	100%	100%

Source: Own calculations using QLFS2019:3 data

The tables above relate to the workforce as a whole, including employees. The above-mentioned understanding of women’s economic empowerment as primarily related to women entrepreneurs is concerned with the self-employed – both those who employ others (employees) and own-account workers who work alone.

In 2001 Statistics South Africa conducted its first Survey of Employers and the Self-employed (SESE). Statistics South Africa has conducted further SESEs every four years. The SESE uses the standard labour force survey to identify individuals who run informal businesses, i.e. who are self-employed and not registered for VAT i.e. part of the informal sector. These individuals are subsequently interviewed using a questionnaire that focuses on their informal business.

The report on the 2017 SESE (Statistics South Africa, 2019) shows statistics for each of the four surveys to date. The differences between the findings of the surveys seem too large to be accounted for by actual changes in the labour force. For example, the estimated total number of informal sector self-employed ranged from 2,2 million in 2001 to 1,1 million in 2009.

The especially large number recorded in the 2001 survey almost certainly reflected the fact that Statistics South Africa paid fieldworkers an incentive for each informal business identified. However, even if we exclude 2001, the fluctuations in the number of informal self-employed workers are larger than expected. The poor response rates, especially in the more urban areas where most opportunities are likely to exist, may be a contributory factor for the lack of reliability. In 2017, the response rate was only 49% in Western Cape, 57% in Gauteng, and 69% in KwaZulu-Natal. The analysis of SESE data presented here should therefore be treated with great caution.

The 2001 survey recorded 61% of the informal sector self-employed to be women. The female percentage fell steadily over the period, and by 2017 only 40% of informal sector self-employed were reported to be women. The reason for this decrease is not clear, but it again means that women cannot be said to dominate in the informal sector.

All four surveys showed trade as the dominant industry. However, there was a steady decrease, from a 70% share in 2001 to 52% share in 2017. Again, these estimates should be treated with caution as the findings may reflect weaknesses in some of the surveys. However, it is unlikely that there was not some decrease, even if not as big as recorded. Industries showing gains over the period were construction (from 3% in 2001 to 12% in 2017) and community and social services (from 7% to 12%). The former is likely to be male-dominated while the latter – with a smaller increase – is likely to be female dominated.

The 2017 survey recorded women as more likely than men to have turnover of less than R3 000 per month, and less likely than men to have turnover of more than R6 000 per month. For example, 23% of men were in this higher category compared to 12% of women.

The Labour Market Dynamics Study data, which combine the data from all four Quarterly Labour Force Surveys in a year, confirm self-employed women's lower earnings (Statistics South Africa, 2018). The study also confirms that employers have the highest median earnings, at R8 000 per month, while for employees the median is R3 500 per month, and for own-account workers it is R3 033 per month.

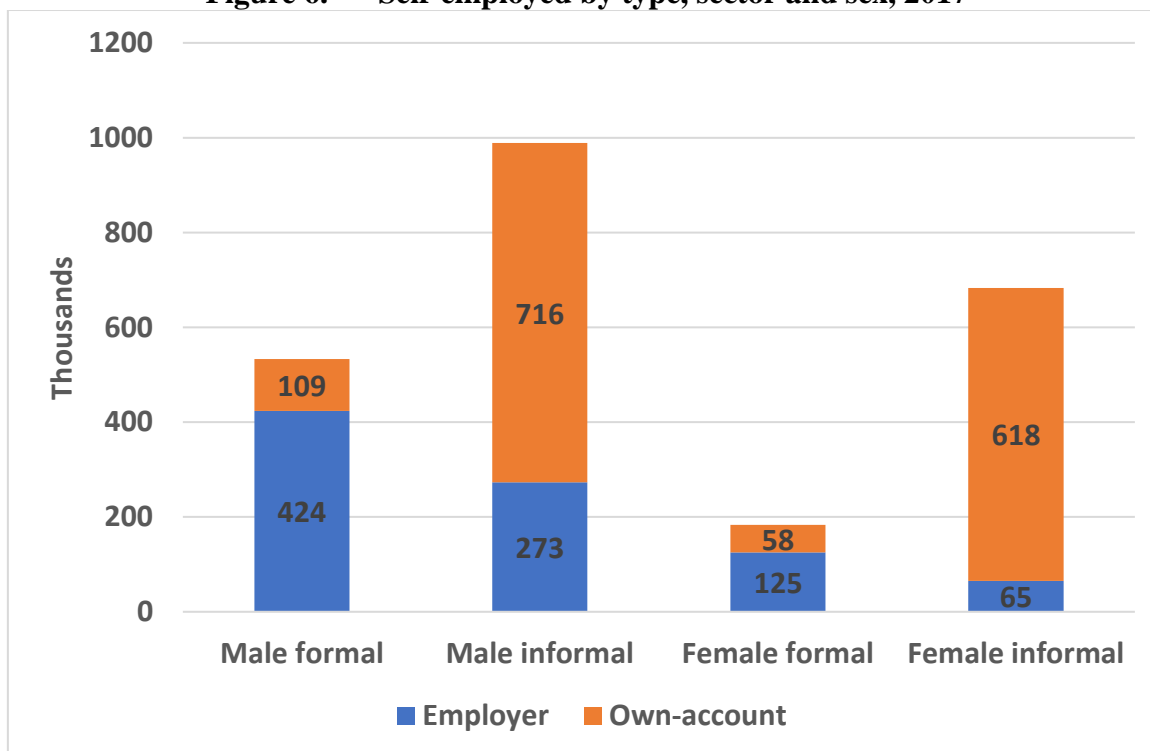
The published report on the Labour Market Dynamics study does not include sex-disaggregated earnings for non-employee categories. However, analysis of the dataset produces median earnings of R3 900 for male own-account workers as compared to only R2 166 for female workers. For employers the median earnings are R8 000 and R6 066 respectively.

The Labour Market Dynamics Study also permits analysis of the interplay between formality, the two categories of the self-employed, and gender. This analysis, illustrated in Figure 6 shows that women employers are more likely to be in the formal sector than men employers (66% as compared to 61%). Among own-account workers, the pattern is reversed,

but at a much lower level – with 13% of male own-account workers in the formal sector and 9% of female workers.

On the down side from a gender perspective, women who are self-employed are less likely than men to be employers. Thus within the formal sector, 80% of male self-employed workers are employers rather than own-account workers, whereas the percentage for female self-employed workers is 68%. In the informal sector, 28% of male self-employed workers are employers as compared to a female percentage of 9%.

Figure 6. Self-employed by type, sector and sex, 2017



Source: Own calculations using Labour Market Dynamics Study dataset, 2017

These statistics highlight the complexity of the labour force. Further complexity would result if the statistics were disaggregated by race and other factors. The complexities suggest that an unsophisticated focus on self-employed women and formalisation as a major route to women’s economic empowerment might need reconsideration.

