‘The Tripartite Alliance and the Gendered Nature of the Transition to Democracy in South Africa’

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LIST OF ABREVIATIONS

ANC	African National Congress
ANCWL	African National Congress Women's League
ANCYL	African National Congress Youth League
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CSVR	Centre for the Study of Violence and Reconciliation
CGE	Commission for Gender Equality
CODESA	Convention for a Democratic South Africa
CONTRALESA	Congress of Traditional Leaders of South Africa
COSATU	Congress of South African Trade Unions
FEDTRAW	Federation of Transvaal Women
FSAW	Federation of South African Women
GEAR	Growth, Employment and Redistribution strategy
JMC	Joint Monitoring Committee on the Improvement of the Quality of Life and Status of Women
MK	Umkhonto we Sizwe
MPNP	Multi-Party Negotiating Process
NALEDI	National Labour and Economic Development Institute
NDR	National Democratic Revolution
NEC	National Executive Committee
NEDCOM	National Education Committee (COSATU)
NEHAWU	National Health and Allied Workers Union
NOW	Natal Organisation of Women
NUMSA	National Union of Metalworkers
NWSC	National Women's Subcommittee (COSATU)
OSW	Office on the Status of Women
SACP	South African Communist Party
SACCAWU	South African Commercial Catering and Allied Workers Union
SAHRC	South African Human Rights Commission
SAMWU	South African Municipal Workers Union
RDP	Reconstruction and Development Programme

UDF	United Democratic Front
UWCO	United Women's Congress
UWO	United Women's Organisation in the Western Cape
WNC	Women's National Coalition

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ABSTRACT

Title: 'The Tripartite Alliance and the Gendered Nature of the Transition to Democracy in South Africa'

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South Africa has been regarded internationally as a post-conflict state that made a significant commitment to gender equality during the democratic transition process, evidenced in formal legal instruments and consistently high levels of representation of women in parliament. Despite the progress made, the expected outcomes for women did not materialise in the newly democratised state under the executive leadership of the tripartite alliance partners; the African National Congress, South African Communist Party and Congress of South African Trade Unions. There are substantial disparities between the high-level reforms and the deeply embedded nature of gender inequality, particularly evident in the differentiated experiences of black South African women and current statistics on poverty and gender-based violence.

Existing literature has not adequately explained the disparity between the existence of significant gender reforms, women activists' awareness of the gender failures in other transitioned states and the poor outcomes for women in South Africa. This research identifies and analyses the perspectives on gender equality articulated by the elite political leaders in the tripartite alliance during the democratic transition. This study uses a feminist theoretical framework to undertake a qualitative analysis of political journals and magazines published by the alliance partners during the period 1990 to 1999, including *Mayibuye*, the *African Communist* and the *Shopsteward*. The research argues that the disparity between the high-level gender equality rhetoric and the lack of commitment in practice was a fundamental weakness in the democratic transition that can be attributed to the fact the elite political leadership were not interested in advancing gender equality, despite policy positions that suggested otherwise. The narratives in the alliance publications illustrate that attention to gender equality, as expressed by these leaders, incorporated international gender equality norms in a manner that appeared progressive, but was never intended to challenge the patriarchal status quo.

INTRODUCTION

In 1990, the South African apartheid government lifted the ban on the African National Congress (ANC) and the South African Communist Party (SACP) and released political leaders from prison. High profile leaders and activists in both parties also returned from exile to engage in the process of transition, developing public political campaigns to encourage civic mobilisation and dismantle apartheid. The ensuing decade saw the initiation and completion of a process of negotiations to achieve a political settlement, followed by the establishment of the post-apartheid democratic state. Within this transition process the ANC, SACP and the Congress of South African Trade Unions (COSATU) formed a strategic partnership known as the tripartite alliance, enabling the representation of all three organisations in the political negotiations, electoral processes and in government.[1] The political actors within the tripartite alliance had a significant mandate in terms of the role that each of the affiliate organisations held within the anti-apartheid movement. Throughout the 20th century, both the ANC and SACP were key political actors consistently mobilising in opposition to apartheid, internally within South Africa and in exile after they were banned in the 1960s. Both parties were also responsible for the formation of the armed military wing of the anti-apartheid movement, uMkhonto we Sizwe (MK). COSATU contributed substantial leadership within South Africa and internationally since its formation in 1985, building on the trade union tradition of both workplace and civil society campaigns against apartheid. The establishment of a strategic tripartite alliance was a logical step in ensuring a decisive majority in the formation of the democratic parliament and the construction of the post-apartheid state. Elite political actors have a seminal role in shaping transitioning states, accordingly this suggests that for gender scholars such actors also play a critical role in engendering democratisation and state reconstruction.

The timing of the South African transition coincided with a greater emphasis on gender equality objectives internationally which sought to bring women's voices and perspectives on gender equality into the mainstream of political decision-making at state level. The normative influence of international ideas of gender equality on women's leadership, representation, and on the macro policy framework are evident in the South African democratic transition (Gouws,

[1] While both the ANC and SACP were given seats in the negotiations, COSATU were not but leaders participated in the context of their affiliation with the ANC and SACP.

1996). The high-level gender equality reforms that were embedded in the new state at the time of transition were expected to address the endemic and extreme gender inequalities that were integral to the apartheid state. It was widely anticipated that the post-apartheid state would be progressive, leading to a fundamental transformation in South African women's status and position, and that women would participate as equal citizens in the new democracy.

Almost three decades later, the promise of a progressive and transformative outcome for South African women is a distant memory. Despite the introduction of progressive legislative and policy commitments to gender equality during the democratic transition, significant and intractable gender inequalities persist in post-apartheid South Africa, particularly pronounced for the majority female population, which are black South African women. The contemporary picture of women's position in South Africa is stark, owing to the substantive and deep-rooted social, economic, political and cultural gender inequalities that prevail. The extent of gender inequality in the post-apartheid state is evident in extremely high levels of gender based violence; the feminisation of unemployment, precarious working conditions and poverty; lack of access to reproductive health care and pregnancy termination services; the prevalence of HIV and AIDS amongst women and the lack of capacity and access to legal redress on issues which impact on women. The gains that have been made in relation to women's formal political representation are considered to have been undermined after the settlement by the complexities of political party loyalty, the masculinist patriarchal culture in parliament and the marginalisation of political feminists in the new state (Britton, 2002b; Mtintso, 2003; Goetz and Hassim, 2003; Hassim, 2003c, 2006, 2014b; Fester, 2014). Notwithstanding the explanations suggested in the academic literature, the extent of the failure of the new state to achieve the anticipated outcomes for women in South Africa is particularly puzzling given the characteristics of the transition, including the progressive elements in the tripartite alliance and the prominence of politically active women. These features of the anti-apartheid movement led to the belief that progressive gender equality outcomes were not only possible, they were widely expected to be realised.

In the extensive body of research on the issue of gender equality in South Africa, it is discernible there are two primary areas of emphasis in the gender literature pertaining to post-apartheid South Africa. Firstly, there is the literature that positively acclaims the key achievements for women during the transition and the conditions which enabled the adoption

of these policies (Albertyn, 1994, 1996; Meintjes, 1996; Seidman, 1999; Cock and Bernstein, 2001; Britton, 2002a; Jagwanth and Murray, 2002; Naraghi-Anderlini 2004; Liebenberg, 2005; Gouws, 2006; Hassim, 2002; 2003; Waylen, 2007; Bazilli, 2010; Walsh, 2012; Wittmann, 2012; Selebogo et al., 2013). Secondly, there is the analysis of the subsequent failures which seeks to explain why the anticipated gains were not achieved (Geisler, 2004; McEwan, 2005; Britton, 2006; Walsh, 2009; Britton and Fish, 2009; Bazilli, 2010; Meintjes, 2011; Meyiwa, 2011; Beall, Hassim and Toades, 2011; Hassim, 2005b, 2014b, 2016; Gouws and Hassim, 2014; Gregg, 2014; Fester, 2014; Gouws, 2016). The factors and characteristics which supported the specific gender equality gains have been attributed to a highly mobilised constituency of women, who successfully embedded a gender perspective in the political settlement, the constitutional negotiations, and the legislative and policy frameworks (Albertyn, 1994; Meintjes, 1996; Gouws, 1998, 2006; Hassim and Gouws, 1998; Seidman, 1999; Cock and Bernstein, 2001; Britton, 2002a, Naraghi-Anderlini, 2004; Waylen, 2004; Geisler, 2004; Britton, 2009; Bazilli, 2010).

The literature gives the ANC a key role in the achievements of the transition, including the adoption of pro-women policies (Albertyn, 1994; Hassim, 2003a; 2006; Gouws and Hassim, 2003; Waylen, 1994, 2007, 2014; Hassim, 2000; Giesler, 2004). During the early stages of the transition period, the ANC are noted to have moved from a position that gender demands were distracting from the national struggle to a perspective which argued that women's emancipation was integral to the dismantling of apartheid and the establishment of a democratic South Africa (Ginwala in Beall, 1990; Hassim and Gouws, 1998; Goetz, 1998; Baden, Hassim and Meintjes, 1998; Meintjes, 1998; Seidman, 1999; Meer, 2000; Britton, 2005; Hassim, 2004, 2006; Cock and Bernstein, 2001; Waylen, 2007; De Nobrega, 2014). However, it is argued that the ANC did not sustain a progressive viewpoint on gender equality in the aftermath of the transition and that this marginalisation of women's interests and active feminists resulted in the failure to achieve more gender equal outcomes (Britton and Fish, 2009; Hassim, 2003c, 2014a, 2014b; Meintjes, 2011; Fester, 2014; Makhunga, 2014,). There is a general tendency in the literature to place these failures in the latter stages and aftermath of the transition period, as this is where the failure to mobilise women occurred and where feminist perspectives were weakened (Beall, Hassim and Toades, 2011; Hassim, 2001, 2005a, 2005b, 2009b, 2014b, 2016; Britton, 2006; Gregg, 2014)). It is argued that a more regressive and conservative position on gender equality became dominant among political leaders as the transition evolved and the democratic state

became established (Walsh, 2006, 2009; Andrews, 2007; Hassim, 2016; Gouws, 2016, 2019; Suttner, 2021). This is explained by the deeply ingrained patriarchal culture, unequal gender relations and power dynamics that proved to be resilient (Meyiwa, 2011; Fester, 2014; Gregg, 2014; Gouws, 2016).

The critical literature has placed the failure of the new state to achieve a higher degree of gender equality in the post-transition period. During the democratic transition, the ANC was internationally acclaimed as a progressive and inclusive movement, one that had adopted gender equality policies (Waylen, 1994; Seidman, 1999; Giesler, 2000). In contrast, there has been very little focus in the literature on the position on gender equality espoused by the SACP and COSATU in the context of the tripartite alliance. This thesis aims to add to this literature by questioning the view that the failure to promote gender equality came after the successful foundation of the state. It asks if the reasons for later gender policy failures of the tripartite alliance were already embedded in those organisations, prior to, and during the transition. If this is the case then the failure of the new state to promote women can be seen as a continuation of the policy priorities and political ethos of the ANC, SACP and COSATU. It asks did the ANC leadership internalise the progressive positions that they had publicly adopted in favour of women's emancipation? How did the perspectives of SACP and COSATU help to shape the alliance's position on gender equality? The SACP and COSATU were considered subservient to the ANC on strategic priorities and policy (Adam, 1997; Maree, 1998; Meer, 2000; Hassim, 2002, Lodge, 2003; Friedman, 2011). Although the economic characteristics of the relationship between the three organisations in the tripartite alliance has been analysed, there has been no consideration of the relationship between the ANC, COSATU and the SACP on issues of gender policy. Did they have different perspectives? The thesis asks what were the perspectives on gender equality held by political and union elites in the ANC, SACP and COSATU, that would influence internal debates and decision making? These questions are examined through a close examination of the views on gender equality evident in the perspectives of elite political actors in the ANC, SACP and COSATU through analysis of political party journals and the trade union congress magazine.

The research focuses on the period of the transition to democracy in South Africa, spanning the unbanning of key political entities in 1990 to the end of the first term of electoral office of the tripartite alliance in the new South African state in 1999. The primary data sources for the

interrogation of elite perspectives are the ANC's *Mayibuye* journal, the SACP's *The African Communist* journal and COSATU's *Shopsteward* magazine. During the period of transition, from 1990 to 1999, the ANC's *Mayibuye*, SACP's *African Communist* and COSATU's *Shopsteward* played a seminal role in articulating organisational positions and priority objectives for the each of the alliance partners. These journals and magazines provided a mechanism for the dissemination of social, political and economic perspectives, policies, strategies and ideological concerns. The articles in these magazines and journals are an evidence base that has preserved the documented ideas on gender equality and women's issues that the ANC, COSATU and the SACP held at the time of transition.

