

The encapsulation of traditional leaders in the onslaught of gender-based violence in their jurisdictions

Sabelinah M. Tshoane¹, Enoch Zenzile^{2*}

Department of Law, Safety & Security Management, Faculty of Humanities
Tshwane University of Technology, Pretoria, South Africa
Tshwane University of Technology, South Africa

*Corresponding Author: zenzilee@tut.ac.za

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Abstract: South Africa is on a quest to address the phenomenon of gender-based violence (GBV), which continues to grow at an alarming rate. This discussion paper concerns itself with the involvement of traditional leaders as custodians of norms and values of the societies that they are constitutionally mandated to lead. This research paper focuses on the following objectives: (1) to delineate the magnitude of the phenomenon of GBV within the jurisdictions of traditional leaders, (2) to elucidate actions undertaken by victims of GBV in the aftermath of the incident, as determined by the norms and values of the society in which they live, and (3) to recommend measures that can be implemented by traditional leaders to decrease GBV in their jurisdictions. Through a qualitative research method, which comprised interviews with 68 traditional leaders, and document analysis, the study explored how traditional leadership structures leverage cultural practices and norms to address and mitigate GBV. The research highlights the differences and similarities in strategies employed by traditional leaders through assessing their effectiveness and cultural relevance. The findings indicate that while both the Limpopo and Eastern Cape provinces face significant challenges, the incorporation of cultural norms has had varying degrees of success in reducing GBV. The study provides insight into the potential for traditional leadership and cultural practices to contribute to the eradication of GBV, and offers policy recommendations to enhance these efforts within the broader framework of community and governmental interventions.

Keywords: cultural practices, gender-based violence, strategies, traditional leaders

Introduction

South Africa is facing the scourge of gender-based violence (GBV). In reaction, different pieces of legislation have been developed in an attempt to fight GBV, such as the Criminal Law Amendment Act (No. 38 of 2007), the National Council on Gender-Based Violence and Femicide Act (No. 9 of 2024), the Criminal and Related Matters Amendment Act (No. 12 of 2021), the Criminal Law (Sexual Offences and Related Matters) Amendment Act (No. 13 of 2021), and the Domestic Violence Amendment Act (No. 14 of 2021). Raftery [1] postulates that GBV is a widespread human rights violation. The victims of this crime suffer psychological, serious health, social, and economic problems. The consequences across countries and societies are deemed not adequately addressed [2]. The phenomenon of GBV continues to impede citizens' right to enjoy freedom, independence, and safety, as enshrined in the Constitution of the Republic of South Africa. GBV is rooted in systematic gender inequality, and is exacerbated by patriarchal and socio-cultural norms and discriminatory laws. Raftery [1] further points out that the Inter-Agency Standing Committee defines GBV as "an umbrella term for any harmful act that is perpetrated against a person's will, and that is based on socially ascribed (gender) differences between males and females".

Despite national laws and efforts by civil society and non-governmental organisations (NGOs) to end GBV, it remains a significant challenge in the country. The country is considered the rape capital of the world, with 10 818 rape cases reported in the first quarter of 2022 [3]. GBV continues to damage the social fabric of rural communities, wherein traditional leaders hold a unique position of being able to influence community norms, attitudes, and behaviours and contributing to the prevention and reduction of the phenomenon. There are different forms of GBV, as postulated by the European Institute for Gender Equality [4], which include, but are not limited to, verbal,

psychological, emotional, and physical GBV, including sexual harassment and rape. Traditional leadership is one of the oldest institutions in South Africa and is recognised by the South African government through the Traditional Leadership and Governance Framework Act (No. 41 of 2003).

The link between traditional leadership in Africa and culture is a strong one. Traditional leaders are influential in most rural communities in Southern Africa and play a key role in advocating and driving social mobilisation initiatives that address GBV [5]. Traditional leaders preside over customary law courts that exercise legislative power and that maintain law and order in communities at the grassroots level. Traditional leaders reach thousands of people in their communities through *imbizos/lekgotlas* or community dialogues, they advise government on traditional affairs, and influence policymaking that affects the lives of millions of people in mostly rural areas.

The South African Traditional Leadership and Governance Framework Amendment Act (No. 23 of 2009) grants traditional leaders the constitutional authority to address conflicts, including GBV, particularly in rural areas. This study examined the role of traditional leaders in addressing and preventing GBV within the Limpopo province and the OR Tambo District Municipality (ORTDM) in the Eastern Cape province in South Africa.