5 Economic infrastructure

Electricity

Vision 2030 envisages an energy sector that provides for economic growth alongside social equity and environmental sustainability. By social equity, it refers to expanded access for households and affordable tariffs and subsidies for households in need. The discussion below focuses on electricity for domestic use, although Vision 2030’s discussion of electricity is found in the chapter dealing with “economic” infrastructure and “domestic” issues are not generally considered “economic”.

In terms of access, the target was set at 95% of households on the grid by 2030 – a substantial improvement on a situation in which 20-25% of South Africans were not connected to the electricity grid. The NDP acknowledges that the previous goal of having all households connected by 2014 was not possible.

In the late 1990s both Eskom and government officials predicted that the electricity reserves would be depleted by 2007 unless something was done to prevent this (Douglas et al, 2019). In late 2007, fulfilling this prophesy, load shedding was implemented on account of the reserve margin falling to 8% or less. 2007's severe electricity shortages ended in May 2008, after periods in which the mines stopped or slowed production to reduce demand.

The next serious crisis occurred in November 2014 when several coal storage silos collapsed at the Majuba power plant. The load shedding in that period reached the stage three level. February 2019 ushered in a new cycle of load shedding, which reached stage four in March 2019. Most recently, the load shedding that began in December 2019 reached stage six mid-month – a level so high that the schedules were not publicly available. Each stage requires for a further 6 000 megawatt to be removed from the grid.

When each of these crises occurs, a range of different reasons are offered. One of the recurring reasons is lack of sufficient maintenance over many years. Another is ongoing challenges due to seeming poor quality design and construction adding to the enormous delays and ballooning prices of the Medupi and Kusile power stations. At this point, everyone is agreed that there will be power cuts in 2019 and beyond.

Access to reliable electricity is important for men and children alongside women. However, women tend to suffer more than men when electricity or another reliable energy supply is not available. The reasons for this include women's responsibility for cooking and other housework that is greatly facilitated by electricity, and the fact that when other sources of energy must be collected, this task is done predominantly by women. The time use survey of 2010 (Statistics South Africa, 2012) found that the mean time spent on housework by women and men decreased steadily as the number of appliances in the household increased, although women carried a heavier burden regardless of the number of appliances. In households with no appliances, women spent an average of 218 minutes per day on housework compared to men's 93 minutes. In households with five or more appliances, women spent 161 minutes compare to men's 69 minutes.

Most people – including those who do the work – would see collection of fuel and water as part of housework. In strict technical terms, these activities are classified as “economic” work and thus not part of unpaid care work. Regardless of the classification, the fact that the work is unpaid results in its having a similar impact to unpaid care work.

South Africa's time use survey of 2000 (Statistics South Africa, 2001) found that 50% of households used electricity for cooking, 42% for heating, and 70% used it for lighting. In ex-homeland areas the relevant percentages were 17%, 14% and 45% respectively. Overall, 19% of households used wood or dung for cooking, and 21% used it for heating. In ex-homeland areas the percentages were 47% and 52% respectively.

In households where fuel was collected off-site, women were more likely than men to do this task, and women collectors also tended to spend longer on the task. Regardless of the distance of the source from the dwelling and the (related) time spent on the task, women were more likely than men to be responsible.

By 2010 (Statistics South Africa, 2012), women were still far more likely than men to collect water. Where the source was more than a kilometre from the dwelling, women were three times as likely as men to collect it. It was only when the fuel was nearby – at less than 100 metres – that men were more likely than women to do this task. Overall, women remained more than twice as likely as men to be responsible for fuel collection. Further, unlike in 2000, longer distances were reported more often than shorter distances, perhaps reflecting a decrease in the availability of fuel over the decade.

Water and sanitation

For water and sanitation, Vision 2030 envisages all South Africans enjoying affordable access to enough safe water and sanitation to sustain health and dignity. For water, there was not far to go to achieve the goal, with 93% of the population having a basic water supply in 2010 and 89% having access to potable water. However, the NDP document includes cautions about how drought might affect the possibility of achieving targets, trade-offs between the needs of the economy and more social needs (in which agriculture is included, as well as the environment), and the challenges in respect of provision for informal settlements. For sanitation, the target would be more of a stretch than for water as only 79% of households had acceptable sanitation facilities in 2010.

In the years since the NDP was adopted, both the Northern and Eastern Cape provinces have experienced a serious multi-year drought. Elsewhere in the country unusual weather patterns have also resulted in the water supply being disrupted. As a result, almost all regions in the country have had water shortages, often accompanied by water restrictions for households and agriculture. The situation is often attributed in large part to failures in planning and management. In many cases it seems that municipalities have delayed addressing a situation of near-empty dams. Where municipalities have tried to take steps, the necessary funding has often not been available. By 2035 demand for water has been predicted to exceed supply by 10%, or more than double that if planned water schemes are not established (Muller, 2019; Winter 2019).

Cape Town's Day Zero crisis attracted world-wide attention. The challenges facing residents in other parts of the country may be reported in South Africa, but attract much less attention. For example, in the last six months of 2019 News 24 reported on a storm-damaged pipeline in Tshwane that would leave some residents without water for more than six months; unusually low level of the Vaal Dam that supplies Johannesburg; closing of two Eastern Cape university campus as a result of water shortages; people struggling to get daily water in Pietermaritzburg; the halting of water truck deliveries and installation of taps in Umkhambathini; non-profit Gift of the Givers being sidelined by local government in Makhanda; use of divers in an attempt to address Queenstown's water shortages; and water cuts in North West, including in Mahikeng.

In March 2019 News24 carried a Health-E News story (Cullinan et al, 2019) that documented how ordinary people in cities, towns and villages across the country were experiencing water problems as a result of poor management, corruption and “indifference”.

Most villages in the Vhembe district of Limpopo had no water at all, with a bucket of water being sold at R3. Residents in Kimberley had their water shut off each night. Residents of Topanama Village outside Tzaneen had to buy water because there was no water in the taps and the boreholes were broken. In the Ugu District of KwaZulu-Natal there was no water and sewage was leaking into streams that flow to South Coast beach resorts. The leaks had been exacerbated by electricity cuts due to loadshedding. In Olifantshoek, households were without water for a month. In Gamagara Local Municipality the water supply was cut after the municipality stopped paying its bills to Sedibeng Water. The Sarah Baartman District Municipality, which includes Makhanda, was declared a disaster area in February 2019. Residents of Mfinci near Lusikisiki and Dwaleni in Mpumalanga had not had running water for many years. Water was delivered in Ermelo in Mpumalanga at most once a month.

Meanwhile, in terms of quality, the government last published its Blue and Green Drop reports on the status and quality of water and sanitation in 2013.

The two time use surveys (Statistics South Africa, 2001; 2012) illustrate a similar gender bias in respect of water collection as that noted for fuel collection above. In 2000, 70% of households collecting water reported that women and girl children were primarily responsible, with men and boys being mainly responsible in 18% of households and both male and female in 12%. Where water was more than 500 metres from the household, women were more than twice as likely as men to do the task. Those in dwellings a kilometre or more from the water source spent an average of 75 minutes per day on the task. The time was reduced slightly to 63 minutes per day for those with a source at a distance of 500 metre or more but less than a kilometre.

