FACTIONALISM AND ORGANISATIONAL COHESION POLICY

1. PREAMBLE / RECITALS

1.1. **ARISE AFRIKA ARISE INDEPENDENT CONGRESS** (hereinafter referred to as "the Party") is a voluntary political association constituted in accordance with its Constitution and applicable laws of the Republic of South Africa.

1.2. The Party is founded upon principles of:

(a) constitutional democracy,
(b) internal accountability,
(c) organisational discipline,
(d) collective leadership, and
(e) unity of purpose in pursuit of its political objectives.

1.3. The Party recognises that internal political organisations may experience differences of opinion, ideological contestation, and leadership competition, which are inherent in democratic participation.

1.4. However, such differences must be managed in a manner that does not compromise:

(a) the constitutional structures of the Party,
(b) the legitimacy of duly adopted resolutions,
(c) operational coherence, or
(d) public confidence in the Party.

1.5. This Policy is enacted to define, regulate, and where necessary sanction conduct that constitutes **factionalism or organisational subversion**, while safeguarding lawful political expression and procedural fairness.

2. PURPOSE OF THE POLICY

The purpose of this Policy is to:

(a) Define factionalism and related conduct in clear and objective terms;
(b) Establish permissible boundaries for internal political engagement;
(c) Prevent conduct that undermines Party unity, governance, or authority;
(d) Provide a structured framework for identification, investigation, and adjudication of factional conduct;
(e) Ensure that any disciplinary action taken is procedurally fair, rational, consistent, and reviewable within internal structures;
(f) Protect the Party from reputational harm, organisational fragmentation, and governance paralysis.

3. APPLICATION AND SCOPE

3.1. This Policy applies to:

(a) All registered members of the Party;
(b) Office bearers at all levels of the Party structure;
(c) Temporary structures, committees, caucuses, and task teams established under Party authority;
(d) Any individual acting in a representative capacity of the Party, whether formally mandated or perceived to represent the Party.

3.2. This Policy applies to conduct occurring:

(a) within Party structures,
(b) outside Party structures, including public platforms, media, and digital communication channels,where such conduct has a direct or indirect impact on the Party's internal cohesion or public standing.

3.3. This Policy operates in conjunction with:

(a) the Party Constitution,
(b) the Disciplinary Code,

(c) the Code of Ethics and Conduct,
(d) the Communications and Media Policy, and
(e) any duly adopted internal regulations.

3.4. In the event of any inconsistency between this Policy and the Party Constitution, the Party Constitution shall prevail.

4. DEFINITIONS

For purposes of this Policy, unless the context indicates otherwise:

4.1. **"Factionalism"** means any deliberate, coordinated or sustained conduct by a member or group of members aimed at:

(a) undermining the authority of constitutionally recognised Party structures or leadership;
(b) creating or promoting parallel centres of power or decision-making;
(c) obstructing implementation of lawful Party decisions; or
(d) fragmenting organisational unity to advance private or sub-group interests.

4.2. **"Factional Conduct"** includes conduct reasonably capable of being interpreted as supporting, enabling, or advancing factionalism as defined above.

4.3. **"Organisational Cohesion"** means the functional unity of the Party's leadership, membership, decision-making structures, and communication systems in accordance with its Constitution.

4.4. **"Authorised Structure"** means any structure formally established in terms of the Party Constitution and recognised in writing by the appropriate governing body of the Party.

4.5. **"Parallel Structure"** means any informal, unauthorised, or competing structure that performs or purports to perform functions reserved for authorised Party structures.

4.6. **“Public Representation”** means any statement, publication, broadcast, or digital communication that could reasonably be understood as representing the Party’s official position.

4.7. **“Misconduct”** means any act or omission that contravenes this Policy, the Party Constitution, or any binding internal regulation.

5. INTERPRETATION PRINCIPLES

5.1. This Policy shall be interpreted in a manner that:

(a) promotes organisational stability,
(b) preserves constitutional governance within the Party,
(c) ensures fairness and proportionality in enforcement, and
(d) avoids overreach into lawful political expression.

5.2. No provision of this Policy shall be interpreted to:

(a) suppress legitimate internal political debate, or
(b) restrict lawful expression that does not materially harm organisational cohesion.