Traditional leaders are custodians of culture. Traditional leaders, i.e., chiefs, headmen, and village heads, play a crucial role in community governance and have various responsibilities in community life, including land allocation, dispute settlement, conflict resolution, rural development, education, and the reinforcement of social norms [6]. Traditional leaders are highly respected and influential in their communities. People turn to them for guidance and solutions to different challenges they might face.

Rationale of the study

Globally, there is a clarion call for a paradigm shift in how citizens define and react to crime. Other movements are engrained in restorative justice, which is deemed as deviating from retributive justice. Currently, the focus is on acknowledging and addressing harms, needs, obligations, and their causes [7, 8]. Bullock [9] opines that this paves the way for citizens participating in collective activities and enabling members to articulate the interests, values, and wishes of their communities. According to Mallicoat [10], the fight for victim justice must begin at the grassroots level, in response to a lack of attention to victims' issues, which include GBV survivors. In South Africa, the following rights, as contained in the Constitution and relevant legislation, must be upheld during interactions with the criminal justice system [11]: (1) the right to be treated with fairness and with respect for dignity and privacy, (2) the right to offer information, (3) the right to receive information, (4) the right to protection, (5) the right to assistance, (6) the right to compensation, and (7) the right to restitution. Traditional leaders need to be integrated into the restorative justice system, which provides victims the opportunity to have a voice in the aftermath of crime. Since traditional leaders hold strategic positions in their communities, their participation in addressing GBV needs to be strengthened. However, there are identified limitations that raise significant concerns about their capacity to meaningfully contribute to the fight against GBV. Consequently, it is essential to explore the important roles that traditional leaders could potentially play in eradicating GBV and to examine how their enhanced engagement could strengthen efforts to prevent and address GBV in their communities.

Objectives

The following objectives guided this study:

- 1) To delineate the magnitude of the phenomenon of GBV within the jurisdictions of traditional leaders.
- 2) To elucidate actions undertaken by victims of GBV in the aftermath of the incident, as determined by the norms and values of the society in which they live.
- 3) To recommend measures that can be implemented by traditional leaders to decrease GBV in their jurisdictions.

Literature review

Historically, preventing and reducing the escalation of GBV were mainly known to be the responsibility of the police [12, 13]. Such understanding and practices could be premised on the fact that the police are entrusted with the responsibility of citizen safety. However, this notion has somewhat lost its relevancy in the 21st century. There is currently a paradigm shift, where community members are aware that the police as an organisation cannot address crimes alone but need the assistance of community leaders and members [14]. Today, it is worth studying the role of traditional leaders in reducing GBV in South African jurisdictions since these leaders greatly influence their followers. It is on this understanding that this study is premised.

GBV does not have any boundaries as there is no class, race, age, or religious beliefs that hinder it from flourishing in society and it continues to thrive from generation to generation [15]. The World Health Organization in 2013 projected alarming statistics of approximately 35% of women experiencing some kind of physical and/or sexual violence at some point in their lives [2]. In 2021, globally, almost one in three women (30%) 15 years or older experienced physical and/or sexual violence by a male intimate or non-intimate partner [16]. Negero et al. [17] opine that GBV affects between 10% and 70% of women worldwide. Even though women are the most reported victims of GBV, research shows that men can be victims too [18]. Kolbe and Büttner [19] found prevalence rates of between 3.4% and 20.3% for domestic violence against men. A similar trend is observed in Africa, where it is widely recognised that GBV affects humankind across the continent, and the need for all stakeholders, including traditional leaders, to take a prominent stance is now more urgent [20].

South Africa has been well documented as one of the countries with the highest rate of GBV globally [21]. Studies show that the prevalence of GBV in South Africa is the result of social norms, gender stereotypes, inequality, etc. A study conducted by Gender Links, which surveyed 5 621 South Africans in four provinces, revealed that 77% of women in Limpopo, 51% of women in Gauteng, 45% of women in the Western Cape, and 36% of women in KwaZulu-Natal reported experiencing GBV, while 78% of the male participants in Gauteng indicated having perpetrated violence against women [22, 23].

The Interim Steering Committee on Gender-Based Violence and Femicide in South Africa has indicated that one of the critical interventions in response to GBV is to change social norms and behaviour through high-level awareness-raising and prevention campaigns [22, 24]. This intervention is also supported by other authors, who agree that heightened awareness is an essential element and a first step in preventing GBV [24]. While awareness raising has been identified as an essential step towards GBV prevention, there are limited studies on the encapsulation of traditional leaders in the onslaught of GBV in their jurisdictions. Hence, this study aimed to, firstly, delineate the magnitude of the phenomenon of GBV within the precincts of traditional leaders; secondly, to elucidate actions undertaken by victims of GBV in the aftermath of the incident, as determined by norms and values of the society in which they live; and, lastly, to recommend measures that can be implemented by traditional leaders to decrease GBV in their jurisdictions.