This thesis aims to address the ambiguity and lack of attention to political elites in existing research on the failures to achieve gender equality outcomes in South Africa through interrogating the views on gender articulated by elite actors. The study draws on the salient points in international empirical studies to support this analysis alongside the specific literature that has provided some explanation for the gender equality failures in South Africa. Recognising that an emphasis on gender equality does not arise solely in the moment of transition, the research also examines the contested nature of the commitment to gender equality in the anti-apartheid movement with particular attention to the perspectives articulated by the ANC, COSATU and the SACP, during apartheid and in the construction of the democratic state. The conflict between the 'national question' and women's agency regarding the objective of engendering the anti-apartheid struggle is also considered, given that this is relevant to the longer-term trajectory of inserting gender demands in the construction of the post-apartheid state. In addition, this study illustrates the vital role of elite political actors in determining gender outcomes in transitioned states. The case of South Africa is important for international scholarship and gender awareness with regard to future transitioning states in that it contributes specific insights pertaining to the use of the international policy reform discourse in legitimating new regimes while also maintaining the status quo. By extension, the complex nature of feminist struggles in democratising states is acutely evident in this study. While transitions may create opportunities conducive for elite women's agency and to a lesser extent, women at the grassroots, this comes with the caveat that compliance and compromise in terms of reinforcing gender relations are an integral part of the bargain.

Thesis Outline

Chapter one analyses the literature on gender, democratic transitions and post-conflict state reconstruction given the perspective that democratisation and statebuilding can potentially offer unique opportunities for women. The chapter also analyses the literature that addresses the persistence of gender inequality in transitioned states internationally. As the transition to democracy in South Africa was an elite led process, the chapter examines how the literature discusses the role of elites in democratisation processes. This is followed by a consideration of the South African democratic transition and the expected gains for women as a result of the high-level reforms during the transition period. It details the explanations offered in the literature for the intractability of gender inequality in post-apartheid South Africa. It identifies a gap in the literature on the gender equality perspectives of elite actors in the tripartite alliance during the transition period.

Chapter two constructs an analytical narrative on the contested nature of gender equality in the anti-apartheid movement, particularly emphasising the organisations of the tripartite alliance. The gendered aspects of the political settlement negotiations and the construction of the post-apartheid state are also analysed. The purpose of the chapter is to analyse the dynamics of gender relations in the anti-apartheid movement, including the demands of organised women and the view of the leadership of the organisations of the tripartite alliance. In doing this it further develops the research question in relation to the analysis of these events. It also provides the context for the detailed analysis of the content of the publications in the three empirical chapters.

Chapter three documents the position of women in the South African post-apartheid state. The primary objective is to provide an overview and analysis of the progress and significant limitations for women in contemporary South Africa. This chapter considers aspects of the economic, political, social and cultural context, drawing attention to the specific indicators that illustrate the persistence of gender inequalities. This chapter presents existing data and research on women's position disaggregated in relation to ethnic status where available.

Chapter four discusses the research question and methodological approach that informs this thesis. The chapter outlines the methods employed and rationale for using documents as the primary source material for this study with further consideration of the journals and magazines of the tripartite alliance organisations. This chapter explains the process of document

examination, coding and analysis to investigate the embedded ideas on gender equality evident in the views of elite actors in the alliance. The researcher's positionality and experience of living in South Africa is examined. The application of a feminist analytical framework is also discussed in this chapter. The methods chapter is followed by three empirical chapters dealing with each member of the tripartite alliance in turn.

Chapter five identifies and analyses the narrative on women and gender equality in the articles and discussion papers published in the South African Communist Party journal, *The African Communist* in the 1990s. As one of the three organisations forming the tripartite alliance, the SACP was also in a position of power and influence throughout the democratic transition, albeit to a significantly lesser extent than the majority party, the ANC. The attention to gender in the SACP journal was the most limited of the three organisations in terms of the frequency and substance of the references to women and gender equality. In the early 1990s, the gender equality narrative that was constructed in the *African Communist* was conceptually rigorous and moved beyond the limitations of a liberal rights-based focus and located women's inequality in a historical, ideological and material framework. However, this is not a dominant perspective in the journal and the main SACP narrative locates women's emancipation in the overall objectives of the national democratic revolution, adopting both implicit and explicit assumptions that women's oppression will logically be attained in the context of the socialist transformation project. As a result, the SACP, during the period of transition, does not have a clear or consistent focus on the strategy to achieve gender equality, nor does it see this as an issue of importance.

Chapter six analyses the ideas on women's issues and gender equality in the Congress of South African Trade Unions' *Shopsteward* magazine during the period of democratic transition in South Africa. While not having the level of political power that the ANC held, nonetheless the union federation was in a unique position of influence during the process of democratisation through their engagement in the tripartite alliance. The *Shopsteward* was a subscription-based publication that was disseminated to the union affiliates, and branches within these different national unions. This chapter demonstrates that COSATU's priority area of emphasis reflected in the *Shopsteward* in the 1990s, relates to the economy and worker's rights, as might be expected for a trade union federation. Despite the fact that there were active women members promoting gender equality and engaging in considerable debate on gender demands, in practice gender equality was not a key issue for COSATU. This is evident by the lack of commitment

shown by the leadership to support women in leadership positions in the organisation. During the transition period, COSATU's focus was on the needs of the majority male membership.

Chapter seven analyses the narrative on women and gender equality in the articles published in the African National Congress *Mayibuye* journal at the time of the democratic transition. As the de-facto leader of the tripartite alliance in government, the ANC wielded considerable power and influence throughout the democratic transition. Existing research on the ANC is ambiguous in relation to the leadership's support for gender equality with some perspectives suggesting that there was substantial engagement with women's emancipation and others arguing that this was not the case or that this progressive stance changed as the new state evolved. This chapter identifies that while there is a significant volume of references to women and gender equality in the journal articles, there is only a small pool of writers who discuss gender with any substance. It was not a core issue for the organisation as a whole, apart from the need to promote a progressive image internationally. As the chapter demonstrates, the normative influence of international gender equality strategies and approaches in the context of state-led feminism, quotas and gender machineries did influence the high-level policy reforms promoted by the ANC. The lack of commitment to gender equality during the transition foreshadows the negative outcomes for women in the new state.

Chapter eight draws together the concluding analysis based on the empirical data and discusses how the findings of this research relate to existing literature on gender and democratic transition in South Africa and the wider international context.

CHAPTER 1: GENDER EQUALITY, DEMOCRATIC TRANSITIONS AND POST-CONFLICT RECONSTRUCTION

Since the transition to democracy in South Africa, gender scholars have analysed both the successes and failures of the gender equality outcomes. In the early stages of the South African transition, it was anticipated that the process of state building would continue to ensure that gender equality was a central concern in the post-apartheid state. The political regime appeared to be pursuing a commitment to gender equality that would position South Africa as a model for embedding gender equality at the heart of the democratic process. However, the failure to achieve the expected outcomes for women and the severely disadvantaged position of women in the new state led to a focus on examining why these progressive changes for women were not accomplished. To analyse this failure the chapter discusses the way in which the literature has dealt with the gendered aspects of democratic transitions and post-conflict reconstruction and how this literature can be applied to the case of South Africa. It also discusses how the literature on the South African transition to democracy has explained the failure of the new state to follow through on the high-level gender reforms that were part of the settlement to create a more gender equal society.

Embedding gender equality in democratic transitions and post-conflict states

Scholarship on processes of democratisation has identified a multiplicity of factors that have relevance for the study of democratic transitions including the socioeconomic and political context and the specificity of the historical and political legacy (Schumpeter, 1943; Lipset, 1959; Almond and Verba, 1963; Higley and Burton, 1989; Haggard and Kaufman, 1995). Research on important characteristics during the third wave of democratisation particularly notes the significance of the regime type and transition pathway (Schmitter, 1995; Schedler, 1998a, 1998b; Merkel 1998; Hartlyn, 1999; Levitsky and Murillo, 2009; Earnest, 2015; Adedokun, 2017; Wallensteen, 2018). Furthermore, the significance of political culture, the role and influence of formal political institutions and political parties, and the role of political actors at the both the elite and grassroots level has been a factor in analysis of transitions and post-conflict statebuilding (Rustow, 1970; O'Donnell, Schmitter, and Whitehead, 1986; Etzioni-Halvey, 1997; Lederach, 1997).

The range of characteristics that are considered to shape democratic transitions have primarily been analysed from a standpoint that locates processes of democracy as a normatively masculine development without consideration of the specific and differentiated implications of democratic transitions from a gender perspective (Waylen, 1994; 2007a; Handrahan, 2004; Shepherd, 2008; Sjoberg, 2010; Gouws, 2012a). Despite the omission of a gender focus in the majority of the literature on democratisation, the identified characteristics of democratising states have significant implications for women and are increasingly being examined by gender informed research (Waylen, 2007a; Ní Aoláin et al., 2018; O'Driscoll, 2018). The application of a critical feminist lens analysing the gendered nature of democratic transitions has begun to interrogate the unequivocal gender blind masculinist assumptions that dominate international relations scholarship on democratisation (Caprioli, 2000; Molyneux, 1986; Alvarez, 1990; Phillips, 1991; Meintjes, Pillay and Turshen, 2001; Waylen, 1994, 2003, 2007a, 2007b, 2008; Viterna and Fallon, 2008; Walsh, 2012). In addition, a discrete but distinctive body of work has begun to examine the gendered nature of post-conflict reconstruction and statebuilding (Enloe, 1993, Sørensen, 1998; Meintjes et al., 2001; Barakat and Wardell, 2002; Cockburn and Zarkov, 2002; Hunt, 2003; Zuckerman and Greenberg, 2004; Handrahan, 2004; Bouta, Ferks and Bannon, 2005, Cahn, 2006; Naraghi-Anderlini, 2007; Pankhurst, 2007, 2008; Ní Aoláin, 2009; Ní Aoláin, Cahn, and Haynes, 2011; Castillejo, 2011; El-Bushra, 2012; Tripp, 2012; Domingo et al., 2013; Kaptan, 2020).

Despite remaining on the periphery of international scholarship on democratisation, research on gender, democratic transitions and post-conflict reconstruction has sought to determine the factors and conditions that are most likely to lead to progressive gendered outcomes. Empirical evidence illustrates that gender equality gains in states that have undergone democratic transitions and/or post-conflict reconstruction processes are uneven and are similarly subject to the influence of a complex range of internal and external factors and conditions that have been identified in the wider body of research that doesn't include a gender perspective (Phillips, 1991; Waylen, 1994, 2003, 2007a, 2007b, 2014; Meintjes, Pillay and Turshen, 2001; Tripp, 2003; Naraghi-Anderlini and El-Bushra, 2004; Pankhurst, 2007, 2008; Viterna and Fallon, 2008; Ní Aoláin et al., 2018; Kezie-Nwoha and Emelonye, 2020; True, 2020). A notable discernment in the analysis of democratic transitions and post-conflict state reconstruction is the opportunity for transforming the position and status of women; a concept that the gender focused research is acutely attentive to. Democratic transitions and state reconstruction can impact on the social construction of gender defined roles, creating possibilities and capacity

for women's agency, leadership and engagement in previously male dominated public and private spheres potentially impacting on the construction of gender identity in the post-conflict state and society (Pankhurst, 2008). Arguably, both democratic transitions and state reconstruction processes provide distinctive opportunities for the engagement of women who in many cases have already been politicised in the demand for regime change, increasing political participation; engendering new institutions and policies; and the possibility of transforming gender relations, improved economic and social status (Sørensen, 1998; Waylen, 2003, 2007a; Viterna and Fallon, 2008; Sow, 2012; Tripp, 2012; Fallon, Swiss and Viterna, 2012; Domingo and Holmes, 2013; Bell, 2013; Domingo et al., 2013; Bhattacharya and Burns, 2019; O'Driscoll, 2018; True, 2020).