The 2010 time use survey revealed that in ex-homeland areas, in 68,5% of households that collected water, this task was primarily a female one, while it was primarily a male task in only 18,0% of households and shared between male and female in 13,5% of households. The percentage of households in which it was primarily a female task was under 60% in all other area types. Similarly, where wood or dung was collected, the task was primarily a female one in 78,6% of ex-homeland households, compared to 55,9% or less in all other area types (Statistics South Africa, 2013: A-24).

Analysis of data from the GHS of 2012 and 2018 give a sense of what has happened in respect of household’s access to water since Vision 2030 was published. Overall, it shows the percentage of households with tap water in the dwelling or on site increasing slightly, from 72% to 75%. For ex-homeland areas the increase is more impressive, from 34% to 41%. For commercial farming areas, in contrast, there was a deterioration, from 58% to 49%. The statistics cast serious doubt on whether Vision 2030’s goals will be reached.

In addition, in 2012, 41% of households with municipal piped water on site reported interruptions in the water supply over the past 12 months, with a small decrease to 38% in 2018. In 2012, nearly four-fifths (38%) of these households said that the main cause of the interruption/s was burst pipes, 25% said it was general maintenance, while 19% said that

they did not know the cause. In 2018, the burst pipe answer option was no longer offered in the questionnaire. At this point, more than a two-fifths (41%) said the problem was general maintenance, 12% said the water was delivered only at fixed times, and 31% did not know the cause. In ex-homeland areas, 21% of households named general maintenance as the reason while 30% said that water was delivered only at fixed times.

The section of this paper on Improving education, innovation and culture discusses sanitation facilities in schools.

Inclusive rural economy

Vision 2030 sees access to land and agriculture in ex-homeland areas as important in addressing the economic woes of rural (African) people and, in particular, women.

South Africa, our country, is our land. Our land is our home. We sweep and keep clean our yard... We live and work in it, on it with care, preserving it for future generations... This chapter focuses on developing rural economic opportunities, without which services are unlikely to be sustained in the long term... Agriculture, however, has the potential to expand if the necessary environment can be created. Better land use in communal areas has the potential to improve the livelihoods of at least 370 000 people.

*The first major risk to the programme is that tenure security for black farmers in the communal areas and under the land reform programme will not be adequately addressed. As long as these farmers (**especially women farmers**) do not have secure tenure, they will not invest, and agricultural production will not grow at the rate and pattern required for growth in employment. [Emphasis added]*

The African National Congress of 2008, at its national conference in Polokwane, resolved to:

[e]nsure that the allocation of customary land be democratised in a manner which empowers rural women and supports the building of democratic community structures at village level, capable of driving and coordinating local development processes.

The impact of legal reforms

The Department of Women (2019b) notes that the Traditional Courts bill of 2008 was vigorously opposed and ultimately not passed. The bill was reintroduced in 2012, around the time the NDP was introduced, and again evoked strong opposition, especially from rural African women. The opposition focused on the fact that all those living in ex-homeland areas would be subject to traditional (customary) law, and would not be able to opt out of this system. In addition, some traditional courts continued to place restrictions on the roles women played in these courts, and even of their presence in the courts.

Opponents also argued that the bill would facilitate traditional leaders' imposing levies and taxes on people living "under" them in addition to the taxes that they paid like all other people living in South Africa. Many of these levies relate to access to land. Where levies are

not paid, traditional leaders and councils may well refuse to certify the official letters that people living in these areas require to open a bank account, buy a SIM card, or have access to various civic services. (These letters are the equivalent of the utility bills required from urban people.) This second bill lapsed in the same year through lack of sufficient support. Another Act relating to ex-homeland areas, the Communal Land Rights Act of 2004, fell away after the Constitutional Court found it was unconstitutional in 2010.

In late November 2019, President Ramaphosa signed the Traditional and Khoi San Leadership Bill into law. He did so despite the Motlanthe High Level Panel on the Assessment of Key Legislation and the Acceleration of Fundamental Change and the President's advisory panel into land reform recommending that the bill be referred back to parliament. The Motlanthe Panel recommended further that new separate legislation be introduced to provide due recognition to Khoi and San institutions.

There was also strong opposition to the law from civil society groupings representing people living in ex-homeland areas, and women in these areas in particular. Government argued that the law was necessary to give appropriate recognition to Khoi-San institutions and leaders. Those who opposed the bill argued, as with the Traditional Courts bill, that the law facilitated the re-establishment of the bantustan system in which large numbers of African people were subject to leaders whom they had not elected and did not recognise. In this respect, Louw and Motala (2018) cite statements by Nelson Mandela and Chief Albert Luthuli of the late 1950s-early 1960s commenting on the illegitimacy of the traditional leaders imposed on Black African people in the name of self-government. In Luthuli's words, "The whites have made a mockery of the type of rule we knew. Their attempts to substitute dictatorship for what they have efficiently destroyed do not deceive us."

Further, opponents argued that the law would result in dispossession of these women and men without their consent i.e. expropriation. It would do so by providing that traditional leaders can enter into contracts in respect of land, including with investment companies, without the consent of the people living on and using the land. The leaders would only need to show that there had been some form of consultation. Opponents argued that the new law saw those living on the land as "tribal subjects" rather than full citizens (Gerber, 2019). As seen in an earlier section, women dominate among adults living in ex-homeland areas, and the law thus inherently discriminates against (Black African) women.

In late 2019, President Ramaphosa also signed the Traditional Leadership and Governance Framework Amendment Act into law. This law replaces the Traditional Leadership and Governance Framework Act (TLGFA) which came into force in 2005.

During the apartheid era, all Black African South Africans fell under the jurisdiction of a traditional chief and together these chiefs were responsible for all land in the ex-homeland areas. The TLGFA was meant to replace the previous system of only government-appointed and inherited leaders with traditional councils in which at least 40% of members were elected, and where at least a third of council members were women. However, very few provinces enforced the law and very few councils met these requirements by 2019 (Weinberg, 2019). The Act had given a deadline of 12 months for traditional councils to become compliant. When this deadline was not met, it was extended for a further six years that lapsed in September 2011. Where elections were held in KwaZulu-Natal, less than 2%

of the population of voting age participated. Limpopo held no traditional council elections. One indicator of the related lack of accountability was that the council finances were often not audited at all (Claassens, 2017).

In KwaZulu-Natal, the situation is governed by the laws applicable elsewhere as well as the Ingonyama Trust Act. This Act was passed as a concession to the Inkatha Freedom Party in last-minute negotiations around the time of the 1994 elections. The Act ceded all the KwaZulu homeland area to the Zulu king. The Motlanthe high-level panel and many others have advocated that this provision should be abolished as it effectively allows the king to determine what happens to the land without regard to the rights and needs of people living in the area. The king has used these powers, among others, to grant leases to mining companies without consulting those affected. More recently, the king has introduced new payments which those living on the land must pay on an annual basis, implying leasehold rather than more permanent rights.