Globally, GBV affects almost every country, but some countries are less impacted by GBV, such as Lebanon, Liberia, and Canada, due to programmes that empower women and invest in them [25]. At the same time, countries such as the United States of America, Afghanistan, Somalia, and the Democratic Republic of the Congo are presumed to have experienced the worst GBV [26]. While there are small numbers of men suffering from GBV, internationally, women are the majority victims, with GBV affecting approximately one in every five women. GBV comes in various forms; ranging from domestic physical and emotional abuse, rape, female infanticide, forced trafficking, and sexual harassment [27]. In addition, in some African countries, GBV still manifests through child marriages and some cultural practices of traditional masculinity. In African countries, both continentally, regionally, and nationally, GBV transcends its confinement to encroach workplaces, police holding cells, prison facilities, public and private institutions, and various public spaces.

According to the South African Police Service's (SAPS) annual crime report for 2016/2017 [28], a woman is murdered every three hours, which equates to about seven women per day. In contrast, a man is murdered every 30 minutes, which equates to about 50 men per day. Despite the lower murder rates for women, most female homicides are much more violent than male homicides. Many of the female victims suffer assault, rape, and torture before their perpetrators dump their bodies. In comparison to other countries, the South African rate of femicide is almost five times higher than the world average, and South Africa ranks fourth in the world for the highest rate of violence against women. Women reported 39 633 rapes and 6 253 sexual assaults in 2017 alone [28].

Research design and methodology

This study adopted a qualitative research method to determine the magnitude of the phenomenon of GBV within the precincts of traditional leaders, to elucidate actions undertaken by victims of GBV in the aftermath of the incident, as determined by the norms and values of the society in which they live, and to recommend measures that can be implemented by traditional leaders to decrease GBV in their jurisdictions. This study brings together the findings that emerged from research studies conducted by two scholars in different provinces, namely the Limpopo and Eastern Cape provinces [29, 30].

Population of study

The study adopted a qualitative research approach. The approach was deemed appropriate, considering the nature of the study that required in-depth knowledge and experience sharing regarding the phenomenon under study. The qualitative research approach also allowed for a robust understanding of the participants' views of the phenomenon, which may not have been thoroughly provided using solely a survey approach. The provinces of Limpopo and the Eastern Cape were arbitrarily selected as two different sites for this research.

Sampling method

Ten participants in this study were drawn from the Limpopo House of Traditional Leaders, while 58 participants were from the ORTDM (King Sabata Dalindyebo, Ingquza-Hill, Nyandeni, Port St Johns, and Lusikisiki local municipalities) in the Eastern Cape province. Altogether, a sample of 68 participants were invited to participate in this study. Face-to-face interviews with traditional leaders were conducted. Two major criteria used to select participants in Limpopo were their years of experience within the organisations and their involvement, whether directly or indirectly, in domestic violence and how it affects society at large. Specifically, sampled participants from the above indicated that institutions or organisations had a minimum of 10 years of active engagement and experience in domestic violence matters, and how it affects societies in South Africa. However, in the ORTDM, the number of years served was not a prerequisite for participating in the study.

Data-collection techniques

The study employed interviews as the primary data-collection method, as this approach enabled the participants to express their views and perceptions freely. Interviews are an oral data-gathering technique that follows an interview schedule. According to Shneiderman and Plaisant [31], interviews are effective in obtaining detailed information, and the direct interaction with participants facilitates the collection of specific and constructive insights.

A semi-structured interview schedule was utilised in this study, which allowed the researchers to follow a preplanned structure while also accommodating more elaborate discussions between the participants and the researchers. The interviews were conducted in-depth and on a one-on-one basis to elicit comprehensive information. The interview locations were selected by the participants, and the duration of each interview ranged from 30 to 40 minutes, depending on the amount of information the participants were willing to share.

Ethical considerations

The study adhered to several ethical principles, including informed consent, confidentiality, avoidance of harm, and avoidance of deception; among others. The primary ethical consideration in this research was informed consent. This principle ensured that each participant had a comprehensive understanding of the study's purpose, the methods employed, the potential risks, and the demands involved. Obtaining informed consent involved providing participants with all relevant information, including the objectives of the study, the expected duration of their involvement, the procedures to be followed, the potential benefits and risks, and the researchers' credentials.