The progression of gender equality outcomes is contingent on a complex interplay between a range of factors and conditions, internal and external to the state undergoing democratisation. However, a substantial emphasis in the existing scholarship on gender, democratisation and statebuilding concentrates on the importance of mass mobilisation, women's movements and civil society actors, underpinned by the perspective that the process of embedding feminist concerns in the state is reliant on women's agency (Molyneux, 1986; Patemen, 1990; Alvarez, 1990; McBride Stetson and Mazur, 1995; Waylen, 1994, 2000; 2007a, 2007b; Friedman, 2000; Okeke-Ihejirika and Franceschet, 2002; Baldez, 2003; Cornwall and Goetz, 2005; Hassim, 2006; Cahn, 2006; Ní Aoláin, 2010; Domingo and Holmes, 2013; True, 2020). As might be expected, the specific nature of gender analysis also draws on feminist ideological insights into issues such as power dynamics, gender relations, social and cultural patriarchal norms, and the distinction between public and private spheres (Pateman, 1970; Phillips, 1991; Waylen, 1994, 2003, 2007b, 2012; Rai and Lievesley, 1996; Hassim, 1999, 2001, 2004, 2005a, 2006, 2009b; Meintjes, Pillay and Turshen, 2001; Tripp, 2003; Meintjes, 2011). Accordingly, while studies have examined the complex variables noted in the wider body of work on democratisation, this scholarship is particularly characterised by feminist ontological standpoint and a defining feature is the prominent focus on women's agency. However, there are also some counter perspectives which suggest that even when women have been active in transition processes there is no guarantee that this will support progressive gender equality outcomes (Viterna and Fallon, 2008; Agapiou-Josephides and Benoît-Rohmer, 2012; Ní Aoláin et al., 2018). Therefore, despite the recognition and acceptance of the importance of women's mobilisation and a transition path that facilities women's participation, there are also limitations which suggest that there are other substantial factors which hold the potential to enable or reverse

gender equality objectives which are of particular relevance to this study such as the political context, international influence and the role of elites.

The nature of the political context, political parties, representation, legislative and institutional transformation that is prevalent in the wider democratisation scholarship is recognised as significant from a gender perspective (Mama, 1996, 2000; Aubrey, 2001; Viterna and Fallon, 2008). Progressive policy environments and institutional interventions have also been cited as relevant to advancing gender equality objectives (Domingo et al. 2013:8). Gender analysis of the characteristics of the political sphere in processes of statebuilding has highlighted factors such as the actions and ideologies of political parties, including the presence of feminist activists in political parties and international influence as indicative factors in progressing gender equality (Waylen, 2003, 2007a; Viterna and Fallon, 2008). Based on empirical studies, these insights illustrate that political parties are inextricably linked to the process of embedding gender equality outcomes for women in the context of democratisation (Greenberg and Zuckerman, 2009; Ní Aoláin et al., 2018). This includes opportunities where women may be able to leverage power in exchange for supporting political elites (Kindervater and Meintjes, 2018). Although this is a secondary emphasis in the literature on gender and democratisation, these insights illustrate that it is essential to consider how political elites can specifically determine the ideological basis which shapes the strategic, legislative and policy context. Waylen's study on engendering democracy outlines that the role of 'elite and mass actors, political parties and party systems and the impact of institutional choice' as well as 'economic and external factors' are central to the study of gender and politics (2007a:36). Consequently, it is apparent even within these studies, that gendered analysis of democratic transitions and post-conflict state reconstruction has to pay particular attention to considering who has the power to influence the transition outcomes for women and that political parties and particularly party elites will be a key site of influence. Elite actors have a unique position in processes of democratisation, which may enhance or limit gender equality outcomes.

Elite actors, power dynamics and the process of embedding gender equality in democratic transitions

Consideration of the role of elite actors has been an integral aspect of the broad field of research on the paradigm of democratisation and statebuilding (O'Donnell, Schmitter and Whitehead, 1986; Higley, and Burton, 1989; Etzioni-Halvey, 1997; Pevehouse, 2002; Schmitter, 2018). Scholars have drawn attention to the position of political elites in times of transition where

there is a potentially higher level of power and autonomy in decision-making, in spite of the existence of internal divergences in terms of priorities and ideological preferences (Schmitter, 2018). Analysis of the role of elite actors has also noted that international and regional norms, relations and dynamics impact strongly on elite priorities and decision-making (O'Donnell and Schmitter, 1986; Pevehouse, 2002, Schmitter, 2018). It is proposed that as new regimes are established, they give rise to new political elites and that 'once established, each national elite type strongly tends to persist' making that argument that it is therefore important to consider the 'gender dimension at this early stage in the setting up of the new regime and formation of the elite' (Agapiou-Josephides and Benoît-Rohmer, 2012:8). This is critical in the context of understanding who has the power to determine the gender issues and perspectives that are integrated or excluded in transitioning states. A minority of feminist empirical studies have analysed the relationship between elite actors and gender equality in democratic transitions and post-conflict state reconstruction (Alvarez, 1990; Waylen, 1993, 2007a; Hassim, 2005b; Ní Aoláin, Haynes and Cahn, 2011; Tripp, 2012; Grimm and Weiffen, 2018; True, 2020). Although this is not a dominant emphasis, it is apparent that the gender equality agency and position of elite actors is an important factor in increasing knowledge of the process of engendering democratisation. The discussion now turns to consider the specific gender analysis regarding the position and agency of elite actors in transitioning states.

Gender sensitive analysis has drawn attention to both the progressive and limited consequences of the engagement of elite actors in terms of decision-making on gender equality matters (Agapiou-Josephides and Benoît-Rohmer, 2012; Ní Aoláin et al., 2018). Elite actors tend to be primarily comprised of male representatives of the various political entities and military organisations involved in the negotiation of political settlements and formal transition politics. Accordingly, these elite actors have the capacity to incorporate either progressive or regressive gender ideas into the political settlement and related constitutional, legislative, and institutional changes inclusive of social and economic priorities. For example, the literature suggests that in some cases, male elites have played a role in enhancing women's political participation in democratic transitions and post-conflict reconstruction through initiatives such as the introduction of meaningful quotas which create a critical mass of women in parliament (Krook, Lovenduski and Squires, 2009; Ní Aoláin, Haynes and Cahn, 2011). However, in the overall balance, attention to male elite engagement with women's equality in gender literature is secondary to analysis of women's participation at the level of elite political leadership. Given that the most powerful actors in newly established regimes tend to be predominantly male

elites, it is imperative that there is a more concentrated analysis of the role that they occupy in relation to gender outcomes in transitioning states.

Gender scholars and international agencies have strongly argued that women's inclusion in transitional negotiations is inextricably linked to gender equality outcomes in post-conflict states as transition processes determine the dominant political, economic and social order (Waylen, 2007a; Domingo et al., 2013; Kaptan, 2020; True, 2020). However, analysis of women's engagement in elite processes of negotiation and parliamentary politics has also identified unanticipated outcomes, which affect the potential achievement of gender equality objectives (Jaquette, 2014; Ní Aoláin et al., 2018). Specifically, the absorption of some women into the elite leadership has the effect of a loss of a drain of women leaders at civil society, a weakened non-governmental and social activist infrastructure, creating an elite gap, whereby women that move into a hierarchical political establishment during periods of regime transition become alienated from the concerns of women at grassroots level (Alvarez, 1990; Agapiou-Josephides and Benoît-Rohmer, 2012; Jaquette, 2014; Kaptan, 2020). In these circumstances, a small group of women may constitute a relatively powerful female elite who find it difficult to navigate allegiance to different constituency groups, including the predominantly male political leadership who tend to have a dominant role in ensuring party coherence (Alvarez, 1990; Jaquette, 2014). Although democratisation processes can provide an opportunity to progress gender equality it is also recognised that in many cases of state building, women's position and status is further disadvantaged through the adoption of conservative and reactionary legislation, policy and practices which effectively constitute a backlash against gender equality (Pankhurst, 2008; True, 2020).

While it is generally accepted that the integration of women at the elite level is essential for securing gender equality outcomes, given women's internal and external alliances, and capacity to place gender issues on the agenda, it is increasingly evident that women's inclusion is not enough to sustain gender equality in the post-transition context (Molyneux, 1986; Fisher, 1993; Rai and Lievesley, 1996; Geisler, 1995, 2004; Jaquette and Wolchik, 1998; Luciak, 2001; Tripp 2003, 2005; Tripp et al. 2011; Agapiou-Josephides and Benoît-Rohmer, 2012; Kaptan, 2020; True, 2020). Studies also indicate the progression of gender equality is not achievable solely through engaging women in a state-led feminist approach as there are multiple factors that can either enable or limit gender outcomes and again the role of elites cannot be ignored in explaining the persistence of gender inequality. Gender analysis exposes underlying power

dynamics in statebuilding and particularly renders visible the impact of 'tacit power' among elites on women (True, 2020:7).

Political patronage is complex and it is recognised that political elites may project an image of supporting gender equality which may be intentionally rhetorical or alternatively may be explicitly dismissive of gender equality objectives. As Ní Aoláin, Haynes and Cahn propose the 'complexity of male roles and positions in the post-conflict environment is critical to fully mediating and addressing the needs and experiences of women' (2011:50). Moreover, 'male political elites may create spaces for women's inclusion when reliant on this constituency for votes' (Kindervater and Meintjes, 2018:469). However, a striking observation in the literature is that even when women are formally engaged in transition processes, male dominance over power relations and normative masculinist behaviours can reinforce gender inequalities in the public/private spheres and can limit the achievement of substantive gender equality outcomes for women (Pankhurst, 2008; Ní Aoláin, Haynes and Cahn, 2011; Domingo et al., 2013; Kaptan, 2020; True, 2020). Consequently, it is argued that male elites may reproduce social relations and hierarchies of power dominated by patriarchal gendered assumptions and can adopt conservative international gender norms in place of more progressive ideas on gender (Ní Aoláin, Haynes and Cahn, 2011). As a result, there is a widespread occurrence of the reinforcement of patriarchal relations in the process of statebuilding (Meintjes, Pillay and Turshen, 2001; Cockburn and Žarkov, 2002; Handrahan, 2004). The patriarchal nature of international leadership is also problematic in the application of progressive approaches to gender equality given the predominance of male elite leaders and their tendency to neglect or dismiss gender issues, reinforcing state level patriarchal attitudes (Handrahan, 2004, True, 2020:25). Consequently, these considerations illustrate that the interrogation of outcomes for women in transitioning states has to include an examination of the gender equality perspectives and contribution of elite leaders given their role in constructing the new state. This is particularly the case for understanding the dynamics of gender and power in relation to the position held by male elites and the increasing evidence that despite the unique opportunities presented in transitions, gender inequalities are pervasive in post-transition reconstructed states.

Persistent gender inequalities in post-transition states

Gender analysis of democratic transitions and post-conflict state reconstruction discussed above demonstrates that despite women's engagement and an enabling international policy

framework, in many cases there has been a failure to transform women's position and to achieve anticipated outcomes. Studies indicate that there is disappointment and disillusionment owing to the persistence of substantial and seemingly intractable gender equality challenges which seriously affect the position of women socially, economically, politically and culturally (Razavi, 2001; Waylen, 2003, 2007a; Manchanda, 2005; Campbell, 2005; Ní Aoláin, Haynes and Cahn, 2011; Sow, 2012; Tripp, 2012; Fallon, Swiss and Viterna, 2012; Gregg, 2014; Jaquette, 2014; Williams, 2019; Kaplan, 2020; True, 2020). It is argued that gender hierarchies are particularly resilient, and that patriarchal social norms may be strengthened in the post-transition context meaning that the transformation of power relations in the public and private sphere is difficult to achieve (Domingo et al. 2013). Although not present in all transitioned states, the type of pervasive gender inequalities which prevail in post-transition states includes serious challenges such as incessantly high levels of gender-based violence; feminisation of poverty; women's limited access to decision-making in the political and economic spheres; health and educational inequities. Explanations for the persistence of gender inequality in post-transition states illustrate that progress may be asymmetrical and can have a disproportionate impact on women when factors concerning the intersection of other aspects of their identity such as class and ethnicity are considered (Meer, 2000; Meintjes, Pillay and Turshen, 2001; Okeke-Ihejirika and Franceschet, 2002). Sexual and gender-based violence remains a dominant problem in advancing gender equality in states transitioning to democracy (Meintjes, Pillay and Turshen, 2001; Manchanda, 2005; Pankhurst, 2007, 2008; McWilliams and Ní Aoláin, 2013; True, 2020). Yet it is also evident that these persistent inequalities are not always an indication of a conservative and regressive political regime, there are instances where intractable gender inequalities co-exist alongside progressive gender legislation and increases in women's political representation.