These legal developments run counter to changes in customary law and practice that have seen women gain increasing access to and control over land in ex-homeland areas. Those gaining access include unmarried women – especially those with children – bringing reform in a system where traditionally rights and status were strictly linked to gender and marital status.

Available evidence on women's access to land

The land audit conducted under the auspices of the Department of Rural Development and Land Affairs (DRDLA) in 2015 gives some indication of gendered, racial and other patterns of land ownership. Individuals are recorded as owning 39% of the land in the country, followed by trusts at 31%. Together with companies, these two categories account for 90% of all land. (Ownership of land by companies, trusts, individuals, community-based organisations is classified as private. However, the Ingonyama Trust land is classified as state-owned rather than as owned by a trust.)

Farms and agricultural holdings account for 97% of all land, but are owned by only 7% of all landowners. Of the land owned by individuals, 72% is white-owned, 15% coloured, 5% Indian and only 4% African – despite African dominance in the population. However, the report on the audit (DRDLA, 2017) warns that the information on race should be treated with caution as race was imputed on the basis of names, ID numbers and date of birth.

Table 3 shows that 47% of individually-owned land is recorded as owned by men, and 17% as owned by women. The remaining 36% includes land that is co-owned, land owned by both male and female, and “other” types of ownership. (The male percentages in the table below differ from those in the source as the latter appears to have calculation errors.)

Table 3. Ownership of individually-owned land by gender, 2015

Province	Male		Female		Other		Total	
	Ha	%	Ha	%	Ha	%	Ha	%
Eastern Cape	29713	21	15553	11	94573	67	139839	100
Free State	7672	29	8452	32	10411	40	26535	100
Gauteng	26699	28	23801	25	43757	46	94257	100
KwaZulu-Natal	28306	36	16166	21	33263	43	77735	100
Limpopo	7446	37	6090	30	6717	33	20253	100
Mpumalanga	7422	36	5565	27	7729	36	20715	100
North West	5004	28	6111	35	6573	37	17688	100
Northern Cape	137660	75	17474	9	29269	16	184403	100
Western Cape	86527	61	26115	18	28600	20	141242	100
Total	336448	47	125327	17	260893	36	722667	100

Source: DRDLA, 2017: 13

Table 3 shows men owning more land than women in all provinces except North West. The gender gap is especially marked in Northern and Western Cape. However, Table 4 shows a different pattern when the measure is in erven rather than hectares. Here women are more likely than men to be owners in all provinces, with women owning 50% of erven overall compared to men's 44%. In some cases naming a woman as the owner of the land might be a strategy used by a middle- or upper-class couple to reduce the combined tax burden. However, the consistency of this pattern of women's dominance across provinces with very different demographic patterns suggest that this is not the primary reason for the trend.

The contrasting patterns in the two tables suggest that women tend to own noticeably smaller erven than men. This almost certainly means that women in urban areas are more likely than those in rural areas to own land. This, in turn, implies that women are more likely to own land that is used for residential purposes while men are more likely to own land that is used for agricultural purposes. This pattern holds despite women being more likely than men to live in rural areas.

Table 4. Ownership of individually-owned erven by gender, 2015

Province	Male		Female		Other		Total	
	Erven	%	Erven	%	Erven	%	Erven	%
Eastern Cape	270152	42	322019	50	55635	9	647806	100
Free State	205216	44	237052	50	27497	6	469765	100
Gauteng	870928	44	988938	50	123914	6	1983780	100
KwaZulu-Natal	338674	43	376103	48	67258	9	782035	100
Limpopo	73423	41	81518	46	23744	13	178685	100
Mpumalanga	147428	46	156603	49	18435	6	322466	100
North West	124246	45	134455	48	19900	7	278601	100
Northern Cape	84995	45	96757	51	7143	4	188895	100
Western Cape	540662	48	568349	51	8421	1	1117432	100
Total	2655724	44	2961794	50	351947	6	5969465	100

Source: DRDLA, 2017: 14

The findings from a 2010 survey of 3 000 randomly selected women in three ex-homeland areas (Law, Race and Gender Unit, 2011) contradict the common assumption that customary law necessarily denies women access to land except where they have access through their husbands, fathers, brothers or sons. Although there are many cases reported of wives being evicted from their husband's land either during or after the marriages, the survey showed single, married and widowed women being allocated land, including in cases where they did not have children.

The three sites were Ramatlabama in North West, Msinga in KwaZulu-Natal, and Keiskammahoek in the Eastern Cape. Ramatlabama is a resettlement area inhabited by people who were forcibly removed in the late 1970s from a farm near Lichtenburg. Msinga is a very "traditional" area of KwaZulu-Natal. Keiskammahoek, in the Eastern Cape, has many different forms of tenure. An added complication in Keiskammahoek is that during the 1960s people living on communal land in the area were subjected to "betterment" removals.

For both never married and widowed women the percentage who themselves personally acquired the plot was much higher after 1994 than before 1994. For married women there was no real difference before and after 1994. These patterns were found across all three sites, although at different levels. In particular, women in Keiskammahoek were the most likely to have acquired land themselves after 1994, while women in Msinga were less likely than those in other areas to have acquired land themselves both before and after 1994.

When participants in focus groups were asked the reason for the marked increase in women's access post 1994, both women and men attributed it to the Constitution and related policy changes and changes in gender norms. As one woman in Ramatlabama explained: "It's the government that caused the change... I don't think it's the chief who one day said: 'If you want a stand come to me and take out [pay] R500...'" However, government did not do this through a specific law other than the Constitution.

There were also changes in how land was acquired, in that the percentage of cases where residential land was acquired through payment to a local leader increased noticeably when comparing before and after 1994. The percentage acquired through purchase also increased, although to a lesser extent.

The survey findings deviate from codified customary law. They also undermine common assumptions of customary law's treatment of women and land. Instead, the findings reflect "living law", an understanding of customary law as being flexible and adaptive as social circumstances change, in a similar way to how common law changes. The Constitutional Court has in several cases confirmed that the Constitution supports a "living law" understanding of customary law, rather than the fixed interpretation inherited from colonialism. *Bhe and Others v Khayelitsha Magistrate and Others* is just one of these cases.

In contrast, the amended legislation relating to traditional leaders and courts discussed above will reduce the extent to which women can challenge leaders who operate in ways that undermine the Constitution.

6 Improving education, innovation and culture

School infrastructure

Vision 2030 highlights the need to address infrastructure backlogs in order that all schools meet the national standards set by the Department of Basic Education (DBE). Surprisingly, the document does not include sanitation in the examples it provides of basic infrastructure that needs to be targeted. But inadequate sanitation has attracted public attention and resulted in litigation and is also an aspect that especially affects girls and young women. Their needs are greater than those of men because, physically, it is more difficult for them to urinate when there are no facilities; girls and women also tend to need to urinate more often; women are at greater risk of gender-based violence; and the need for toilet facilities increases when girls and women are menstruating.