The participants were fully informed of the nature of the study and were given the opportunity to ask questions or express concerns. They were also made aware of their right to withdraw from the study at any point without any consequences. In essence, informed consent ensures that participants are fully aware of a study's details, potential risks, and the qualifications of the researcher, which allow them to make an informed decision about their participation.

Results

Data analysis produced the following themes: (1) the reality of the GBV phenomenon in the precinct of traditional leaders, (2) traditional leaders' responses to crime and GBV in their jurisdictions, (3) the role and influence of traditional leaders in the Limpopo province, (4) collaboration and conflict with modern legal systems in the Limpopo province, and (5) reviving tradition.

Table 1: Theme 1: The reality of the GBV phenomenon in the precinct of traditional leaders

| Concept | Quote | Reference |
|----------------------------|---|---------------|
| Description of handling of | <i>"Through mediation by summoning the perpetrator or even community engagement through a meeting for a collective decision."</i> | Participant 1 |

| Concept | Quote | Reference |
|--------------------------|--|----------------|
| GBV incidences and crime | <i>"We would handle the matter as domestic abuse if it's between the family members, or if it's outside their family, we would conduct it as such, and by-laws would be the remedy."</i> | Participant 2 |
| | <i>"We discuss other cases, but others are escalated to other courts."</i> | Participant 10 |
| | <i>"I go to the scene of crime and advise the victim to go to the hospital and also get the letter from the doctor in order to open a case."</i> | Participant 13 |
| | <i>"Most instances of abuse I report them to the police for intervention."</i> | Participant 30 |
| | <i>"We try to mediate the situation and find a way of reconciling the two parties that are involved. However, if there are more elements of violence, we ask for police to intervene on sorting out the matter."</i> | Participant 32 |

Source: Zenzile [32]

Theme 1 shows that traditional leaders in the ORTDM engage in attempts to mediate between two parties that are involved in incidences of GBV or domestic violence. The focus is to reconcile the disputants. However, some cases are referred to the police as the first component of the criminal justice system. This action of traditional leaders on handling certain domestic incidences somewhat means that crime statistics are artificially lowered. In addition, as other incidences are not reported, they ultimately do not make the official crime statistics, which contributes to the dark figure of crime. Women and children as vulnerable segments of society can continue to be revictimised. Some of the victims of crime and GBV tend to blame themselves or they may want to conceal the incident. These victims therefore remain unsupported, remain traumatised, become victims again, or turn to crime and violence in response. In South Africa, the National Crime Prevention Strategy of 1996 [24], which is a long-term programme, has also sought to address the scourge of GBV. Through this initiative, victims receive special attention through the establishment of specialised police units to investigate crimes against children. At victim aid centres, interdisciplinary services are offered to victims of these crimes. In addition, special court facilities offer services to protect young witnesses [24].

Table 2: Theme 2 – Traditional leaders' responses to crime and GBV in their jurisdictions

| Concept | Quote | Reference |
|---|--|----------------|
| Traditional leaders' strategies for the prevention of crime and GBV | <i>"I am working together with all affected stakeholders, starting with traditional institution, police, schools, churches, and communities, mainly youth and women representatives."</i> | Participant 1 |
| | <i>"Community police forums are established in my area. At the level of a headman/headwoman in our villages, people can discuss certain incidences of criminal activities and those that cannot be resolved are channelled to Komkhulu [Great Place]."</i> | Participant 2 |
| | <i>"People are highly encouraged to report any incidences of anti-social behaviour."</i> | Participant 3 |
| | <i>"We promote punishment of people that are found guilty of conflicting with the law."</i> | Participant 4 |
| | <i>"We make sure that taverns are closed in time by 20:00 and patrol each day."</i> | Participant 13 |
| | <i>"It becomes the responsibility of every member in my community for</i> | Participant 34 |

| Concept | Quote | Reference |
|---------|--|----------------|
| | <i>maintaining law and order. However, in instances that are found to be overwhelming, the matter becomes brought to the attention of the police for intervention.”</i> | |
| | <i>“In my community I ensure people are taught about their role and responsibility when there is crime committed. As a result, when there is allegation of crime committed, each member becomes involved in the investigation of a culprit.”</i> | Participant 35 |
| | <i>“I promote the importance of school, church, sport in general, and traditional dances.”</i> | Participant 41 |
| | <i>“I ensure that tournaments and concerts during holidays that are organised to keep the youth busy.”</i> | Participant 51 |

Source: Zenzile [32]

Theme 2 shows that certain traditional leaders are willing to go the extra mile to protect their societies. They promote the importance of working together as a community in an endeavour to curtail incidences of crime in their areas of jurisdiction. Some traditional leaders are well versed regarding the role that can be played by different government departments and other institutions in the community, such as schools, churches, NGOs, etc.