5.3. In assessing conduct, emphasis shall be placed on:

(a) intent,
(b) pattern of behaviour,
(c) coordination between actors, and
(d) actual or potential impact on the Party.

6. GOVERNING STANDARD

6.1. The Party shall apply an objective standard of assessment, namely whether a reasonable observer, properly informed of the Party’s constitutional framework, would conclude that the conduct:

(a) undermines organisational authority, or
(b) promotes internal fragmentation.

6.2. The burden of proof in disciplinary proceedings under this Policy shall rest on the Party and shall be assessed on a **balance of probabilities**.

7. PROHIBITED FACTIONAL CONDUCT

7.1. No member or group of members shall engage in conduct that constitutes factionalism or reasonably gives rise to a perception of factionalism, including but not limited to the following:

7.1.1. Parallel Structures and Authority Substitution

(a) Establishing, convening, or participating in any **parallel leadership structure**, caucus, committee, or decision-making forum not authorised under the Party Constitution;

(b) Purporting to issue directives, instructions, or policy positions that fall within the exclusive competence of constitutionally mandated structures;

(c) Operating informal leadership arrangements that function as an alternative authority to elected or appointed Party organs.

7.1.2. Undermining Constitutional Authority

(a) Deliberately refusing, without lawful justification, to implement decisions or resolutions of duly constituted Party structures;

(b) Encouraging or instructing others to disregard binding Party decisions;

(c) Publicly or privately discrediting constitutional structures in a manner that is intended to weaken their authority or legitimacy.

7.1.3. Coordinated Internal Subversion

(a) Engaging in coordinated conduct with others to obstruct, frustrate, or destabilise Party governance processes;

(b) Organising internal campaigns aimed at removing or delegitimising leadership outside of constitutionally prescribed processes;

(c) Recruiting or mobilising members into informal groupings based on loyalty to individuals or sub-factions rather than the Party Constitution.

7.1.4. Misrepresentation and False Authority

(a) Making statements or representations that falsely imply authority to speak or act on behalf of the Party;

(b) Issuing communications presented as official Party positions without written authorisation from the competent structure;

(c) Disseminating altered, misleading, or selectively edited information regarding Party decisions or disciplinary processes.

7.1.5. Disruption of Party Processes

(a) Disrupting, obstructing, or unlawfully interfering with meetings, congresses, conferences, or official Party events;

(b) Encouraging boycott or non-participation in duly convened Party structures without lawful justification;

(c) Intentionally creating procedural chaos or disorder within meetings or decision-making forums.

7.1.6. Misuse of Party Resources

(a) Using Party branding, insignia, membership lists, or communication platforms to advance unauthorised internal group agendas;

(b) Accessing or distributing Party internal information for factional mobilisation purposes;

(c) Misappropriating Party resources to support informal political blocs.

7.1.7. Public Harm and Reputational Damage

(a) Making public statements that deliberately misrepresent internal Party governance processes;

(b) Conducting media or social media campaigns that portray the Party as institutionally dysfunctional where such portrayal is knowingly false or reckless;

(c) Engaging in conduct that reasonably foreseeably causes reputational harm to the Party's governance integrity.

8. DISTINCTION BETWEEN LEGITIMATE POLITICAL ACTIVITY AND FACTIONALISM

8.1. The Party affirms that the following constitute legitimate political activity and are not, by themselves, prohibited:

(a) Expression of dissenting political views within internal forums;
(b) Participation in policy debates and leadership discussions;
(c) Nomination, campaigning, or support for candidates in accordance with Party electoral procedures;
(d) Lawful criticism expressed through established internal dispute resolution channels.

8.2. Conduct shall only be regarded as factional where it demonstrates one or more of the following elements:

(a) **Organisational intent** to bypass or replace constitutional structures;
(b) **Systematic coordination** aimed at creating alternative centres of authority;
(c) **Material disruption** of governance or decision-making processes;
(d) **Persistent disregard** for lawful Party authority.