While school sanitation is not explicitly listed as an example in Vision 2030, it was a primary focus of the Accelerated School Infrastructure Development Initiative (ASIDI) programme. Government introduced ASIDI in the 2011/12 financial year – shortly before Vision 2030 was officially adopted – to address the school infrastructure backlogs. The initiative was intended to supplement what the provincial departments were doing with the standard national infrastructure grant and – at least in some cases – their own resources.

The DBE website shows faster progress on sanitation than on any other element, with 834 schools provided with sanitation as against 229 new schools built, 357 provided with electricity, and 372 with water. However, Table 5 shows rather erratic progress in providing sanitation over the period.

Table 5. Schools provided with sanitation through ASIDI

Year	Schools
2011/12	41
2012/13	89
2013/14	161
2014/15	152
2015/16	38
2016/17	41
2017/18	32
2018/19	207
2019/20	73
Total	834

Source: <https://www.education.gov.za/Programmes/ASIDI.aspx>

The DBE budget vote for 2019/20 (National Treasury, 2019) sets much higher targets in respect of sanitation for the three years of the medium-term expenditure framework (MTEF) than the achievements of the past period. Thus the targets are 717 in 2019/20 and 691 and 995 respectively in the two subsequent years. The budget allocation for ASIDI as a whole does not show a corresponding increase. While the allocation was R2,3bn in 2018/19, it is shown as R2,0bn, R1,8bn and R2,3bn respectively for the three years of the MTEF. What confuses the picture further is that the narrative refers to an additional R2,8 billion allocation over the three years for sanitation. It is not clear to what this is “additional”. What is also

disconcerting is that the budget vote shows different achievements with ASIDI funding in respect of sanitation than that shown on the DBE website, namely 412 for 2015/16, 9 for 2016/17, 29 for 2017/18 and 286 for 2018/19.

The annual reports of the National Education Infrastructure Management System (NEIMS) provide another source of information on progress on the ground. Table 6 suggests that in 2019 there were no schools without toilets, but 26% had one or more pit toilets, and 16% had only pit toilets. This is a clear improvement on 2013, when 3% of schools had no toilets, and 46% had pit toilets. Unfortunately, for 2013 the report does not reveal how many had only pit toilets. However, where schools are recorded as having pit as well as other toilets, it is possible that the other toilets are reserved for staff while learners must use pit toilets. Any reliance on pit toilets is not in line with policy. In five provinces 10% or more of schools have only pit toilets.

Table 6. Percentage of schools with pit or no sanitation, 2013 and 2019

Province	2013		2019		
	Pit	None	Pit	None	Pit only
Eastern Cape	56%	10%	37%	0%	30%
Free State	32%	2%	12%	0%	12%
Gauteng	3%	0%	0%	0%	0%
KwaZulu-Natal	48%	3%	22%	0%	22%
Limpopo	73%	1%	58%	0%	12%
Mpumalanga	50%	1%	22%	0%	6%
North West	45%	1%	10%	0%	10%
Northern Cape	20%	1%	0%	0%	0%
Western Cape	1%	0%	0%	0%	0%
Total	46%	3%	26%	0%	16%

Source: NEIMS reports of 2013 and 2019

Section 5A of the 2007 amendment to the South African Schools Act provides for the Minister of Basic Education to make regulations prescribing minimum norms and standards for public school infrastructure. Section 58C provides that provincial MECs must report annually to the Minister on their progress in reaching these norms. After drawn-out advocacy and a court case filed by the Legal Resources Centre on behalf of Equal Education and two Eastern Cape schools, the first legally binding Norms and Standards for School Infrastructure were published in November 2013. The norms provided that every public school must have water, electricity, internet, working toilets, safe classrooms with a maximum of 40 learners, and security within 10 years, with a three-year deadline in respect of the more basic facilities, and with libraries, laboratories and sports facilities to be provided by 2030 (<https://equaleducation.org.za/campaigns/school-infrastructure/>).

The published norms and standards reflect a third draft after a large number of submissions were received in respect of previous drafts. An appendix to Equal Education's March 2013 comments on the draft regulations (Equal Education, 2013) includes examples drawn from 532 submissions made by learners, educators, and parents in the Eastern Cape, KwaZulu-Natal, Gauteng, Limpopo, and the Western Cape.

Some of these examples relate to sanitation. Many relate to absence or shortage of toilet facilities. For example, in one secondary school 740 learners shared six toilets, in a primary school 1 207 learners shared five toilets, in another secondary school 3 000 learners shared three toilets and two taps, and in a primary school both learners and educators had to use bushes and open fields as their toilet.

Where toilets were available, they often presented health hazards – a situation exacerbated if there were no basins, bins, toilet paper, and/or the toilets were not regularly cleaned. Often the toilets did not provide for privacy. For example, some lacked doors and in other cases male and female learners used the same toilet.

Many submissions noted that some of the schools built after 1994 did not meet the minimum norms and standards, so the problem could not be seen simply as part of the apartheid legacy.

In 2014, after the norms had been published, Equal Education and the Equal Education Law Centre officially informed the DBE of their concerns with the vagueness of some of the norms. After analysing the implementation plans prepared by provincial MECs, as required in the regulations, the Equal Education Law Centre filed a court challenge in the Bhisho High Court in March 2018. The challenge sought to address the weaknesses in the law, and obtain an order as to how the Minister should oversee and monitor implementation. Basic Education for All was admitted as *amicus curiae*. Its submission included the example of Masereleng Secondary School, which had a single pit toilet that was used by all the teachers and female learners, while male learners used the bushes as their toilet.

The July 2018 judgement (*Equal Education and Another v Minister of Basic Education and Others*) found that government could not justify failure to comply with the norms and standards on the grounds that it did not have the necessary available resources. While this justification is usually accepted, the right to education is an immediately recognisable right that does not allow for “progressive realisation”. The judge did not accept the Minister’s argument that the right to basic education was not equivalent to the right to education of reasonable quality. The judge also dismissed the argument that the applicants had not joined all possible relevant parties in their court challenge. He found that the Minister, and through her the Cabinet, were responsible for ensuring that the different agencies cooperated in implementing agreed policy.

The judgment provided that the regulations should be read as requiring that all schools should, within three years of publication of the regulations, have a power supply, water supply and sanitation that are compliant. Costs were awarded against the government, and DBE was not granted leave to appeal.

Sanitary products

While progress on sanitation infrastructure has been much slower than required by law, government and other actors have become part of a global initiative around menstrual products. The global Sanitary Dignity Campaigns typically motivate for access to sanitary products for young female learners on the basis that, without these products, they will be absent from school each month or even drop out. Access to sanitary products is thus seen as an element of the right to education.

In South Africa there have been multiple sanitary dignity campaigns over the years. The then President of the country, Jacob Zuma, announced a Sanitary Dignity Campaign in his State of the Nation address in early 2012. Later that same year the Human Sciences Research Council hosted a seminar in collaboration with the Departments of Social Development, Basic Education and Women. Social Development was said to have adopted the initiative (Human Sciences Research Council, 2012). The announcement of the seminar is unusual in Sanitary Dignity Campaign literature in noting that inadequate sanitation infrastructure also contributes to girls experiencing education-related challenges when menstruating.