The academic literature suggests a range of explanatory factors for the gap between the progressive gender elements of newly constructed states and the persistent inequalities for women. Specific attention has also been given to the fragmentation of women's civil society organisations, weakened women's movements and dilution of feminist agendas (Jaquette and Wolchik, 1998; Waylen, 1994, 2007a; Viterna and Fallon, 2008; Fallon, Swiss and Viterna, 2012). Gender research has also emphasised the limitations in international norm diffusion and the manner in which such norms are applied and integrated in transitioning states (Kandiyoti, 2007; Ní Aoláin, Haynes and Cahn, 2011; Krook and True, 2012; Gregg, 2014). This analysis also refers to implementation failures and a lack of resources for achieving gender reforms

(Greenberg and Zuckerman, 2009; Kindervater and Meintjes, 2018). Tripp's (2012) empirical examination of post-conflict states cautions that improvements in gender equality are more evident in the short to medium term, suggesting that even when there is apparent progress during the transition period there are subsequent barriers that limit the capacity to advance gender equality in post-conflict states. Scholars have also examined the persistent limitations using feminist critiques of gender relations which illuminate the problematic nature and intransigence of deeply embedded patriarchal norms in both the public and private sphere (Rai, 2000; Okeke-Ihejirika and Franceschet, 2002; Waylen 2004, 2012; Domingo and Holmes, 2008; Agapiou-Josephides and Benoît-Rohmer, 2012). Case studies illustrate that in some states there is a tendency to reinforce or even reinstate customary laws and traditions that have a detrimental impact on women (Ndashe, 2006; Kandiyoti, 2009). Issues such as the gendered nature of the political settlement and public decision-making have also been noted as having an impact on the nature and achievement of gender equality objectives (Castillejo, 2011; Ní Aoláin, Haynes and Cahn, 2011; True, 2020). While this is not an exhaustive overview of the increasingly expansive empirical case study research on the persistence of gender inequalities in transitioned and reconstructed states, it illustrates that there are multiple and complex factors which can impede progressive outcomes for women.

Both the normative impact and inherent limitations of feminist state-led approaches have been scrutinised in gender examinations of democratic transitions and post-conflict statebuilding. While the features of state feminism such as legislative and policy reform, electoral quotas and national gender machineries are recognised as necessary and important, it is argued that they are insufficient to address deeply ingrained gender inequalities in the reconstructed state (Mama, 1996; Waylen, 2006; Castillejo, 2011; Fallon, Swiss and Viterna, 2012; Ní Aoláin, Haynes and Cahn, 2011; Walsh, 2013; Ní Aoláin et al., 2018; True, 2020). Incorporating a focus on gender issues and integrating gender equality norms can be used as an indicator of transformation which may not be sustained when the transition commences. Research by Ní Aoláin et al. suggests that even in transitional states where gender dimensions have been significantly addressed in legal reforms, such as South Africa, Northern Ireland and Afghanistan, there is still a gap between the 'powerful equality-driven rhetoric of transitional constitutions and their subsequent interpretation and enforcement' (2011:203). While it is recognised that electoral quotas can support substantial increases in women's political representation, it is also argued that female politicians 'remain hostage to masculinist political patronage systems and elite politics' (Kindervater and Meintjes, 2018:472). Therefore, the

characteristics and dynamics of the transition may give the appearance of a progressive stance on gender equality that is not matched by commitment or action. Furthermore, it is apparent that even when gender reform is part of the demand for reconstruction it 'takes an immediate back seat to 'real' politics when the transition actually begins' (Ní Aoláin 2010:214 cited by Gregg, 2014:19). Accordingly, in spite of the indicators of progress, multiple obstacles to the achievement of gender equality outcomes prevail. Gender analysis proposes that the 'elitist character of political parties…..[is] manifested and experienced in gender-specific ways' (Razavi, 2001:201). Furthermore, there are also serious limitations for women in parliaments as a result of male dominance, patriarchal culture and attitudes towards female parliamentarians (Philips, 1991; Razavi, 2001; Castillejo, 2011; Domingo et al., 2013; True, 2020). The gendered nature of power is replicated and reinforced in the polities of transitioned states, resulting in a constant tension between rhetoric and reality.

A salient aspect within the analysis of persistent inequalities in transitioned states is noticeable in the application of longitudinal studies that examine the pre- and post-transition context for women. Scholars have unpacked the complexity of the relationship between women's participation and engagement in national liberation struggles and their status in the postcolonial state (Geisler, 2004; McFadden, 2005; Ranchod-Nilson, 2008; Tripp, 2000; Tripp et al., 2011). This research also correlates with the emphasis on elite male political actors in transitioned states in that it highlights the powerful position that such elites carry in liberation movements and in democratising regimes. Accordingly, evidence has consistently shown that while women frequently have some opportunities for engagement in both contexts, gender issues are subservient to national priorities which are determined by male elites, reinforcing the dynamics of liberation struggles in transitioned states (Viterna and Fallon, 2008; Ní Aoláin, 2010; Agapiou-Josephides and Benoît-Rohmer, 2012; Ní Aoláin, Haynes and Cahn, 2011; Ní Aoláin et al., 2013; Domingo et al., 2013; True, 2020). A dominant theme is that women's concerns are sidelined and that women's specific gender interests, subordinate to the objective of national liberation prior to democratisation, are further suppressed in the postcolonial state through conservative and repressive backlashes against women (Jaquette, 1994; Rai, 1996; Razavi, 2001; Geisler, 2004; McFadden, 2005; Campbell, 2005; Ranchod-Nilson, 2008; Pankhurst, 2009, Bell, 2013; Domingo and Holmes, 2013; Ní Aoláin et al., 2018; True, 2020).

While there is less emphasis in the gender equality literature on the impact of socio-economic factors in democratisation, it is also a key indicator of the transformation of women's status.

Studies have shown that even when there are gender gains in the political sphere they have not been matched by advances for women in the social and economic domain (Waylen, 2007b; Viterna and Fallon, 2008; Domingo et al., 2013; Ní Aoláin et al., 2018). As elites determine social and economic policies, this in turn may fundamentally limit gender equality outcomes (Ní Aoláin, Haynes and Cahn, 2011; True, 2020). Furthermore, the hegemony of the neoliberal economic paradigm has been a significant aspect of the third wave of democratisation and the high incidence of poverty for women is inextricably linked to this economic orthodoxy (Okeke-Ihejirika and Franceschet, 2002; Viterna and Fallon, 2008). While there is insufficient attention to gender implications of economic policies, they are critical to the progression of gender equality outcomes, and, as women are frequently excluded from the decision-making process governing the economic domain, predominantly economic strategies are not gender sensitive. According to True, elite men who negotiate political and economic reforms are less likely to give any consideration to the gender impact of such reforms economic (2020:21). While empirical research has focused on multiple factors, a common denominator is the impact of power relations on women's status. The literature on the persistence of gender inequality in the aftermath of democratic transitions and in post-conflict reconstructed states further reinforces the major role that elites have in determining the success or otherwise of gender equality outcomes.

International Gender Equality Norms, Democratisation and Post-Conflict Reconstruction

International factors may significantly shape democratic transitions and post-conflict state building and are therefore central to the analysis of democratisation and reconstruction (Schedler, 1998a, 1998b; Merkel, 1998; Hartlyn, 1999; Whitehead, 2003; Levitsky and Murillo, 2009; Krook and True, 2010; Schmitter, 1995, 2018). In particular, the diffusion of normative concepts on democratic institutions and economic orthodoxies is evident in transitions to democracy during the third wave of democratisation, following the collapse of the Soviet Union (Finnemore and Sikkink, 1998; Legro, 1997). The impact of international gender equality norms is also apparent in the macro policy framework that accompanies democratic transitions and post-conflict state reconstruction (Philips, 1991; Jaquette and Stadt, 2006; Waylen, 2000, 2007a; Savery, 2007; Viterna and Fallon, 2008; Fallon, Swiss and Viterna, 2012; Tripp, 2012; Jaquette, 2014; Gregg, 2014; Palmiano Federer, 2016; Fejerskov et al., 2019; Kaptan, 2020; True, 2020). This research suggests that women's political participation and engagement, inclusion in processes of negotiation, mediation, peace building,

along with the adoption of gender quotas in electoral politics and the construction of national gender machineries are common features of the incorporation of international gender equality norms in transitioning states (Kardam, 2004; Handrahan, 2004; Waylen, 2007a; Viterna and Fallon, 2008; Fallon, Swiss and Viterna, 2012; Jaquette, 2014; Gregg, 2014).

These characteristics were increasingly visible in post-conflict and transitioned states in the aftermath of the United Nations Fourth World Conference on Women, commonly referred to as the Beijing Conference (Zuckerman and Greenberg, 2004; Kardam, 2004; Manchanda, 2005; Waylen, 2000, 2007a; Naraghi-Anderlini, 2007; Sow, 2012; Fallon, Swiss and Viterna, 2012; Castillejo, 2012; Tripp, 2012; Domingo et al. 2013; O'Driscoll, 2018; Kindervater and Meintjes, 2018; True, 2020). Since then, international resolutions and objectives to advance gender equality through democratisation, peacebuilding and post-conflict reconstruction processes have been normalised in international policy framework documents including the Beijing Platform for Action (1995), UN Security Council Resolution 1325 (2000) and subsequent Security Council Resolutions 1820, 1888, 1889, 1960, 2106. An outcome of this framework is that the emphasis on equality of representation has become accepted as the primary mechanism for progressing gender equality objectives among a range of stakeholders including international agencies, elite political actors and women's organisations.

Although the majority of these policy instruments were formally introduced after the South African transition, the objectives enshrined in the Beijing Platform were already influencing the actions of international actors at the time of the negotiated settlement (Greenberg and Zuckerman, 2009; Federer, 2016; Ní Aoláin et al., 2018). South African women participated in the Beijing conference in the early stages of the democratic transition and would have been very aware of the key discussions (Gouws, 1996; Fester, 2007; Mbete, 2003). While this international gender equality discourse normalised the necessity of women's participation and engagement in development, democratisation and state building processes, there are considerable variations in the application of these norms which impacts on both the achievement and substance of gender equality outcomes (Manchanda, 2005; Kandiyoti, 2007; Sørensen, 2009; Singh, 2017; Ní Aoláin et al., 2018; Bhattacharya and Burns, 2019; True, 2020). International stakeholders play a significant role in influencing national political elites to incorporate gender concerns and include women in transition processes as a result of donor priorities and funding conditions, (Kardam, 2004; Krook, Lovenduski and Squires, 2009; Greenberg and Zuckerman, 2009; Tripp, 2012; Kindervater and Meintjes, 2018; True, 2020).

Evidence has shown that although gender equality norms have been incorporated into legislation and policy in transitioning states, this does not equate to guarantees that these reforms are intended to achieve a progressive outcome in those states (Greenberg and Zuckerman, 2009; Kindervater and Meintjes, 2018). As a result, even with the influence of international norms there is a significant gap between the policy frameworks and women's status and position in post-conflict states (Manchanda, 2005; Cockburn, 2013; Ní Aoláin et al., 2018; Bhattacharya and Burns, 2019).

In addition to the influence of international gender equality policy norms, the impact and influence of economic orthodoxies cannot be underestimated, despite being a significantly lesser consideration in gender analysis of transitioned states. As noted in the discussion on persistent gender inequalities, the third wave of democratisation has been accompanied by the ascendance of neoliberal ideologies that have been pervasive not solely in the economic sphere, but in social, political and cultural spheres also. The adoption of neoliberal international economic norms was also a key part of the construction of the post-apartheid state (Webster, 1998; Marais, 1998; Bond, 2000; Meer, 2000; Friedman, 2011). Analysis of the economic direction pursued by the ANC led tripartite alliance in the newly constructed state has argued that the policies adopted and the inevitable outcomes were neither desired, nor expected, by the partner organisations in the tripartite alliance (Marais, 1998; Bond, 2000; Lodge, 1999, 2003; McKinley, 2001; Buhlungu, 2010). While members of COSATU and the SACP had been tasked with the development of a socio-economic strategy and programme for government in the early stages of the transition, it was abandoned in favour of a neoliberal economic framework. Although this economic trajectory was contentious for both the SACP and COSATU, it appears that despite articulating counter positions, ultimately the leadership were compliant with this change in strategy in order to protect their own privileges in the alliance (Buhlungu, 2010). The adoption of these policies by the political elite demonstrated the strong influence both of international actors at this time and of international norms, in addition to the limitations of policy formation, which was centralised among elite ANC representatives (Lodge, 1999). It also points to the power dynamics in the tripartite alliance and the limits and conditions of international support, which ensured that the newly established South African state did not challenge vested economic interests (Bond, 2000; McKinley, 2001).