Table 3: Theme 3 – The role and influence of traditional leaders in the Limpopo province

| Concept | Quotation | Reference |
|--|---|---------------|
| Examining how traditional leaders impact or influence responses to GBV | <i>“Community members trust traditional leaders to guide them through complex social issues, including GBV. These leaders are seen as custodians of culture and tradition, and their opinions carry weight. When a traditional leader openly condemns GBV, it can legitimise the issue as a serious concern, encouraging community members to speak out and seek help.”</i> | Participant 9 |
| | <i>“Traditional leaders are seen as the custodians of cultural heritage, preserving and promoting indigenous knowledge, customs, and practices. They play a crucial role in maintaining the cultural identity of their communities, ensuring that traditional ceremonies, rites of passage, and festivals are observed according to ancestral practices.”</i> | Participant 8 |
| | <i>“They are responsible for mediating and interpreting customary laws, which govern various aspects of life, including marriage, land tenure, and succession. This mediation helps to resolve disputes in ways that are culturally appropriate and accepted by the community.”</i> | Participant 7 |
| | <i>“One of their key functions is dispute resolution within the community. Traditional courts, presided over by traditional leaders, handle a wide range of matters, from land disputes to family conflicts. Their decisions are typically based on customary law and are respected within the community,</i> | Participant 6 |

| Concept | Quotation | Reference |
|---------|---|-----------|
| | <i>offering an alternative to the formal legal system.”</i> | |

Source: Tshoane et al. [29]

Theme 3 shows that traditional leaders in the Limpopo province play a pivotal role in the social, cultural, and political fabric of their communities. Their influence extends across various aspects of daily life, which means they are key figures in both preserving traditions and shaping contemporary governance. They hold a position of significant influence that is deeply intertwined with the cultural, social, and political life of their communities. Traditional practices teach young people values of respect, tolerance, and Ubuntu (caring for others) and these values should be taught at a young age. “*Le robjwa le sale meetse*” is a Northern Sotho idiom that means that it is best to teach lessons about respect and culture during the formative years rather than at a later stage. Traditional leaders therefore play a role of grooming both males and females on how to treat each other and how best to avoid situations that might lead them to use violence in any relationship. Traditional leaders are vital in preserving cultural heritage, administering customary law, and guiding community development. However, their role is also evolving as they navigate the challenges of modern governance, human rights, and accountability. Despite these challenges, traditional leaders remain central figures in the lives of many people in Limpopo and they provide a crucial link between rural societies and the modern legal system.

Table 4: Theme 4 – Collaboration and conflict with modern legal systems in the Limpopo province

| Concept | Quote | Reference |
|--|--|---------------|
| Analysing the interaction between traditional leadership and modern legal frameworks | <i>“Traditional leaders prioritise reconciliation and maintaining community harmony, possibly encouraging victims to forgive perpetrators. This can be at odds with the modern legal system’s focus on accountability and justice, leaving community members in a difficult position of choosing between respecting traditional authority and seeking legal justice.”</i> | Participant 5 |
| | <i>“In areas like Limpopo, traditional leaders frequently work with municipal governments to implement community development projects. These partnerships often involve joint decision making on issues such as land use, infrastructure development, and resource allocation. The collaboration helps align traditional leadership roles with the objectives of modern governance, ensuring that development initiatives are culturally sensitive and locally supported.”</i> | Participant 8 |
| | <i>“Traditional leaders play a significant role in identifying and addressing the needs of vulnerable groups within their communities. By collaborating with government agencies, they help implement social welfare programmes more effectively, leveraging their deep knowledge of local conditions and their influence over the community to ensure these programmes reach those in need.”</i> | Participant 2 |

Source: Tshoane et al. [29]

Theme 4 indicates that the relationship between traditional leaders and modern legal systems in the Limpopo province is marked by both collaboration and conflict. While there are areas where these two systems work together effectively, particularly in governance and community development, significant challenges remain, particularly regarding jurisdictional overlaps, human rights concerns, and power dynamics. Navigating these tensions requires

ongoing efforts to harmonise customary law with constitutional principles, through legal reforms, education, and inclusive dialogue. By fostering greater understanding and cooperation between traditional leaders and modern legal institutions, it is possible to create a more cohesive legal framework that respects and will tackle GBV, cultural heritage, and human rights.