9. EARLY WARNING AND PREVENTION MECHANISMS

9.1. The Party shall prioritise preventative intervention before disciplinary escalation where reasonably practicable.

9.2. Early warning indicators of potential factionalism include:

(a) Repeated informal meetings outside recognised structures involving decision-making functions;
(b) Formation of consistent voting blocs or loyalty-based groupings;
(c) Refusal to participate in legitimate Party forums without justification;
(d) Circulation of unofficial “instructions” or “directives”;
(e) Coordinated communication patterns targeting Party leadership legitimacy.

10. REPORTING AND ESCALATION PROCEDURE

10.1. Any member who becomes aware of suspected factional conduct may submit a written report to:

(a) the Secretary-General or delegated authority; or
(b) the designated compliance or disciplinary secretariat.

10.2. Such report must, where reasonably possible, include:

(a) factual description of conduct,
(b) dates and locations,
(c) supporting documentation or communications, and
(d) identification of involved individuals.

10.3. Frivolous, malicious, or knowingly false reports shall themselves constitute misconduct under this Policy.

11. PRELIMINARY ASSESSMENT AND INTERVENTION

11.1. Upon receipt of a report, the Party may conduct a preliminary assessment to determine:

(a) whether prima facie evidence exists; and
(b) whether immediate preventive action is required.

11.2. Preventive measures may include:

(a) written advisory notices to cease specified conduct;
(b) temporary restrictions on internal communication channels;
(c) referral to mediation or internal reconciliation structures.

11.3. Preventive measures do not constitute a finding of guilt and shall not be treated as disciplinary sanctions.

12. STANDARD OF BEHAVIOURAL ACCOUNTABILITY

12.1. Members occupying leadership or representative positions shall be held to a **higher standard of organisational responsibility**, including:

(a) duty to preserve unity;
(b) duty to avoid conduct that may reasonably destabilise governance;
(c) duty to act in accordance with collective decisions even where personally opposed.

12.2. Breach of this elevated standard may be treated as aggravating in any disciplinary assessment.

13. DISCIPLINARY JURISDICTION AND COMMENCEMENT OF PROCEEDINGS

13.1. Disciplinary proceedings under this Policy may only be initiated by a duly authorised structure of the Party as defined in the Party Constitution.

13.2. No individual member, office bearer, or informal grouping shall possess unilateral authority to institute disciplinary action.

13.3. Proceedings may be initiated where there is reasonable suspicion, supported by prima facie evidence, that a member has engaged in factional conduct.

13.4. A formal disciplinary process commences upon the issuance of a **Notice of Allegations**, signed by the authorised disciplinary authority.

14. NOTICE OF ALLEGATIONS

14.1. The Notice of Allegations shall:

(a) Clearly set out the specific conduct complained of;
(b) Identify the relevant provisions of this Policy allegedly contravened;
(c) Provide sufficient detail to enable the member to understand and respond meaningfully;
(d) Specify the date, time, and place of the alleged conduct where reasonably possible

(e) Inform the member of their rights under this Policy.

14.2. The Notice shall afford the member a reasonable period, not less than **7 (seven) calendar days**, to prepare a written response, unless urgency dictates otherwise.

14.3. Failure to respond within the stipulated period may result in the matter proceeding in the member's absence, provided proper notice was given.

15. RIGHTS OF THE MEMBER (PROCEDURAL FAIRNESS GUARANTEES)

15.1. Every member subject to disciplinary proceedings shall have the following rights:

(a) The right to be informed of the allegations with sufficient particularity;
(b) The right to be heard before an impartial disciplinary structure;
(c) The right to representation by a fellow member or other permitted representative as determined by Party rules;
(d) The right to present evidence and call witnesses;
(e) The right to challenge evidence presented against them;
(f) The right to an interpreter where reasonably required;
(g) The right to receive a written outcome with reasons.

15.2. The disciplinary process shall be conducted in accordance with the principles of:

(a) **audi alteram partem** (right to be heard), and
(b) **nemo iudex in causa sua** (no bias in decision-making).

16. DISCIPLINARY HEARING PROCEDURE

16.1. A disciplinary hearing shall be convened by an authorised disciplinary panel constituted in accordance with the Party Constitution.

16.2. The panel shall:

(a) Ensure procedural fairness;
(b) Maintain neutrality and independence;

(c) Avoid prior involvement in the matter under consideration.