This type of analysis has not been considered in relation to the adoption of international gender norms by the elite political actors, the leaders of the political negotiations and the new

government in the post-apartheid state. For example, it is notable that at the end of the first electoral term of the tripartite alliance the ANC's ascendant position was already well-established (Lodge, 1999, 2003; McKinley, 2001). A salient point in the analysis of the alliance refers to the likelihood that the 'emerging oligarchic tendencies' in the ANC would become an 'ingrained trend' (Lodge, 1999:30). The insights generated from economic analysis of the tripartite alliance sharply illustrate the power dynamics that were at the heart of this political partnership, in addition to demonstrating the elite nature of ANC party politics and policy formation. This is a critical perspective that has the potential to illuminate the manner in which gender reforms were adopted by the ANC, the influence that this brought to bear on the gendered nature of the democratic transition, and the relationship that this has to the gender equality outcomes in the post-apartheid state.

Gender equality and the South African transition to democracy

Research studies on the specific gains for women in the post-apartheid state have concentrated on the period of democratic transition as a pivotal point in the institution of high-level reforms orientated towards progressing gender equality. A significant characteristic of this literature is the contention that progress on gender equality during the South African transition was exceptional (Seidman, 1999; Albertyn, 1994; Meintjes, 1996; Hassim, 2002; Waylen, 2004; Bazilli, 2010; Walsh, 2012). The transition was acknowledged for the remarkably high-level commitment to gender equality in the Constitution and in legislation and policy[2], including the institution of a comprehensive state-led focus on gender equality and the establishment of national gender machinery (Albertyn, 1994, 1996; Meintjes, 1996; Seidman, 1999; Cock and Bernstein, 2001; Britton, 2002a; Jagwanth and Murray, 2002; Naraghi-Anderlini 2004; Geisler, 2004; Liebenberg, 2005; Gouws, 2006; Hassim, 2002; 2003; Waylen, 2007a; Bazilli, 2010; Walsh, 2012; Wittmann, 2012; Selebogo and Ojakorotu, 2013) The South African Constitution and Bill of Rights (1996) enshrined a rights-based framework to progress racial and gender equality including recognition of the necessity of addressing patriarchy in the preamble and an equality clause which located gender equality as a central principle. It is argued that the objective of the Constitution was 'to facilitate a fundamental change in unjust political, economic and social relations in South Africa' (Liebenberg, 2005:3). According to Waylen:

> Few transitions to democracy have been seen as relatively successful in gender terms. South Africa is an exception. The adoption of a constitution with gender equality

[2] See Appendix I for list of relevant legislation passed in the early years of the new state.

> enshrined within it; the establishment of a package of state women's machineries; high levels of women's representation in parliament and the executive; as well as policy outcomes such as laws on domestic violence, and reproductive rights, are all seen as increasing levels of descriptive and substantive representation for women (2004:3).

The international acclaim for this extensive framework indirectly infers that the attention of international stakeholders was related to the type of reforms adopted.

The literature on gender equality and the South African experience, especially in the decade after the transition, attributed this success to the mobilization of women as a political constituency across ideological divides (Albertyn, 1994; Meintjes, 1996; Gouws, 1998, 2006; Hassim and Gouws, 1998; Seidman, 1999; Cock and Bernstein, 2001; Britton, 2002a, Naraghi-Anderlini, 2004; Waylen, 2004; Geisler, 2004; Britton, 2009; Bazilli, 2010). The attention paid to the South African women's movement as the primary agent of change and influence is consistent with the wider body of literature on gender and democratic transitions that has prioritised analysis of women's agency over the role of other actors (Waylen, 1994, 2003). At the time of transition, there is also positive analysis of the role of the ANC in enabling progressive changes for women noting that 'gender inequality is recognised as an issue in mainstream debate and among the country's senior leadership' (Baden et al., 1998:10). It was believed that the ANC was 'explicitly committed' to gender equality (Baden et al., 1998:10). Furthermore, according to Goetz (1998:246) 'extended struggle by women within the ANC has resulted in changes to its charter which have made it the standard-bearer of gender equity concerns in politics'. Although the literature contains positive assessment of the internal changes in the ANC leading up to and during the transition there is substantially less discussion of the role of the ANC-led post-apartheid government on the gender outcomes of the reconstructed state. The ANC are noted for their support on gender issues based on their policy articulation during the period of transition (Albertyn, 1994, 2018), however gender studies have also critiqued ANC failures and contribution to the maintenance of gender inequality (Meintjes, 2011; Fester, 2014; Makhunga, 2014; Hassim, 2014a; Gouws, 2019). There has been very little analysis of the direct contribution of the other alliance partners, COSATU and the SACP, to the achievement of gender equality outcomes. The minimal reference to the SACP from a gender perspective has focused on the primacy that they gave to the wider objectives of the class struggle, seeing gender equality as a secondary objective that would be addressed in the context of economic transformation (Goetz, 1998; Britton, 2002b).

Research on the transition emphasises the extensive and integral role of the women's movement in advancing claims for inclusion and representation during the early stages of the transition period in the constitution and formal political arena (Albertyn, 1994; Hassim 2003a; Walsh, 2006). Many studies argue that South African women were cognisant of the necessity of collective organisation through their direct experience and observation of the deeply ingrained inequalities and gender limitations in other transition states, coupled with their awareness of international gender equality debates, norms and expectations (Steyn, 1998; Modise and Curnow, 2000; Britton, 2002a; Hassim, 2000; 2004, 2006). Accordingly, attention to the role of the Women's National Coalition in representing women's issues and embedding gender equality in the political negotiations and the interim Constitution has been central to scholarship on the gendered nature of the South African transition (Albertyn, 1994; Meintjes, 1996; Gouws, 1998, 2006; Hassim and Gouws, 1998; Seidman 1999; Cock and Bernstein, 2001; Britton, 2002a; Myakayaka-Manzini, 2003; Naraghi-Anderlini, 2004; Geisler, 2004; Bazilli, 2010). This has skewed the analysis and ignored the role of the key elite actors of the tripartite alliance. But it does demonstrate an awareness of the support the women's movement received from international actors (Albertyn, 1995, Liebenberg, 1995; Gouws, 1996; Hassim, 2006; Giesler, 2009; Bazilli, 2010; Fester, 2014) and also that those international actors operated within a framework of gender policy norms developed through the forums provided by the UN.

Prior to the influential United Nations Conference on Women in Beijing in 1995, the global agenda promoting gender equality was advocating a state-led approach to progressing gender equality with a reliance on quotas, political representation and gender machineries (Franceshet, Krook and Piscopo, 2006; Krook, 2006; Krook and True, 2012). This agenda had a direct impact on the South African transition as women's organisations and women in the African National Congress (ANC) concentrated on this policy framework, prioritising the objective of increasing women's parliamentary representation and gaining procedural equality, through the use of quotas, state feminism and national gender machineries (Albertyn 1995; Gouws, 1996; Myakayaka-Manzini, 2002). This reflected years of engagement at the international level as South African women had participated in the UN Conference on Women in Nairobi in 1985 and had been exposed to international gender equality ideation in multiple fora and contexts through their activism against apartheid in exile, as well as through international trade union and Communist party activity.

The literature describes how gender equality ideation, shared at an international level, was diffused through women's collective action at state and civil society level during the South African democratic transition, as well as internally within each of the tripartite alliance organisations (Giesler, 2009). It is argued that, while the ANC adopted a quota for electoral candidate lists prior to the first democratic elections, this was achieved despite initial resistance (Hassim, 2006). The ANC quota has subsequently been understood to constitute the major factor affecting the substantial increase in the percentages of women in parliament and therefore received positive acclaim (Gouws, 2011; Nkala and Ogunnubi, 2015; Lowe Morna et al., 2014). However, one study noted that while the ANC's candidate list included 66 women, the majority of women were among 'the bottom 15 per cent of the list. There were only two women: Winnie Mandela and Albertina Sisulu, in the top 30 positions, and 19 women in the bottom 30' (Goetz, 1998:251). Despite where they were placed on the list, the overwhelming success of the ANC in the first democratic election in 1994 resulted in many women who had been at the forefront of women's organisations and were active in the ANC, COSATU and the SACP during the apartheid era, moving into the formal political domain as elected representatives. Extending the focus on women's agency, the literature describes the way in which women in parliament had to continue to deal with resistance to gender equality issues internally within each of the alliance partner organisations (Geisler, 2000; Britton, 2005; Goetz and Hassim 2003; Hassim, 2003c, 2005c). The literature argues that the increases in women's political participation meant that it was necessary to consider how the political structures could be used to represent women's issues as it appeared that the struggle for gender equality had become a state-led project (Gouws, 1996; Hassim, 2003a, 2003c; Goetz and Hassim, 2003; Britton, 2002a, 2005; Britton and Fish, 2009; Lowe Morna and Makaya-Magarangoma, 2013; Gregg 2014).

The literature suggests that the creation of a National Gender Machinery infrastructure, combined with the legislative transformation, was seen as a defining feature of the high-level legislative and policy commitment to the inclusion of women in the post-apartheid state (Meintjes, 2005). As a result, of the legislation implemented in the early years of the new state under the leadership of the tripartite alliance, it was widely expected that the post-apartheid administration would address substantive inequalities for women including poverty alleviation, investment in health and education services, rural infrastructure (Seidman, 1999; McEwan, 2000). Nonetheless, a close interrogation of the adoption of gender focused legislation

illustrates that the legislative reforms were not necessarily evidence of a deep-rooted commitment to the progression of gender equality.

There were a number of practical issues identified by women during the transition, including addressing rural poverty and development; tackling gender-based violence; reproductive rights and services (Meintjes, 1996; Meer, 2000). Reproductive rights and the legalisation of abortion were at the forefront of deliberation on women's rights and became a priority focus for women in the constitutional negotiations (Favier, Greenberg and Stevens, 2018). It is argued that the multiple challenges in terms of reproductive health care experienced by women in the ANC in exile assisted in developing awareness and support for women's health rights, including access to abortion (Hassim, 2014b; Albertyn, 2015). Prior to the first election, the ANC election manifesto stated that:

> Every woman must have the right to choose whether or not to have an early termination of pregnancy according to her own individual beliefs. Equally, health workers have the right to refuse participation in termination of pregnancy, according to their beliefs (African National Congress, 1994:57, cited by Klugman and Varkey, 2001:256).

However, the literature illustrates that despite the ANC's articulated commitment, debates around abortion were contentious even within the ANC where it remained contested (Klugman and Varkey, 2001). While there was a pro-choice lobby supported by some women in the ANC, there was also extensive resistance to abortion, and support was initially based on medical as opposed to rights-based arguments (Everatt and Budlender, 1999; Albertyn, 1999, 2015; Britton, 2002b). As the democratic transition progressed, the racial and socio-economic impact of the lack of reproductive rights became part of the discourse on maternal health and mortality (Klugman and Varkey, 2001). Access to abortion was the first piece of female focused legislation enacted after the approval of the 1996 Constitution, under the Choice of Termination of Pregnancy Act (1996). Given the conflictual nature of the support for this legislation, the motivation behind the introduction of this legislation was not simply to progress women's rights.

Research has attributed the enactment of the legislation to the effectiveness of women's civil society advocacy, support from government and feminists in the ANC, the international framework and the South African constitutional emphasis on bodily integrity and reproductive rights (Albertyn, 2015). Klugman and Varkey's documentation of this process accuses the ANC of being ambivalent, as they did not want to create divisions among their supporters

(2001:259). This specific example also raises concerns about the relationship between policy positions, legislative reform and the substance of the underlying political commitment at the elite political level. It is apparent that in many respects the ANC party leadership were backed into a corner, having made policy commitments in their election manifesto combined with the Constitutional provision for reproductive rights. Although ANC support for abortion was therefore tenuous and can be attributed to factors such as the women's civil society organisations, international emphasis on reproductive rights and the presence of women in parliament; nonetheless the leadership supported a bloc vote in opposition to calls for individual votes, which was critical in passing the legislation (Klugman and Varkey, 2001). Importantly, while the analysis acknowledges the ANC's role in supporting the legislative outcomes, commentary on their position noted that regardless of the internal party divisions on the issue of abortion, 'the government and ANC retained a strong, if sometimes rhetorical, commitment to reproductive choice' suggesting there were inherent limitations (Albertyn, 2015:439). The position of COSATU and the SACP on abortion is not considered in gender analysis on the attainment of reproductive rights during the transition period.