In 2017, the then Minister for Women, Susan Shabangu, noted that the health system needed to include provision of sanitary towels for poor girls (Department of Women, Youth and Persons with Disabilities (DPWYD), 2019b). In February 2017, the KwaZulu-Natal Department of Education rolled out a free sanitary pad programme which was envisaged as providing pads to girls in close on 3 000 quintile 1 to 4 schools (Ho, 2018). R50 million was allocated for the programme, but information on performance was not readily available when a journalist tried to follow up.

In 2018, the Northern Cape Department of Sport, Arts and Culture launched a reusable sanitary towel panty campaign in partnership with Clicks Helping Hands Trust. The campaign was launched at Steynville High School with plans to roll it out to all rural schools in the province (Boipelo, 2018).

Other collaborations with sponsoring partners, whether commercial or philanthropic, extended to other sanitary products. For example, in 2016 South Africa's then Deputy Minister of Communications, Stella Ndabeni-Abrahams participated in the launch of free Mina Menstrual Cups to learners of Tshegofatsong Special School (Ruiz-Grossman, 2016).

In February 2019, Premier Mtshweni of Mpumalanga launched the national sanitary dignity programme (Mtshweni, 2019) to a gathering of about five thousand people, including some learners. She announced that the programme aimed to reduce menstruation-related absenteeism by up to 90% by rolling out free sanitary pads to the poorest learners. She noted that the Minister of Finance's commitment to exempting sanitary products from value-added tax (VAT) in the 2019/20 budget would result in savings of an estimated R5 000 in the average woman's lifetime. (The Premier seems to have erred in equating VAT exemption with zero-rating.)

In reality, many of the facts and statistics cited by supporters of sanitary dignity campaigns are open to question. For example, AfricaCheck (Jeynes, 2016) convincingly destroys the oft-cited claim that 7 million girls in South Africa miss school each month when menstruating. It points out that this number is higher than the total number of girls enrolled in school from grade R to grade 12, and more than three times the number of girls aged 9-20 years attending school and not paying school fees. Further, available evidence on absenteeism suggests that boys are more likely than girls to be absent from school.

Mtshweni's estimate of savings probably assumes that all women use sanitary towels rather than other products. Indeed, the zero-rating provision applies only to sanitary towels. This contradicts the recommendation of the independent panel that government established under the leadership of Ingrid Woolard to investigate and make recommendations on zero-rating

for VAT. The panel framed its recommendations in terms of sanitary products, including both pads and tampons. The panel's calculations suggested that these products account for an average of 0,05% (one-thousands of a percent) of expenditure of the poorest 80% of households (Independent Panel of Experts for the Review of Zero Rating in South Africa, 2018: 57). It recommended that the products be zero-rated but noted further that this alone would not address the challenges facing women in the poorest household. It therefore also recommended that the products be provided free for "low-income" women.

The above arguments do not constitute an argument against initiatives to address challenges related to menstruation for girl learners. Instead the arguments suggest the need for greater clarity about the nature of the problem, including in terms of what aspects cause problems for the girls, and how these aspects are best addressed in a focused way. As one example, the absence of decent sanitation facilities is probably as important as, if not more important than, sanitary pads.

Conversely, use of particular sanitary products might reduce the need for maintenance of toilets. Thus a report on a non-governmental programme that distributed reusable cloth pads in South Africa and the Democratic Republic of Congo found that schools reached by the programme reduced their use of plumbers after introduction of the programme because they were not being blocked by disposable and home-made sanitary towels (Ho, 2018).

Meanwhile, the 2019/20 budget included an allocation of R157 million to provide sanitary pads to learners from poor households, and the DWYPD has published a Framework for Sanitary Dignity together with an implementation plan, and several provincial launches of the programme have been held (DWYPD, 2019b).

The framework was developed by departmental officials rather than, as originally planned, by consultants. The original intention was to have the draft framework in place in 2018/19, but this was achieved only in the following year after National Treasury advised against a pilot. This delayed rollout, but did not prevent the Department from distributing sanitary pads through various outreach events or programmes.

The framework (DWYPD, 2019b) is long and detailed and, arguably, over-ambitious. The early part of the framework states why a framework is necessary. It acknowledges that provision of free sanitary products to poor girls and young women is not sufficient to achieve "sanitary dignity" and an end to "period poverty". It lists sanitation and a "menstrual-friendly" water supply among the necessary other elements.

The framework names the immediate target as learners in schools in quintiles 1 to 3, special schools, farm hostels and post-school education and training institutions, in indigent and child-headed households, in government "mental institutions, prisons, hospitals and different types of child and youth care centres, and a general category of "vulnerable indigent women and girls not in state institutions". The immediate target is thus extremely large.

The framework provides for the establishment of multiple committees, including an Inter-Ministerial Committee, a National Sanitary Dignity Oversight Committee, Provincial Sanitary Dignity Committees, and Indigent Sanitary Management Committees. It further states that all sanitary products procured for the programme must be locally produced and

sourced, with preference for products made by local businesses and those owned by women, youth and people with disabilities. At least 50% of the staff of any business supplying the products must be women, and at least 70% must be from the local community/ies. All products must comply with standards set by the South African Bureau of Standards. All these strict requirements are likely to delay the rollout of the programme to all the parts of the country where girls most need it, if not prevent such rollout completely.

7 Social protection

Vision 2030 notes that social protection encompasses more than social security, in that it includes development policies and programmes intended to ensure that all citizens are at, or above, a minimum acceptable standard of living. The concept thus encompasses education, health, housing, transport and economic policies. Indeed, this definition of social protection implies that most, if not all, of Vision 2030 focuses – or should focus – on social protection. For the purposes of this section, the scope is narrower, encompassing the Expanded Public Works Programme (EPWP); what were traditionally termed social welfare services; and social grants. The last-named are dealt with very briefly given that they are well covered elsewhere.

Vision 2030 envisages that most working-age South Africans will be employed by 2030, that households which are not at or above the defined social floor will be assisted, that people will be shielded from the negative impacts resulting from labour market failures, and “[v]ulnerable groups such as poor women and people with disabilities [will] enjoy the full protection provided under the Constitution.” The document states that the necessary services will be provided by both public and private providers, but government will be ultimately responsible for ensuring that the services are delivered.

Expanded public works programme

Vision 2030 is contradictory in terms of EPWP targets. It first states that public employment programmes will employ 1 million people by 2015 and 2 million by 2030. However, a few pages later, under active labour market policies, it states that the EPWP should provide 2 million full-time equivalent jobs by 2020. This is more ambitious than the earlier target both in its earlier date for achieving the 2 million, and in specifying that the jobs are full-time equivalent. Elsewhere Vision 2030 says that public employment programmes should aim at providing 20 million opportunities by 2020 “or earlier if possible”.