16.3. The hearing shall proceed in the following sequence:

(a) Opening of proceedings and confirmation of jurisdiction;
(b) Reading of charges;
(c) Plea (guilty or not guilty);
(d) Presentation of evidence by the Party;
(e) Cross-examination by the member or representative;
(f) Presentation of the member's defence;
(g) Closing submissions;
(h) Deliberation by the panel in private;
(i) Delivery of findings and sanction (if applicable).

17. EVIDENTIARY STANDARDS AND ADMISSIBILITY

17.1. The disciplinary panel shall apply the standard of proof of **balance of probabilities**.

17.2. Evidence shall be admissible if it is:

(a) Relevant to the allegations;
(b) Reliable in nature;
(c) Obtained in a manner consistent with fairness and internal rules.

17.3. The panel may consider:

(a) Documentary evidence;
(b) Electronic communications (verified authenticity required);
(c) Witness testimony;
(d) Recorded meetings or communications where lawfully obtained;
(e) Patterns of conduct over time.

17.4. Hearsay evidence may be admitted at the discretion of the panel, provided its probative value is assessed against its reliability.

18. FINDINGS

18.1. After considering all evidence, the panel shall determine:

(a) Whether the member is guilty or not guilty of each allegation;
(b) Whether the conduct constitutes factionalism as defined in this Policy;
(c) Whether mitigating or aggravating factors are present.

18.2. Findings must be:

(a) reasoned,
(b) recorded in writing, and
(c) communicated to the member without undue delay.

19. INTERIM SUSPENSION PENDING FINAL DETERMINATION

19.1. Where the alleged conduct poses a serious and immediate risk to organisational cohesion, the Party may impose an interim suspension.

19.2. Interim suspension:

(a) Does not constitute a finding of guilt;
(b) Is precautionary in nature;
(c) Must be reviewed periodically to ensure proportionality.

19.3. A suspended member may be restricted from:

- attending Party meetings,
- representing the Party publicly, and/or
- accessing Party communication platforms, where justified.

20. BURDEN AND STANDARD OF PROOF

20.1. The burden of proof rests on the Party at all times.

20.2. No adverse inference shall be drawn solely from a member's silence or failure to testify.

20.3. However, where credible evidence is presented and not rebutted, the panel may draw reasonable inferences consistent with the probabilities.

21. SANCTIONS FRAMEWORK

21.1. Sanctions imposed under this Policy shall be **proportionate, rational, and linked to the severity, intent, impact, and recurrence of the misconduct**.

21.2. In determining an appropriate sanction, the disciplinary panel shall consider:

(a) The nature and seriousness of the factional conduct;
(b) The degree of intent or recklessness;
(c) The actual or potential harm to organisational cohesion;
(d) Whether the conduct was isolated or part of a pattern;
(e) Any prior disciplinary record of the member;
(f) Whether the member showed remorse or attempted remediation.

21.3. CATEGORIES OF SANCTIONS

The following sanctions may be imposed, individually or in combination:

21.3.1. Verbal Warning\

(a) Applied for minor, first-time infractions;
(b) Serves as formal recorded notice of unacceptable conduct;
(c) Does not affect membership status.

21.3.2. Written Warning

(a) Formal written reprimand placed on record;
(b) May include behavioural directives or corrective conditions;
(c) Valid for a defined period as determined by the Party.

21.3.3. Mandatory Corrective Action

May include mediation, political education, reconciliation processes, or re-orientation within Party structures.

21.3.4. Suspension

(a) Temporary removal from participation in Party activities;
(b) May include restriction from meetings, voting, or representation;
(c) Duration must be specified and proportionate.

21.3.5. Removal from Office

(a) Applicable to office bearers found guilty of serious factional conduct;
(b) Does not automatically terminate membership unless separately ordered.

21.3.6. Demotion or Reassignment

Reduction in organisational responsibility or structural role.

21.3.7. Expulsion

(a) Permanent termination of Party membership;
(b) Reserved for the most serious or repeated factional misconduct where:
(i) organisational cohesion is materially undermined, or
(ii) continued membership is incompatible with Party integrity.

22. AGGRAVATING AND MITIGATING FACTORS

22.1. Aggravating factors include:

(a) Leadership position abused to advance factionalism;
(b) Repeated or sustained misconduct;
(c) Deliberate misinformation campaigns;
(d) Refusal to comply with prior warnings or directives;
(e) Public reputational harm to the Party.