Theme 5: Reviving tradition

| Concept | Quotation | Reference |
|--|--|----------------|
| The role of re-introduced practices in modern community governance | <i>“Traditional governance structures often prioritise the voices of elders, men, or specific lineages, which at times leaves out women, youth, and other marginalised groups. Therefore, there is a need for revival of traditional practices in governance, for them to be inclusive and have all groups represented.”</i> | Participant 10 |
| | <i>“Involving traditional leaders in the development of policies that affect their communities can foster greater cooperation. When traditional leaders are included in the policymaking process, it helps ensure that the resulting laws and policies are more likely to be accepted and respected within their communities.”</i> | Participant 3 |
| | <i>“Establishing formal platforms for regular dialogue between traditional leaders and representatives of the modern legal system can help address conflicts before they escalate. These platforms can serve as a space for negotiating the coexistence of the two systems, discussing reforms, and sharing best practices.”</i> | Participant 9 |
| | <i>“Reviving tradition will create opportunities for older generations to teach younger ones about cultural practices. This can be done through storytelling sessions, workshops, and community events where elders share their knowledge of customs, language, and traditional crafts. This intergenerational exchange helps to keep traditions alive and relevant, which will also teach both men and woman how to handle conflicts better.”</i> | Participant 6 |

Source: Tshoane et al. [29]

Theme 5 shows that reviving tradition is a powerful tool for preserving cultural heritage, strengthening community identity, and fostering social cohesion. In regions like the Limpopo province, where traditional leaders and communities play a vital role in maintaining cultural practices, these efforts are essential for ensuring that traditions remain relevant and meaningful in a rapidly changing world. Through education, economic development, and the reaffirmation of traditional leadership, communities can successfully revive and sustain their cultural heritage for future generations.

Discussion and findings

Research objective 1: Delineate the magnitude of the phenomenon of GBV within the jurisdictions of traditional leaders

The participants in the study revealed that GBV and crime rates are alarming in their jurisdictions. Numerous cases are regularly reported to traditional leaders. Almost every household has been affected by some form of GBV, whether physical, emotional, or economic. Delineating the magnitude of GBV in the precincts of traditional leaders involves a comprehensive exploration and quantification of the extent to which GBV occurs in these communities.

This process is crucial for understanding the scale and seriousness of the issue, especially in areas where traditional leaders hold significant authority and influence over social norms, conflict resolution, and the application of customary law.

Traditional leaders are often seen as the custodians of culture and tradition, especially in rural and semi-rural areas where modern legal and governmental systems may have less reach or influence. In such communities, traditional leaders are entrusted with the responsibility of upholding customary laws, mediating disputes, and guiding community members according to cultural norms. These roles place traditional leaders at the heart of community governance, which makes them key actors in the response to social issues, including GBV.

Delineating the magnitude of GBV in the precincts of traditional leaders is a complex but essential task. It involves not only quantifying the prevalence of GBV but also understanding the cultural, social, and legal factors that shape its occurrence. By engaging traditional leaders and examining the unique dynamics of their communities, this research can provide valuable insight that will inform more effective and culturally sensitive approaches to combatting GBV in these settings.

Research objective 2: Elucidate actions undertaken by victims of GBV in the aftermath of the incident, as determined by norms and values of the society in which they live

In communities where traditional leaders hold significant authority, victims of GBV may seek resolution through these leaders rather than through formal legal systems. Traditional leaders often mediate disputes and provide justice based on customary laws, which may prioritise reconciliation over punitive measures. The actions taken by victims in seeking redress through traditional channels can vary. They may involve bringing a complaint to the leader in private or participating in a public hearing where the issue is discussed and resolved. The resolution might include compensation, an apology from the perpetrator, or other forms of restitution deemed appropriate by the community.

However, the effectiveness and fairness of these resolutions can be influenced by gender biases within the customary law system, which may disadvantage female victims or prioritise the interests of the perpetrator or their family.