The progression of gender equality and the substance of the articulated commitment by the ANC remained highly contested and is not without criticism (Hassim, 2014a, 2014b; Walsh, 2006, 2009; Britton and Fish, 2009; Meintjes, 2011; Fester, 2014; Makhunga, 2014; Gouws, 2019). However, it is important to note that much of this criticism refers to a change in position and tactic within the ANC, either after the dilution of the Government of National Unity in 1996 or post-1999, the first term of office of the tripartite alliance in the newly democratised state. This body of research infers that the ANC adopted a determined shift in terms of ideology and priorities, which then curtailed the impact of the legislative and institutional infrastructure on gender equality transforming the leadership's initial commitment (Hassim, 2006, 2016; Walsh, 2006; Andrews, 2007; Gouws, 2016). A growing scholarship has begun to interrogate the causal factors for the endurance of gender inequality in South Africa, examining the shortcomings of progress and the pervasiveness of substantial challenges in advancing gender equality (McEwan, 2005; Britton, 2006; Britton and Fish, 2009; Meintjes, 2011; Meyiwa, 2011; Gouws and Hassim, 2014; Hassim, 2014a, 2016; Fester, 2014; Gregg, 2014). The following section discusses in more detail the explanations for the high level of gender inequality in post-apartheid South Africa.

Explanations for the Persistence of Gender Inequality in Post-Apartheid South Africa

Scholarship on the substantial gender inequalities in post-apartheid South Africa has identified a range of potential explanatory factors for the persistent shortcomings in progressing gender equality. It is argued that political change was expected to 'facilitate the eradication of social and economic inequalities, including those of gender' (Hassim 1999:6). Despite the legislative and policy infrastructure, there are serious gender equality concerns in the contemporary post-apartheid state (Albertyn, 2003; Moletsane, 2005; Everatt, 2005; Manjoo, 2005; Hassim, 2009a; CSVR report, 2011; Gouws, 2012b; Rogan, 2016). According to Bazilli, the daily existence for most South African women is 'marked by socio-economic hardships, patriarchal domination, and gender violence (2010:26). It has been stated that in post-apartheid South Africa 'for every significant gain women have made in the political arena there remains a parallel obstacle that is often most evident outside of the formal public structures of governance' (Britton and Fish, 2009:2). However, a critical narrative which has emerged in the literature posits that there are limitations regarding the legislative scope, implementation and resources suggesting that even within governance structures there are significant gender equality failures (Hassim, 2003c; Community Law Centre, 2014; Tshwaranang, 2014; Vetten, 2014). This raises fundamental questions about the gendered nature of the post-apartheid state and indeed the South African transition to democracy, given the initial acclaim for the seemingly progressive engagement with women's issues and commitment to gender equality.

Gender literature has attributed the failures to a range of factors that have some correlation with the international scholarship on the limitations of advancing gender equality in transitioning states. This includes attention to a weak and fragmented women's movement and the lack of a feminist agenda. There is also acknowledgement of the impact of the leadership drain from women's civil society organisations as more women became integrated into the formal political domain and state institutions. The limitations of state dependency and the pursuit of state-feminist approaches such as national gender machineries and quotas has also been identified as adding to the failures to achieve the expected outcomes for women. The nature of women's engagement in formal politics has come under scrutiny in terms of illustrating the problematic nature of parliamentary representation. Although not a prevalent focus in the gender literature on South Africa, there has been some attention to the weak position of the African National Congress Women's League on gender equality issues and the nature of the relationship between the league and the ANC. Within this body of work, there has been an increasing emphasis on

the role of the ANC, with both positive and negative evaluations of the party's contribution to gender equality, particularly emphasising the conservative turn in the aftermath of the transition period. The prevalence of patriarchy and the prioritisation of a liberal equality emphasis on inclusion in addition to the intransigence of patriarchal social and cultural norms has been identified as a substantial limitation. The limitations of formal equality are also evident in analysis of the failures to tackle the structural nature of inequality and to address substantive equality for women. While not a central focus, there is some consideration of the persistent inequalities for women in both COSATU and the SACP. This section will now discuss these key factors in turn.

Weaknesses in the Feminist Agenda and Civil Society

Literature on the gendered nature of the South African post-apartheid state has given considerable attention to the dilution of the feminist agenda as a key factor in the persistence of gender inequalities (Hassim, 2005b, 2009b, Gouws, 2010). It is argued the feminist agenda was considerably weakened in the immediate aftermath of the establishment of the new democratic state as women's organisations lacked the potential to engage in norm-setting debates within society and to hold government accountable (Beall, Hassim and Toades, 2011; Hassim, 2005a, 2005b, 2009b, 2014b, 2016). In addition, studies have acknowledged that the women's movement has struggled to find a coherent role since the transition to democracy, which further affected the capacity to achieve progressive gender outcomes (Gouws, 1996; Hassim, 2001, 2005b, 2014b; Britton, 2006; Gregg, 2014). Women's demands were incorporated into the state institutions with the new political reality based on the pursuit of party politics and electoral representation as opposed to collective civic engagement across ideological and political divisions, with significant consequences for the women's movement (Gouws, 1996; Hassim, 2003a, 2005b; Gouws, 2010). Accordingly, the reliance on the pursuit of formal equality through women's engagement with the mechanisms of the state has proved problematic in maintaining a critical feminist perspective. It is also argued that the concentration of feminist engagement within the state resulted in the de-politicisation of feminist activism (Gouws, 2005).

A relatively consistent argument is that while the democratic transition 'enabled women politicians to entrench gender equality goals within government discourse', it was at the expense of the loss of leadership of the women's movement (Geisler, 2000:605). This

perspective is reinforced by other analysis during the transition period where it was already anticipated that the drain of women activists into the formal political arena was problematic for civil society (Albertyn, 1995; Hassim and Gouws, 1998). Women who became part of the political and NGO leadership were drawn from the previous leaders of the Women's National Coalition (WNC) (Goetz, 1998). Gender scholars have identified unanticipated outcomes of the strategic reliance on a state-led approach, relating to the co-option of women leaders into formal political structures, weakening the organisational capacity and focus of the women's movement (Geisler, 2000; Hassim, 2005b; Britton, 2006, 2009; Gouws and Kotzé, 2007; Gouws, 2005, 2014, 2016). The persistence of gender inequality is also attributed to the elite nature of female representation and dependence on the state, or more accurately on the ANC, of women elected representatives. Specifically, it is noted that the 'women's movement…tended to privilege the leadership of women within the ANC' (Hassim, 2003c:83). This strategy locates women in the most powerful political organisation in the post-apartheid state and could be understood to be a legitimate and appropriate mechanism for progressing gender equality. However, a salient observation is that the achievement of legislative and constitutional gains was therefore 'essentially a bargain struck at the elite level between national women's organisations and the male political leadership; they are not rooted in civil society' (Hassim, 2005b:7; 2009). Despite this reference however, there is limited attention to the divergence between elite and majority interests in the analysis of the deep-rooted gender inequalities. However, there are indications that the increasingly technical professionalised language and associated bureaucracies were alienating for women activists at the grassroots (Meintjes 2003; Meer, 2005). It is recognised that engagement in institutional policymaking fragmented women's organisations with well-resourced organisations having relatively more visibility and access to the state than grassroots organisations (Hassim and Gouws, 1998).

Less than a decade after the establishment of the South African Republic, Mtintso argued:

> the feminist agenda has not so much been lost, as it has been fragmented. Since 1994, there has been activism but its scattered forms have not made a substantial impact on the larger processes of democratic consolidation. The fragmentation of the women's movement into issue-based networks and organisations has been driven, in part, by the need to respond to specific policy processes (cited in Hassim 2001:109).

While there remained political agency among women's groups in the post-apartheid state, issues of autonomy, the lack of cohesion, collective representation and capacity have been identified as central factors in relation to the capacity to sustain and advance a transformative

approach to gender equality in the public and private spheres (Hassim, 2001, 2005b; Geisler, 2000, 2004; Britton, 2006). A central argument is that the incorporation of women activists at the elite level of the state created a gap with women at the grassroots, and an unintended outcome of the strategy of pursuing political representation was that women in government lacked the external backing of a resilient civil society women's movement in the immediate aftermath of the transition period (Hassim, 2003c). However, the weakness of this analysis it that while it is true that feminists were unable to make a substantial impact it is questionable if this was a result of an inability to use their power strategically and it is unlikely that these goals were achievable in the patriarchal structures of the ANC (Fester, 2014).

Limitations of Quotas and National Gender Machineries

It has been established that the South African transition incorporated the adoption of international gender equality norms such as quotas, gender sensitive legislation and national gender machineries. The literature recognises that the adherence to these international norms can add legitimacy to political organisations and governments, and they can be purposefully adopted in the interests of cultivating widespread support for the alliance-led transition, including from international actors (Gregg, 2014). In the explanations for the subsequent failures, it has been suggested that these norms were superficially adopted by the tripartite alliance and were not widely supported (Fester, 2014; Gouws, 2019). In addition, the literature has identified specific constraints regarding women's participation and the nature of women's political leverage within the confines of the strategy of formal representative equality and femocrat approaches (Britton, 2005; Goetz and Hassim, 2003; Hassim, 2003c, 2005c; Geisler, 2000; Gregg, 2014; Fester, 2014). This strategy was also representative of the normative influence of international gender equality objectives that prioritised representation.

Studies have particularly highlighted that the political dynamic changed as women became engaged in the state, resulting in the institutionalisation and bureaucratisation of gender issues in the context of national gender machineries (Hassim, 2005b; Britton, 2006). Analysis has also highlighted the failure to implement, resource and create awareness of legislative and policy change (Gouws, 1996). Critiques that focus on the capacity to bring about change within the state naturally reinforce the insights on the type of feminist engagement pursued in the context of the new state. For example, a central critique was that the implementation of the national gender machineries was diluted by the 'femocrat' expectation of working within the

state on the one hand and the expectation that these structures would adopt an activist approach and be representative of women's demands in civil society (Seidman, 2003). Furthermore, it is argued that the engagement with the state was 'dependant on …law reform, equal opportunities and removing obstacles that create gender inequality' which limited the capacity for gender justice to the 'mainstream middle class' (Gouws and Hassim, 2014:6). It is also suggested that these policy measures may not have been sufficiently adapted to the South African context where the intersectionality of gender, race and class is central to the inequitable position of black women (Hassim, 2003c; Meer, 2005). However, there is limited consideration as to whether the type of international norms that were embedded in the South African state were ever intended to address the significant gender inequalities.

The introduction of gender quotas (although limited to the ANC) and the establishment of national gender machineries gave the impression that there was a strong commitment to progressing gender equality and advancing women's status within the mechanisms of the state at elite political level. Although the ANC's quotas have been a major contributory factor in relation to the substantial increase in women's parliamentary representation, there was considerable opposition to the adoption of quotas in the party (Walsh, 2009; Hassim, 2006). In addition, quotas in themselves do not change the masculinist nature of the parliament or the power dynamics that can undermine women's effectiveness in government. Research on the experiences of women in parliament and the national gender machineries notes that underlying resistance, cultural and institutional obstacles, and lack of resources are significant factors in the persistence of gender inequality within the confines of the state (Britton, 2002b; Hassim, 2003c; Giesler, Mokgope and Svanemyr, 2009; Gregg, 2014). Analysis of the experiences of women in parliament has also commented on the contradictions where male parliamentarians might support gender equality legislation and initiatives but are not willing to address the differentiated status of women and the gendering of roles (Britton, 2002b). Institutional sexism and patriarchal norms limited women's progress and access to power and their participation in parliament was considerably challenging in terms of their personal lives and family responsibilities (Britton, 2002b; Hassim, 2003c; Fester, 2014). As the transition progressed, women's parliamentary representation became contingent on adherence to party positions determined by the party elites (Hassim, 2003c). As Goetz and Hassim propose, a key consideration is whether the 'increase of women in government is merely a legitimating

exercise for the state……or whether it creates a space for women to advance their needs and interests and to enable them to make policy responses' (2003:7).