22.2. Mitigating factors include:

(a) First-time offence;
(b) Genuine misunderstanding of constitutional provisions;
(c) Prompt corrective action or retraction;
(d) Cooperation with disciplinary process;
(e) Demonstrated commitment to reconciliation.

23. APPEAL PROCESS

23.1. Any member found guilty under this Policy shall have the right to appeal.

23.2. An appeal must be lodged within **14 (fourteen) calendar days** of receipt of the written decision.

23.3. Grounds of appeal may include:

(a) Procedural unfairness;
(b) Misapplication of this Policy;
(c) Insufficient or unreliable evidence;
(d) Disproportionality of sanction;
(e) New evidence that was not reasonably available at the time of hearing.

24. APPELLATE AUTHORITY

24.1. Appeals shall be heard by an **independent internal appeal body** established in terms of the Party Constitution.

24.2. The appeal body shall not:

(a) Re-hear the matter de novo unless necessary;
(b) Include members who participated in the original disciplinary decision.

24.3. The appeal body may:

(a) Uphold the decision;
(b) Set aside the decision;
(c) Substitute a different finding or sanction;
(d) Refer the matter back for rehearing with directives.

25. FINALITY OF INTERNAL REMEDIES

25.1. Exhaustion of internal appeal procedures shall be a **precondition for any external challenge** relating to disciplinary outcomes, except where prohibited by law.

25.2. The Party encourages internal resolution as the primary mechanism for dispute settlement to preserve organisational cohesion.

26. RECORD KEEPING AND CONFIDENTIALITY

26.1. All disciplinary proceedings shall be properly recorded and archived by the Party Secretariat or designated compliance office.

26.2. Records shall include:

(a) Notices of allegations;
(b) Evidence presented;
(c) Hearing transcripts or minutes;
(d) Written findings and sanctions;
(e) Appeal decisions.

26.3. Disciplinary matters shall be treated as confidential, except where disclosure is:

(a) Required by law;
(b) Necessary for enforcement of Party decisions;
(c) Authorised by the Party Constitution.

27. IMPLEMENTATION AND AUTHORITY

27.1. This Policy shall come into effect upon adoption by the competent governing structure of the Party.

27.2. The Secretary-General or delegated authority shall be responsible for implementation, administration, and procedural oversight.

27.3. All Party structures are bound to comply with this Policy and shall not adopt parallel or conflicting disciplinary mechanisms.

28. REVIEW AND AMENDMENT

28.1. This Policy shall be reviewed periodically to ensure alignment with:

(a) Party constitutional developments;
(b) organisational needs;
(c) applicable legal standards.

28.2. Amendments shall only be valid if adopted through the Party's constitutional decision-making process.

29. SAVINGS AND SEVERABILITY

29.1. If any provision of this Policy is found to be invalid, unlawful, or unenforceable, such provision shall be severed to the extent of its invalidity.

29.2. The remaining provisions shall remain in full force and effect.

30. CONCLUSION

30.1. This Policy is adopted to safeguard the unity, integrity, and institutional stability of the Party.

30.2. It shall be interpreted and applied in a manner that preserves democratic participation while preventing organisational fragmentation and governance breakdown.

SCHEDULE 1

OFFENCE GRADING MATRIX (FACTIONALISM AND RELATED CONDUCT)

1. PURPOSE OF THIS SCHEDULE

This Schedule provides a structured classification of misconduct to ensure:

(a) consistency in disciplinary outcomes,
(b) proportionality of sanctions, and
(c) objective assessment of severity.

2. GRADING OF OFFENCES

LEVEL 1: MINOR MISCONDUCT

Conduct that has limited or no immediate impact on organisational cohesion.

Includes:

(a) isolated inappropriate internal comments;
(b) unintentional misstatement of internal processes;
(c) minor procedural non-compliance without intent to undermine authority.

Typical Sanction:

(a) Verbal Warning
(b) Written Warning

LEVEL 2: MODERATE MISCONDUCT

Conduct that shows some disregard for internal authority or procedure but without sustained organisational harm.