Research objective 3: Recommend measures that can be implemented by traditional leaders to decrease GBV in their jurisdictions

Traditional leaders are often the first point of contact for GBV cases, but their ability to handle these cases varies greatly. While some traditional leaders are proactive in addressing GBV, others lack the necessary training or resources to provide meaningful support. Some participants in the study alluded that through chieftaincies, many settlements within both jurisdictions are still administered by chiefs. The National House of Traditional Leaders within the country should be allocated the necessary budget and resources to increase awareness of GBV inflicted among all genders. In curbing GBV in communities, traditional leaders, as custodians of culture, can facilitate the creation of protective cultural environments. They have significant influence and can promote positive and culturally sensitive behaviour change and address socio-cultural norms and beliefs that fuel the continuation of the phenomenon. They can confront GBV in all its forms, including cultural norms, beliefs, and practices that increase the risk of perpetuation of such crime. Traditional leaders are also able to enforce customary law in traditional courts. In addition, they have wide reach in their communities through various traditional forums. Such opportunities can be used to inform community members of the adverse impact of GBV. Their influence should be leveraged to promote protective practices and advocate for a society that is free from GBV.

Conclusion

Traditional leaders' efforts reflect some complexities when dealing with GBV. The study revealed some challenges, as their responses may be influenced by policies, processes, context, communities, and population. Altogether, in recognising the real world of traditional leaders, the delays in prompt response to challenges and changes must be significantly considered during training or workshops. In response to the atrocities caused by GBV in communities, there is a need for the development of a guide for traditional leaders for better dealing with this phenomenon in their precincts. They remain influential in rural communities, as they are considered to be the "custodians of African culture". Traditional leaders may be able to disseminate knowledge and better respond to the interventions of GBV at the community level. The information shared with community members can assist in maximising the effectiveness of GBV interventions and refine strategies for greater impact. In addition, interactive workshops can be provided using a preferred training method. This approach is premised on the idea of paving the way for a cycle of knowledge generation that informs decisions, fosters informed decision making, and improves the quality of service delivery to GBV victims. It is therefore further recommended that the institutional capacity of the Traditional Authority should

be improved through partnerships with other relevant institutions in the community, such as the Department of Justice, the SAPS, and the Department of Correctional Services.