However, the 2019/20 budget vote of the Department of Public Works, which coordinates the EPWP, reports a total of 900 234 “work opportunities” recorded on their system for 2017/18, with a predicted 1 455 840 for 2018/19 and 1 455 000 for each of the following three years (National Treasury, 2019). The 2017/18 count is lower than the less ambitious NDP target for 2015. The 2018/19 and forward predictions are above the less ambitious target but fall short of the more ambitious one.

For Vision 2030, the Community Work Programme component of the EPWP was meant to be active in all municipalities during 2013/14 and involve 1 million workers by March 2014. However, the Department of Cooperative Government and Traditional Affairs’ budget vote (National Treasury, 2019) for 2019/20 records only 264 041 “work opportunities” for the

2017/18 financial year, with lower numbers for previous years as well as for future years. The Community Work Programme is explicitly designed not to provide a full-time equivalent job in the hope that beneficiaries will use some of their time on other income-earning activities.

The achievements also fall far short of Vision 2030's proposal that each year half of all people defined as unemployed using the expanded definition should have access to 100 days of work opportunities. This implies that the EPWP would have needed to reach more than 5 million people in 2019 given that the Quarterly Labour Force recorded 10,3 million people as unemployed – 5,1 million of them male and 5,2 million female.

Vision 2030 sees social sector EPWP opportunities expanding to 400 000 by 2014, and names home-based care and early childhood development (ECD) as the prime examples of these. Civil society actors have questioned the categorisation of these and other essential “care” services as EPWP rather than “proper” work that enjoys the full protection of labour law (Parenzee & Budlender, 2015).

Vision 2030 observes that the EPWP employment incentive for which the provincial Departments of Social Development receive conditional grant funding could assist NPOs by subsidising their workers “up to” the EPWP wage level. The document states that these subsidies will allow NPOs to “complement social delivery programmes to strengthen community reach.” This could be read to imply that there are already social delivery programmes in place that employ workers at decent wages and that meet government's constitutional obligations. However, elsewhere the document is clear about the dire shortage of social welfare services. It also highlights the serious shortages in the number of social workers, auxiliary social workers, community development workers, and child and youth care workers in the country.

It is therefore not surprising that one of the eight key policy proposals in this chapter of Vision 2030 is that social welfare services be expanded, funding of NPOs be reviewed, and more professional and community workers be trained.

Welfare services

There are several reasons why NPOs are a gender issue. One of the reasons is that care work predominates in NPOs delivering welfare services. A second, and related, reason is that women are much more likely than men to work for NPOs. For example, analysis of the data from the labour markets dynamics data of 2017 shows women accounting for nearly three-quarters (71%) of people employed in NPOs. Expressed differently, 2,2% of all employed women work in NPOs compared to only 0,7% of employed men. Further, 88% of female NPO workers were in community, social and personal services industry, compared to 72% of male NPO workers. This is an industry into which many key care services are classified. Mean monthly earnings for NPO workers were R6 321, lower than workers in all other types of enterprise other than private households. However, the mean earnings for male NPO workers was R10 349, more than double the female mean of R4 818. This was the case despite the fact that 31% of male NPO workers were unskilled, as compared to 21% of female NPO workers.

One of the factors that contributes to low remuneration in NPOs is the low level of government funding. NPOs that deliver welfare services are, in essence, assisting government to meet its own constitutional and legal commitments. Nevertheless, government does not provide funding to all NPOs that are doing this. Further, where it does provide funding, it is usually in the form of a subsidy rather than an amount that covers the full cost. This approach differs from government's procurement of other goods and services, where the amount government paid covers the full cost as well as a mark-up for profit. In essence, this approach results in NPOs and those they employ subsidising government rather than vice versa.

The Department of Women's draft 25 Year Review chapter (Department of Women, 2019b) includes a discussion of the role that NPOs play in delivering shelter services for abused women. The discussion highlights the shortage of shelters and government's failure to establish shelters to which it had committed. It also covers the challenges related to NPO funding, and the court challenge against the Free State Department of Social Development and its national counterpart brought by the National Association of Welfare Organisations and Non-Governmental Organisations (NAWONGO). These challenges are not confined to shelters for abused women.

The NAWONGO court case ran from 2010 to 2014 and generated a large court record. (See Budlender, 2016, for a full discussion of the court case.) The final judgment, delivered in August 2014, found the government's third revision of the Policy on Financial Awards to be compliant with the three previous judgments in the case. However, the judge also noted government's obligation to achieve progressive realisation of socio-economic rights which, in respect of this case, required that government try its best to increase progressively the budget allocated for social welfare services.

Government's proposed policy provided for subsidies that cover the full reasonable core costs of NPOs, including salaries based on entry-level salaries paid by government. This, in itself, would require either an increase in government funding to supplement the proportion of the government salary provided for in existing subsidies, or a reduction in the number of NPOs funded. It is difficult to see the latter as reflecting progressive realisation. The judge used estimates developed by KPMG to calculate that the Free State Department of Social Development's allocation for NPO transfers would have to increase by R387 million if it were to fund NPOs at the level of service delivery of 2011/12. The R387 million represented only 1,4% of the total Free State budget, but would constitute a substantial increase for NPOs. The judge felt that this was probably unachievable immediately, but took government at its word that it would develop a convincing motivation to Provincial Treasury for large increases going forward.

However, Table 7 shows that transfers to NPOs have, if anything, decreased as a percentage of Department of Social Development budgets since 2015/16. Free State is not an exception in this respect. For all provinces, the percentage decreases from 37% in 2015/16, the year following the NAWONGO judgment, and 2021/22. Further, the decrease reflects primarily in 2017/18, the year after Cabinet approved the proposals of the Ministerial Committee on the Review of the Welfare White Paper of 1997.

Table 7. NPO transfers as a percentage of provincial Department of Social Development budgets, 2015/16-2021/22

Province	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Eastern Cape	20%	17%	19%	21%	21%	21%	22%
Free State	37%	38%	37%	34%	36%	35%	34%
Gauteng	53%	53%	39%	44%	43%	43%	41%
Kwazulu-Natal	31%	32%	32%	29%	29%	29%	29%
Limpopo	31%	31%	29%	28%	27%	26%	25%
Mpumalanga	34%	34%	33%	33%	33%	32%	32%
North West	20%	19%	20%	19%	21%	20%	20%
Northern Cape	29%	28%	24%	23%	26%	25%	25%
Western Cape	56%	53%	54%	53%	52%	52%	52%
South Africa	37%	37%	33%	33%	34%	33%	33%

Source: Spreadsheet downloaded from: <http://www.treasury.gov.za/documents/provincial-%20budget/2019/5.%20EPRE%20standardised%20tables%20in%20Excel%20format/Default.aspx>; 2018/19 are adjusted estimates

Two of the 16 proposals of the Ministerial Committee relate directly to NPO funding (Department of Social Development, 2016). Proposal 4 proposed that Department of Social Development provincial welfare budgets be increased over the ensuing five-year period by a real increase in the total Social Development allocation of 1,9% each year. These extra funds, if all allocated to provinces for welfare services, would have doubled the available welfare service funding in the country. The NPOs delivering the bulk of welfare services and their staff would have been beneficiaries given their dominance in delivery of welfare services. Proposal 11 required that immediate steps be taken to address inefficiencies in the NPO funding system, and that development and implementation of the NPO funding reform process be accelerated, with implementation starting in the 2017/18 financial year at the latest.