Includes:

(a) repeated failure to comply with internal instructions;
(b) circulating unverified internal information within limited groups;
(c) participation in informal discussions that challenge authority without formal mobilisation.

Typical Sanction:

(a) Written Warning
(b) Mandatory Corrective Action
(c) Short Suspension

LEVEL 3: SERIOUS MISCONDUCT

Conduct that materially affects internal cohesion or creates parallel influence structures.

Includes:

(a) organising informal caucuses influencing Party decisions;
(b) public criticism that falsely represents Party positions;
(c) deliberate refusal to implement lawful Party resolutions;
(d) coordinated internal mobilisation against leadership.

Typical Sanction:

(a) Suspension
(b) Removal from office
(c) Extended corrective measures

LEVEL 4: GROSS MISCONDUCT (FRACTIONALISM)

Conduct that directly threatens organisational integrity or constitutes structured factionalism.
Includes:

(a) establishment of parallel leadership structures;
(b) systematic subversion of Party authority;

(c) sustained misinformation campaigns against Party leadership;

(d) misuse of Party resources for factional organisation;

(e) incitement of internal division or boycott of Party structures.

Typical Sanction:

(a) Expulsion

(b) Immediate suspension pending hearing

(c) Removal from all positions

SCHEDULE 2

DISCIPLINARY INVESTIGATION CHECKLIST

1. **PRELIMINARY PHASE**

Before instituting formal charges, the investigator must confirm:

- ☐ Allegation falls within scope of Policy
- ☐ Prima facie evidence exists
- ☐ Proper authority mandates investigation
- ☐ No conflict of interest exists

2. **EVIDENCE COLLECTION**

- ☐ Written complaints obtained
- ☐ Supporting documents secured
- ☐ Digital communications preserved (where applicable)
- ☐ Witnesses identified and statements recorded
- ☐ Chronology of events established

3. FAIRNESS SAFEGUARDS

- ☐ Alleged member identified correctly
- ☐ Presumption of innocence maintained
- ☐ No premature findings made
- ☐ Confidentiality maintained

4. CHARGE FORMULATION

- ☐ Charges clearly drafted
- ☐ Policy provisions cited accurately
- ☐ Dates and particulars specified
- ☐ Conduct linked to factual basis

5. REPORTING

- ☐ Investigation report completed
- ☐ Recommendation clearly stated
- ☐ Submitted to authorised disciplinary body

SCHEDULE 3

STANDARD DISCIPLINARY FORMS

FORM A: NOTICE OF ALLEGATIONS

To: [Member Name]
Membership No: [●]

You are hereby formally notified that allegations of misconduct have been made against you in terms of the AAAIC Factionalism and Organisational Cohesion Policy.

Particulars of Allegations:
[Insert detailed factual allegations]

Policy Contraventions:
[Insert clauses breached]

Response Required:
You are required to submit a written response within **7 (seven) calendar days** from receipt of this notice.

You are entitled to be represented and to present evidence in your defence.
Signed:

Authorised Disciplinary Officer

FORM B: INTERIM SUSPENSION NOTICE

To: [Member Name]

You are hereby placed under interim suspension pending the outcome of disciplinary proceedings.

Effect of Suspension:

- You may not represent the Party in any capacity
- You may not attend Party meetings or events
- You may not access internal Party platforms

Reason:

This measure is taken to protect organisational cohesion and ensure integrity of proceedings.
This suspension is **precautionary and not a finding of guilt**.
Signed:

FORM C: DISCIPLINARY OUTCOME NOTICE

To: [Member Name]

Following disciplinary proceedings held on [date], the Panel has determined as follows:

Findings:

- Count 1: [Guilty / Not Guilty]
- Count 2: [Guilty / Not Guilty]

Reasons:

[Brief structured reasons]

Sanction Imposed:

[Warning / Suspension / Expulsion / etc.]

Right to Appeal:

You have the right to appeal this decision within **14 days**.

Signed:

Chairperson of Disciplinary Panel

FORM D: APPEAL LODGEMENT NOTICE

To: Appeals Committee

I hereby lodge an appeal against the disciplinary decision dated [●].

Grounds of Appeal:

- Procedural unfairness
- Misapplication of Policy
- Insufficient evidence
- Disproportionality of sanction
- New evidence

Signed:

Appellant