List of References

- [1] Raftery, P. (2023). *Gender based violence (GBV) coordination in emergencies* (Doctoral dissertation). London School of Hygiene & Tropical Medicine. <https://researchonline.lshtm.ac.uk/id/eprint/4670990/>
- [2] World Health Organization (WHO). (2013). *Global and regional estimates of violence against women: Prevalence and health effects of intimate partner violence and non-partner sexual violence*. WHO.
- [3] Govender, I. (2023). Gender-based violence – An increasing epidemic in South Africa. *South African Family Practice*, 65(1), a5729. <https://doi.org/10.4102/safp.v65i1.5729>.
- [4] European Institute for Gender Equality. (2013). *Gender equality index report*. <https://eige.europa.eu/sites/default/files/documents/Gender-Equality-Index-Report.pdf>
- [5] Ubuntu Institute. (2008). *Traditional leaders fighting HIV AND AIDS in Southern Africa – A four country study (Swaziland, Botswana, Lesotho and South Africa)*. Ubuntu Institute.
- [6] Elder, D. R., Crook, N., Crook, J., & Walls, K. (2019). Celebrating African arts: How traditional leader stories, narratives, and proverbs inform contemporary Ghanaian life. *The International Journal of Social, Political and Community Agendas in the Arts*, 14(3), 1-17.
- [7] Umbreit, M. S. (2001). *The handbook of victim offender mediation: An essential guide to practice and research*. Jossey-Bass.
- [8] Zehr, H. (2002). *The little book of restorative justice*. Good Books.
- [9] Bullock, K. (2014). *Citizens, community and crime control*. Palgrave Macmillan.
- [10] Mallicoat, S. L. (2020). *Crime and criminal justice: Concepts and controversies* (2nd ed.). Sage Publications.
- [11] Department of Justice. (n.d.). *Service charter for victims of crime in South Africa: The consolidation of the present legal framework relating to the rights of and services provided to victims of crime*. https://www.npa.gov.za/sites/default/files/resources/public_awareness/victims_charter.pdf
- [12] Wanjohi, A. N. (2016). *The effectiveness of police gender desks in addressing gender-based violence: A case of Nyandarua County – Kenya* (Master's thesis). University of Nairobi.
- [13] Córdova, A., & Kras, H. (2022). State action to prevent violence against women: The effect of women's police stations on men's attitudes toward gender-based violence. *The Journal of Politics*, 84(1). <https://doi.org/10.1086/714931>
- [14] Mabuku, K. K. (2018). *An investigation into the role of police leadership in promoting ethical behaviour: The case of Kavango West Region* (Master's thesis). Southern Business School.
- [15] Klugman, J. (2017). *Gender based violence and the law*. World Bank. <https://openknowledge.worldbank.org/handle/10986/26198>
- [16] World Health Organization (WHO). (2021). *Violence against women*. <https://www.who.int/news-room/fact-sheets/detail/violence-against-women>
- [17] Negero, M. G., Abajobir, A. A., & Salilih, S. Z. (2019). *Gender-based violence against female students at Debre Markos University, North-West Ethiopia: Mixed Methods Study*. St. Mary's University.
- [18] World Health Organization (WHO). (2021). *Tracking progress towards a world without violence against women*. <https://www.who.int/news-room/feature-stories/detail/trackingprogress-towards-a-world-without-violence-against-women>
- [19] Kolbe, V., & Büttner, A. (2020). Domestic violence against men – Prevalence and risk factors. *Deutsches Ärzteblatt International*, 117, 534-541. <https://doi.org/10.3238/arztebl.2020.0534>
- [20] Casey, E., Carlson, J., Bulls, S., & Yager, A. (2018). Gender transformative approaches to engaging men in GBV prevention: A review and conceptual model. *Trauma, Violence, & Abuse*, 19(2), 231-246. <https://doi.org/10.1177/152488016650191>
- [21] KPMG Human and Social Services. (2014). *Too costly to ignore – The economic impact of gender-based violence in South Africa*. <https://assets.kpmg/content/dam/kpmg/za/pdf/2017/01/za-Too-costly-toignore.pdf>
- [22] Gender Links. (2015). *The war @ home: Findings of the gender based violence prevalence study in Gauteng, Western Cape, KwaZulu-Natal and Limpopo provinces of South Africa*. <https://genderlinks.org.za/gmdc/publications/the-war-at-home-findings-of-the-gender-based-violence-prevalence-study-in-gauteng-western-cape-kwa-zulu-natal-and-limpopo-provinces-of-south-africa-2015-02-16/>
- [23] Michau, L., & Naker, D. (2004). *Preventing gender-based violence in the Horn, East and Southern Africa: A regional dialogue*. <https://digitallibrary.un.org/record/806204?ln=en&v=pdf>
- [24] Interim Steering Committee on Gender-Based Violence and Femicide. 2020. *National strategic plan on gender based violence & femicide 2020-2030*. <https://www.justice.gov.za/vg/gbv/NSP-GBVF-FINAL-DOC-04-05.pdf>

- [25] Muluneh, M. D., Stulz, V., Francis, L., & Agho, K. (2020). Gender based violence against women in sub-Saharan Africa: A systematic review and meta-analysis of cross-sectional studies. *International Journal of Environmental Research and Public Health*, 17(3), 903. <http://dx.doi.org/10.3390/ijerph17030903>
- [26] Stand to End Rape. (2020). *Top ten countries with the highest gender based violence (GBV) rates in the world*. <https://standtoendrape.org/top-ten-countries-with-the-highest-gender-based-voilence-gbv-rates-in-the-world/>
- [27] Pereira Sartori Falguera, F., Lima, M. A., Ferrari, V. A. S., Barriga, G. D., & Mariano, E. B. (2021). Human development by gender and national culture: A comparative analysis. *The Journal of Development Studies*, 57(9), 1549-1570.
- [28] South African Police Service (SAPS). 2017. *Annual crime report 2016/2017*. https://www.saps.gov.za/about/stratframework/annual_report/2016_2017/gpw_crime_stats_2017.pdf
- [29] Tshoane, S. M., Olutola, A. A., Bello, P. O., & Mofokeng, J. T. (2023). An investigation of cultural expectations and standards as contributors to domestic violence perpetuated against men: A case study of Limpopo province. *International Journal of Social Science Research and Review*, 6(11), 317-323.
- [30] Zenzile, E. (2021). *The role of traditional leaders in crime prevention in the former Transkei Region: The case study of O.R. Tambo District Municipality* (Doctoral dissertation). Tshwane University of Technology.
- [31] Shneiderman, B., & Plaisant, C. (2005). *Designing the user interface: Strategies for effective human-computer interaction* (4th ed.). Pearson Addison Wesley.
- [32] Zenzile, E. (2023). The victimization of community members in the realm of traditional leaders at OR Tambo District Municipality, South Africa. *International Journal of Research in Business & Social Science*, 12(9), 513-520.