Cabinet duly approved all the recommendations of the Ministerial Committee, including these two, in August 2016. However, neither of the two proposals have been implemented.

The National Minimum Wage Panel (2016) of the same year identified workers employed by the “welfare sector” and in “care work” as one of several categories of workers who are vulnerable. Its general recommendation for the vulnerable categories was that the R20 per hour minimum wage should apply, but should be phased in more gradually than for other workers. Thus the minimum wage for agricultural workers was set at R18 per hour, for domestic workers at R15 an hour, and for EPWP workers at R11 an hour. The minimum for agricultural and domestic workers was meant to have reached the standard minimum wage level after two years. EPWP workers were expected to graduate out of their EPWP jobs into other work that would be covered by the law.

However, the Panel did not make any specific proposal in respect of welfare and care workers. Instead, it wrote the following:

A large number of workers, mainly female workers, are employed in welfare and care work, at low wage levels. At least some of this work is undertaken on behalf

of Government, and the low wages are partly a result of low levels of Government subsidy. The Panel believes that an expert group should address the challenges in this sector.

To date, the expert group has not been established. Theoretically, NPO workers are therefore covered by the standard national minimum wage. The exception is EPWP workers. However, workers should not be paid at EPWP rates on a long-term basis. Further, a job can be considered EPWP only if it is government-funded.

NPOs that are unable to pay the minimum wage could apply for an exemption. However, if the exemption is granted, it is for a period of only one year. Further, even with the exemption, and employer (or NPO) must pay at least 90% of the minimum wage. This is unaffordable for many NPOs without an increase in the subsidy from government.

Social grants

South Africa's social grant system is highly gendered. With all three child grants – the child support grant, the foster child grant, and the care dependency grant – the adults who receives the grant on behalf of the child beneficiaries are overwhelmingly women. This is not surprising given the role that women play in caring for children. It is, nevertheless, worth commenting on as in some other countries grants are paid to the so-called “household head”, who is likely to be a man if the household includes an adult man. The child support grant is the most common grant in the South African system, although it is also the smallest grant in monetary terms, with a value substantially below the actual cost of raising a child (Budlender, 2018).

With the adult grants, analysis of GHS 2018 data suggests that 65% of the older person's grants go to women. This in part reflects the fact that women substantially outnumber men in this age group. It also reflects the relative poverty of women, which means that they are more likely to pass the means test. The older person's grant accounts for the largest share of the total grant budget even though it reaches fewer beneficiaries than the child support grant. This apparent contradiction is explained by the much larger monetary size of the older person grant.

For the disability grant, the survey shows women under-represented, at 45% of the total. However, the number of people recorded as receiving the disability grant is less than a third of the number receiving the older person's grant.

Overall, then, women are the main (direct) beneficiaries of the grant system. This greater benefit cannot, however, be seen as unfair. Instead it reflects women's disadvantage in terms of poverty and in terms of their disproportionate burden of care work.

While the targeting of the grants seems appropriate in this respect, and the reach of the two biggest grants – the child support grant and the older person's grant – is good including in ex-homeland areas, there are two areas of serious concern besides the small amount of the child support grant. The first is the ongoing delays in implementing agreed proposals in respect of the foster child grant. The second involves payment of the grants by the South Africa Post Office.

The foster child grant problem resulted from the widespread extension of the foster child grant to children orphaned as a result of HIV and AIDS. The majority of these children were taken in by relatives – primarily grandparents (grandmothers in particular) and aunts. Many of these relatives were advised to apply for the foster child grant given that it was larger than the child support grant in terms of money, and many did so. The result was that a grant put in place to attend to the needs of children who were abused, neglected or suffered similar violence was used for orphans, most of whom were being adequately cared for by adult relatives. These relatives were in need of additional cash rather than the labour-intensive care and attention from government that are meant to accompany the foster child grant. This, in turn, created an unmanageable burden on the social workers employed by government and designated NPOs and on the courts, and serious delays in awarding, renewal and monitoring of grants.

Proposal 10 of the Ministerial Committee on the Review of the Social Welfare White Paper (Department of Social Development, 2016) proposed implementation of an “extended” (i.e. higher value) child support grant for orphans being cared for by relatives and children in child-headed households. The idea of an extended child support grant had received Cabinet approval on 9 December 2015, so the proposal was simply for implementation of Cabinet’s decision. However, in early 2019 the extended grant is still not in place. Meanwhile there are ongoing reports of the challenges in relation to the foster child grant. These challenges include neglect of the needs of children who are wards of the state, as well as greater strain on the government budget than there would be if the extended grant were in place.

On the payment side, there are worrying reports that payment of grants by the South African Post Office has not proceeded as smoothly as hoped. The shift from Net1 should, hopefully, have put an end to the worst excesses in terms of beneficiaries finding themselves with deductions and debts to which they had not consented, and which they were unable to afford. The shift has also, reportedly reduced the overhead costs of the system. The closure of cash paypoints and the inability of some supermarkets to handle pay date queues efficiently have, however, inconvenienced beneficiaries. For some beneficiaries the more rural areas will require new payments for travel to where they can access their funds. The situation requires serious and transparent monitoring by government officials and parliament of what the change means for the most vulnerable beneficiaries.

8 Conclusion

This technical paper focuses on selected topics related to Vision 2030. All of the topics selected fall within the scope of the selected chapters. However, several of the topics are not discussed in Vision 2030 despite their salience for women’s development and gender equality. Other topics are discussed to some extent, but the gender issues are not (sufficiently) elucidated. Yet other topics are covered in some detail in Vision 2030, but performance against Vision 2030 targets has been poor.

Unpaid care work is a recurring theme across many of the topics raised. This topic receives little attention in Vision 2030, but is key to understanding gender inequality and women’s disadvantage. It is also a deeply economic issue, although often not recognised as such. Those who recognise unpaid care work as an issue identify three broad ways in which it can

be addressed – recognition, reduction, and redistribution. Government policies need to incorporate strategies that incorporate these approaches.

Government has policies and laws in place to address at least some of the issues highlighted. However, implementation of these is often lacking. In some cases civil society actors have resorted to court challenges in an attempt to get implementation. However, even when courts have ruled in favour of those challenging government, implementation has not always followed in line with the court rulings.

The technical paper has attempted to provide new or less well-known data. Unfortunately, in some cases the paper has had to point out the contradictions and unreliability of available data. In yet other cases, data are not available. Monitoring and holding government to account is not possible without reliable data. Indeed, government is not able to manage itself if it does not have reliable data.

Women and girls do not constitute a single homogeneous group. The issues raised in this technical paper affect certain categories of women more than others. The paper highlights how Black African women living in the ex-homeland areas are often especially disadvantaged. It also highlights how lone mothers bear an extra-heavy burden. And it highlights challenges girls who are not yet adult women, for example in relation to school sanitation.

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