The limitations of the effectiveness of features of national gender machineries such as the Office on the Status of Women (OSW), Joint Monitoring Committee on the Improvement of the Status of Women (JMC) and the Commission for Gender Equality (CGE) have also been considered in the analysis of the failure to achieve the anticipated outcomes for women. Manjoo's (2005) analysis of the CGE proposes that despite the promising nature of a dedicated commission for women's rights, there are serious challenges in terms of limited power, lack of adequate resourcing and expertise, dependency on the state, compromise and lack of accountability. This perspective is reinforced by other studies which suggest that the national gender machineries have neither been 'sufficiently influential in setting the policy agenda for gender equality' or been able to 'translate political will into action' (Giesler, Mokgope and Svanmyer, 2009:29). Identified problems also include issues such as the perceived legitimacy and authority of the institutions, constraints in relation to critiquing the party line which was not welcomed by government ministers, compounded with bureaucratic resistance and an initial lack of understanding of gender equality in the civil service (Britton, 2005; Seidman, 2007; Meintjes, 2009; Fester, 2014; Gregg, 2014). These critiques illustrate the characteristics that resulted in limited impacts of the national gender machinery in addressing gender inequalities, however there are further questions which remain as to why this infrastructure was deemed of value initially and what purpose was it expected to serve.

The ANCWL, ANC and the Persistence of Gender Inequality

Gender research on the persistent inequalities in the post-apartheid state has given some attention to the ineffectiveness of the role played by the ANCWL in representing women's issues. This literature raises important insights such as the argument that there are substantial constraints resulting from ANC dominance of the ANCWL, the party's hegemonic control and articulation of gender equality objectives (Makhunga, 2014, Fester, 2014). Research has identified that a key challenge is the contradiction between both the ANCWL and ANC's conviction that the league are the rightful leaders of the women's movement and the inability or unwillingness to challenge the party leadership (Makhunga, 2014; Hassim 2014b; Gouws, 2016). It is also argued that a fundamental weakness is that women in the ANCWL are recruited on the basis of party loyalty as opposed to gender equality interests and accordingly are

expected to hold the party line instead of acting in a critical capacity on gender issues (Hassim, 2006, 2014b; Fester, 2014). As the women's organisation that was internal to the ANC, the ANCWL have been blamed for the failures of the state, accused of not articulating a common strategy that was rooted in a radical feminist analysis; of the marginalisation of feminists affiliated to the ANC; and public repudiation of feminist associations (Beall, Hassim and Toades, 2011; Hassim 2005b, 2014b, 2016). The mandate given to the ANCWL to progress gender equality objectives in the political arena has therefore been identified as problematic, with reference to their role in the dilution of the feminist agenda and their failure to harness public support for women's rights (Geisler, 2004; Walsh, 2009; Bazilli, 2010; Meintjes, 2011; Beall, Hassim and Toades, 2011; Hassim 2005b, 2014b, 2016; Gouws, 2016, 2019). Critiques go further in their admonishment of the ANCWL's approach, noting that while the league is not homogenous, their dominant platform is rooted in a collective narrative on motherhood, reverting to the nationalist discourse on mothers of the nation (Gouws, 2016, 2019). This perspective is reinforced by other studies, noting that:

> the ANCWL has consistently propagated a conservative gender ideology, one that emphasises traditional heteronormative family values and selectively politicises the roles of women as wives and mothers (Makhunga 2014:38).

In a particularly stark critique, Gouws proposed that since the transition, the 'league became the ventriloquist for men and their factions in the ANC' (2019:no page) and reverted to their historic auxiliary role in the ANC (Walsh, 2009). This analysis suggests that conservative aspects of gender equality became dominant in the ANCWL in the post-apartheid era, effectively silencing feminist voices within the formal political arena.

This critical literature on the ANCWL and ANC contrasts with the positive evaluation which can be discerned in the acknowledgement of the ANC and the ANCWL's role in achieving substantial gains for women during the transition to democracy and the ANC's articulated support for women's emancipation (Albertyn, 1994; Hassim, 2000; Gouws and Hassim, 2003; Giesler, 2004; Waylen, 1994, 2007a, 2014). For example, ANC women activists were central to the Women's National Coalition and it is also argued to the progression of gender equality during the fi3rst term of the democratic government under the ANC Women's Caucus (Hassim, 2003a; 2006). It is also argued that at the time of the transition the ANC 'had started to take gender issues seriously' (Waylen, 2007a:105) and were 'relatively open to gender concerns as a consequence of women's prior activism' (Waylen, 2014:503). Reinforcing this perspective, it is suggested that the 'ANC set a standard for party commitment to gender equality…..that

other parties could ill afford to ignore' (Gouws and Hassim, 2003:15). However, in subsequent research there is a change to this trajectory as Hassim notes that the ANC, 'once an ally for feminism, has proved less reliable in upholding the rights of women' (2014a:16).

Further critiques of the ANC emerged as the new state evolved whereby it is argued that ANC party elites concentrated on centralising their power as the transition progressed, women's voices were marginalised and accordingly women's 'presence became more symbolic' (Walsh, 2009:59; Goetz and Hassim, 2003; Hassim, 2003c). According to Fester, the ANC 'created the rhetoric of gender equality, even though the reality is wanting' and the 'space has narrowed for women' (2014:81). The side-lining of prominent feminists has also been cited as evidence of the conservative turn taken by the ANC with mention of the redeployment of United Democratic Front (UDF) activist and former ANC Deputy Secretary General, Cheryl Carolus as an example of the silencing of critical women (Stadler, 1997; Hassim, 2003c). These perspectives indicate that the literature has identified that the ANC agenda and position on gender equality was progressive at the time of the construction of the new state and subsequently either the ANC perhaps failed to prioritise women's concerns or alternatively adopted a more conservative position on gender issues. The critique of the post-transition ANC leadership suggests that the latter prevailed. Discussions that have sought to explain the persistent inequalities have highlighted the impact of the ANC's patriarchal culture in the aftermath of the period of transition, arguing that the ANC became more conservative under the leadership of President Jacob Zuma (Andrews, 2007; Gouws, 2016, 2019; Hassim, 2009b, 2016; Suttner, 2021).

It is proposed that President Zuma legitimised patriarchal cultural norms and shifted the public debate to the right on issues of gender (Andrews 2007; Gouws, 2016; Hassim, 2009b, 2016). Despite Zuma's critics within the ANC and externally, the widespread support for him suggests that the perspectives he held were given legitimacy and were broadly shared among the leadership and rank and file members, including the ANCWL. This is particularly visible in analysis that suggests that by the time Jacob Zuma became South African President in 2009; feminist perspectives on gender equality in the ANC had become subservient to the objective of maintaining ANC dominance (Hassim, 2016; Gouws, 2016). This provokes further questions about the commitment to gender equality in the ANC prior to Zuma's leadership. Considering twenty years of South African democracy, Makhunga offered a striking critique of the ANC's gendered political narrative, equating the ANC's narrative to a ''palliative care'

approach as it fails to substantively address the root causes of unequal patriarchal gender relations in SA, which are manifested in appalling rates of gender-based violence and the feminisation of poverty' (2014:33). Further insight from ANC Member of Parliament and Gender Commissioner, Gertrude Fester, identified tensions where the ANC 'ostentatiously poses as transformative yet was permeated by deeply embedded patriarchal values' (2014:75). This insight from Fester, reflecting on her own feminist praxis in promoting an ANC agenda as an activist and ANC MP, exposes the challenges of advancing a feminist perspective within the ANC. Hassim's (2002) point that a discourse on gender equality allows liberation movements to maintain a progressive image has resonance. These observations about the prevalence of patriarchy as a contributory factor in the persistence of gender inequality raise questions about the nature of perspectives on gender equality and their substance in practice. The concentration on patriarchy was further explored as a key factor in the wider analysis of the failures in the post-apartheid state.

The Prevalence of Patriarchy and the Limitations of Liberal Equality

The failure to address entrenched patriarchal socio-cultural norms, unequal power relations and the differentiated status of women in the public and private spheres is a consistent theme in the research on the disparities between high-level reforms and the actual outcomes for women in South Africa. These deep-rooted ideological gendered inequalities and dynamics have been identified in different aspects of the transition, pertaining to elite actors among the political leadership and embedded within the institutions of the post-apartheid state (Gregg, 2014: Fester, 2014). Although feminist writing at the time of transition indicates that women were focused on the challenge of patriarchy and the necessity of transforming power relations, subsequent reflections indicate that the type of liberal inclusionary politics pursued did little to progress a transformative agenda capable of tackling deep rooted patriarchal norms and gender relations (Gouws, 1996; Meintjes, 1996, 2011; Salo, 2005; Britton, Fish and Meintjes, 2009; Hassim, 2003, 2005a; Gouws and Hassim, 2014). It is argued that the liberal equality objective of increasing women's representation and enabling empowerment restricted the potential gender equality outcomes through reinforcing the status quo embedded in social, political, economic and institutional structures, relying on empowerment within the existing structures rather than transformation of gender relations (Britton, 2002b; Meintjes, 2005, 2011; Hassim, 2005b; Gouws and Hassim, 2014). Reflecting on an article she had written about women's struggle for equality during the democratic transition; Meintjes contended that the agenda during the transition period had been idealistic and utopian, envisaging a reconstructed role for

women that would transform the public/private divide (1996, 2011). Gender scholars have noted that institutional changes that sought to advance gender equality have clearly not addressed the substantive nature of inequality and the gendered disparity in power relations (Gouws, 1996). However, this body of research infers that perhaps there was limited formal political support for this type of transformation as it undermined the centralisation of power. Accordingly, it is questionable that if the more radicalised feminist agenda was pursued it would have been any more effective given the emphasis in the literature on the centrality of patriarchal norms and inequitable gender relations in explaining the failures.

In the aftermath of the South African democratic transition, critical gender scholarship became increasingly concerned with the impact of patriarchy and the manner in which it remains a hegemonic paradigm, directly attributing this to the limitations in progressing gender equality (Meyiwa 2011; Fester 2014; Hassim, 2006, 2014, 2016; Gouws, 2016). According to Meyiwa:

> At the heart of the debate is that South Africa is, despite a number of transformation processes, a patriarchal society that employs culture (as a tradition and a sophisticated contemporary structural system) to deny women their rights and means of voicing issues that affect them the most (2011:119).

Britton similarly analyses the limitations noting that the 'roots of women's continued inequality are found within the reform models implemented by the anti-apartheid movement …..entrenching male discourse and power' (2002b:43). It is proposed that 'underlying gender disparities have proved stronger than political improvements and institutional restructuring' (Gregg, 2014:6). A potential explanation for the limitations also suggests that the conceptualisation of gender equality is problematic, whereby gender issues are seen as solely relating to women and not a concern for men (Mtinso in Geisler, 2004:213). These studies indicate that while the prevalence of patriarchy directly affected the implementation of the women's rights framework, in fact the very nature of this framework was permeated by patriarchal male norms in theory and practice. These critiques also illustrate that the fundamental challenges which women had identified in all areas of the anti-apartheid movement in the 1980s were adopted into the political narrative articulated by elite leaders, but may not have been integral to the gender equality agenda that was adopted by the alliance-led government.

The patriarchal nature of South African customary law and cultural practices has also been interrogated regarding their implications for the prevalence of gender inequality. Criticisms levelled at the legislature and executive of the state, find that they 'have not repealed, amended or abolished a number of offending laws and practices, and neither have they enacted laws sanctioning discriminatory practices, especially in the customary, cultural and religious spheres' (Centre for the Study of Violence and Reconciliation, 2011:6). Traditional leadership is accused of not yet coming to terms with the provisions of the Constitution (Ndashe, 2006; Albertyn, 2009; Mkhize, 2014). Some analysis has suggested that the inequitable terrain of customary law and gender equality prevails owing to the 'stubborn persistence of patriarchy' (Albertyn, 2009:166; Devenish, 2016). It is also notable that under the Presidency of ANC leader Jacob Zuma, the emphasis on customary law and related cultural norms regarding the position of women was given more credence. Studies have argued that concessions to customary law practices contrast with the state position on gender equality which is outlined as 'addressing gender oppression, patriarchy, sexism, racism, ageism and structural oppression, and creating a conducive environment which enables women to take control of their lives' (Convention on the Elimination of All Forms of Discrimination Against Women report, 2009:10). Accordingly, it appears that gendered customary laws and practices co-existed alongside the high-level constitutional and legislative reforms that were expected to deliver different outcomes for women, exposing some of the inherent contradictions and limitations of satisfying multiple stakeholders in the new state.

Failure to address Structural Inequality

In the aftermath of the democratic transition, research on the type of gains pursued suggests that as they were not substantive the expected gender equality outcomes were unattainable given the failure to address the structural and systemic nature of inequality (Kirstener, 2003; Moolman, 2003; Geisler, 2000; Hassim, 2002, 2005a; Unterhalter and North, 2011). Within this literature, while there is marginal emphasis on economic factors it is nonetheless important to note the contention that although women's rights were achieved at the formal constitutional level, the failure to realise socio-economic rights was seen as significant (Kirstner, 2003; Salo, 2005). This argument is also extended to the failure of legislative reforms to result in substantive changes for rural women in particular, the majority of whom are black South Africans (Gouws and Hassim, 2014). It is argued that 'when equality is only constructed as formal equality the substantive interpretations needed for policy formation suffer (Gouws

2004:64). According to Basu (2005), the economic changes resulting from South African adherence to neoliberal economic policies are contradictory to the state led approach underpinning the establishment of the national gender machinery. It is apparent that there was a serious lack of engagement with the gender dimensions and impact of the economic framework. Gertrude Fester, ANC MP and Commissioner for Gender Equality during the transition, articulated that in her experience there was no discussion of gender issues and macroeconomic strategy in the women's structures formed in the new state (Fester, 2014). This suggests that if it was not on women's agenda, it most likely was not being discussed anywhere.

Gender Equality and the Tripartite Alliance

Analysis of the limitations of women's formal political engagement in the newly democratised South African state is congruent with gender analysis of democratic transitions which contends that increasing women's political representation is a valuable but insufficient strategy to address gender inequality. As discussed earlier there are differing perspectives on the role of the ANC. There is limited consideration of the other alliance partners, the SACP and COSATU, who are marginal to the analysis of the gender failures in the post-apartheid state. However even the minimal references illustrate that there were also potential limitations in how both organisations had advanced gender equality in the post-apartheid state. For example, it is argued that the SACP saw 'gender conflict as secondary to other forms of social conflict' (Goetz, 1998:246) and that women's liberation would be achieved after the class struggle was resolved (Britton, 2002b). Similarly, while there were a number of campaigns on women's issues which were supported by COSATU, within the federation's structures women faced a constant struggle to gain access to leadership positions and to implement the resolutions that supported women members (Meer, 1998, 2005; Tshoaedi and Hela, 2006; Tshoaedi, 2012). However, there is no examination of the specific impact of the SACP or COSATU on the progression of gender issues in the tripartite alliance, either at the time of transition, or in the post-apartheid state.

The perspectives in the literature also pose further questions as to the disjuncture between the high-level reforms adopted by the tripartite alliance in the formation of the new South African state. This suggests that the adherence to international normative gender ideation is problematic when the semblance of a progressive approach to gender equality through legislation, institutional change and political representation may signify a substantial commitment to

gender equality that effectively maintains the status quo in the longer term. This is a particularly salient insight in the context of the limited analysis of the elite political actors in the South African transition such as COSATU and the SACP, in addition to the ambiguity in relation to the position of the ANC. The dynamic of the South African transition requires further interrogation from a gender perspective. While international gender equality ideation is a notable feature of the South African transition, there are clearly other narratives and discourses of relevance to gender equality embedded during the transition to democracy.

Conclusion

The gendered nature of the South African transition to democracy clearly involved high-level reforms which were understood to hold the potential to result in significant gains for women in addition to transforming the patriarchal status quo. Subsequent analysis of the failures in the new state illustrate that the explanations for the failure are relatively consistent with existing critiques of democratic transitions and post-conflict state reconstruction within the wider body of feminist literature. However, the overall explanations do not address the manner and extent to which elites in the tripartite alliance absorbed international normative concepts of gender equality during the transition. It is unclear if there was an initial commitment to securing substantive gains for women that was reneged on as the new state evolved and power became more centralised. The argument that patriarchal norms were resistant to the type of reforms introduced is also consistent with international analysis but the literature does not address the acute awareness that women had of this potential limitation and the expectation that this would be addressed in the process of engendering the new state. Was there a change in direction which moved away from a more transformative path in a similar manner to the economic trajectory that unfolded as the transition progressed? Is it the case that the contested nature of gender equality characteristic of the anti-apartheid movement prevailed in the period of transition with some concessions to women that were later abandoned when more conservative political actors held power? The minimal engagement with these concerns in existing explanations suggests that there is merit in undertaking an exploration of the gender perspectives and ideas held by elite political actors and how they may have been influential in shaping the new state and subsequent outcomes for women. Further analysis of the intended purpose of adopting high-level reforms is required, was it expected that this legislative, policy and national gender machinery infrastructure would fundamentally alter women's position in the new state? It is important to ascertain if the initial commitment to gender equality articulated by the three

alliance partners was purely a rhetorical exercise for the purpose of political expediency and legitimacy, satisfying both internal and external stakeholder constituencies. The following chapter documents and analyses the relationship between gender equality, the anti-apartheid movement and the post-apartheid state with a particular emphasis on the tripartite alliance partners, the ANC, COSATU and the SACP.

CHAPTER 2: GENDER EQUALITY, THE ANTI-APARTHEID MOVEMENT AND THE CONSTRUCTION OF THE POST-APARTHEID STATE

This chapter examines the extent to which a commitment to gender equality was embedded within the different facets of the anti-apartheid liberation movement from the 1980s up to the negotiations for the new state. Its focus is primarily on the African National Congress (ANC), South African Communist Party (SACP) and the Congress of South African Trade Unions (COSATU), as these organisations would become the tripartite alliance that formed the government in the post-apartheid state. It begins with a discussion of the gendered nature of the apartheid state and the specific disadvantages experienced by black South African women to provide a base line for the examination of the scope and place of a discourse and commitment to gender equality in the anti-apartheid movement. The chapter also considers the position of women in the South African state at the time of the transition and in the aftermath of the construction of the new state.

The Historic Gendered Nature of Apartheid

The position of women in the anti-apartheid movement and their ongoing subordinate position in contemporary South Africa cannot be fully understood without acknowledgement of the manner in which colonialism, capitalism and apartheid 'organised social relations and fractured society along racial, class and gender lines' (Baden, Hassim and Meintjes, 1998:6). In pre-colonial South Africa, social and economic relations were prescribed by the homestead and chiefdom systems, which provided women with some access to land and this status was weakened under colonialism which co-opted traditional leaders, instituted 'customary law' and normalised migrant waged labour (Meintjes, 1998; Britton, 2005). As wealth accumulation was a defining feature of colonialism, the restructuring of the economy and society to support the capitalist colonial system increasingly placed women in positions of subordination, isolation, and alienation (Walker, 1991). The establishment of the Union of South Africa in 1910 continued to impact disproportionately on African women with the enshrinement of racially motivated legislation to marginalise black South Africans; entrenching inequitable gender relations, reinforcing the sexual division of labour and denying black women access to power (Britton, 2006; Wittmann, 2012; Walker, 1991).

When the apartheid state was formalised in 1948, the subsequent institutionalisation of successive racially discriminatory and oppressive laws encroached on all aspects of black, Indian and coloured people's lives. Such laws included the prohibition of marriage between whites and people of colour, the authorisation of white-only jobs, classification of people according to specific racialised categories and the physical segregation of races into specifically designated areas. New laws gave special powers to the government to declare a state of emergency and respond accordingly with increased penalties. Politically, black people were completely disenfranchised, denied voting rights and excluded from institutional politics and parliamentary representation based on their racial profile, leaving them with no formal avenue to address the specific nature of their exploitation and oppression. Land redistribution, dispossession and forced relocation were central objectives of the apartheid government, resulting in geographical segregation and the creation of independent Bantustans or homelands which further marginalised black South Africans with the effect of removing citizenship rights from 9 million African people. By the 1950s, the apartheid government had embarked on a programme of systematic restriction of the movement of African people, and 'especially of African women in order to limit the development of a large urbanised African population' (Baden, Hassim and Meintjes, 1998:6). Inequality was evidently most pronounced for black African women who had very little access to education and health services, illiteracy levels were very high, and mortality rates due to preventable disease and pregnancy related difficulties were also disproportionately high (Geisler and Svanemyr, 2009:2). The legislative and social policy framework continued to establish a system of segregation that positioned African women as inferior and subordinate to men in both the private and public spheres, culturally, economically, socially and politically.

Under customary law, women were legally ascribed to minor status, with their rights dependent on men, placing black women at a comparative disadvantage even to black men who were themselves already in a subjugated position. Customary law is a complex and fluid type of legal system developed in African communities that has evolved under the influence of external factors and conditions from pre-colonial to contemporary South Africa. Under apartheid, powers of customary law were enhanced by the apartheid state and had a specific impact on gender relations and the further marginalisation of black women. As the apartheid regime increased its repressive approach, black women were subjected to harsh physical and psychological treatment at the hands of the authorities, were restricted by banning orders, imprisoned, held in solitary confinement, banished from their homes. This treatment was aimed

at black women but was also extended to many Indian and white women active in the anti-apartheid movement in the 1970s. Violence was both legitimised and normalised during apartheid, sexual/gender-based violence was particularly prevalent affecting women from all racial groups in different ways. The existence of legal protections for women were both limited and ineffective allowing no meaningful process of redress, and furthermore violence in the context of marriage was legally permissible, adding to the pervasiveness of domestic violence. Reproductive and family-planning policies were gendered by design with a disproportionate number of sterilisations for black women, forced use of contraception by employers, and abortion was illegal except under therapeutic conditions.

Labour policy and employment trends were also gendered and further illustrate the exploitation, insecure and inequitable position of black women who were subjected to harassment, violence and abuse. Black women's employment was concentrated in areas of employment that were an extension of their assigned domestic roles in addition to low skills, low wages and almost no legal protections (Nolde, 1991). Agricultural labour and domestic service constituted the majority of employment for black women, referred to as a type of servitude underpinning the capitalist development of the apartheid state (Cock, 1980; Fish, 2006). It is argued that domestic service helped to construct a socially embedded logic to advance and maintain the ideology of racial and sexual domination (Cock, 1980:11). Accordingly, the employment picture for black women, combined with the apartheid emphasis on men's migratory labour, cumulatively resulted in a high number of women headed households characterised by extreme poverty. While there were differentiated experiences for black women in rural and urban contexts, levels of oppression and economic insecurity were comparative.

The ANC was established in 1912 against the backdrop of the increasing formalisation of racialised and discriminatory legislation and policy. The party was founded by educated elite African men and the primary aim of the party was to fight for the rights of black South Africans. There were notable examples of where women activists, leaders and political organisations mobilised to demand rights for women. However, given the limited support at the time, in many instances women's organisations acted as auxiliaries to male organisations such as the 1913 campaign, the establishment of the Bantu Women's League (1918), the ANC Women's Section (c.1920), the National African Council of Women (1935), for example (Wells, 1993; Meintjes, 1998, Hassim, 2006). While many of these groups addressed women's specific concerns as

they were linked to the actions of the colonial and apartheid state, they therefore intersected with issues of race and class issues. Women were excluded from full membership of the ANC for the first three decades of its existence, being limited to the right to become auxiliary members with no voting power (Ginwala, 1990). Through the women's organisation they contributed to party discussions, to decision making within local branches and also at the national conferences (Gasa, 2007; Ginwala, 1990; Walker, 1991). This changed in 1943 with the formation and adoption of a new party Constitution which incorporated women as full members, attributed to the vision of the leader of the ANC, Dr. Xumu and women in ANC branches arguing for full inclusion (Kimble and Unterhalter, 1982). Consistent with dominant gender ideologies at that time, the inclusion of women in the ANC was to further national liberation and specific women's issues were defined by women's role as mothers (Walker, 1991; Wittmann, 2012). There was a wide gap in terms of power and status between men and women in the organisation (Walker, 1991; Ginwala, 1990).

Gender and the Anti-Apartheid Movement

Following the establishment of the apartheid state in 1948, the aggressive enforcement of apartheid laws met with increasing resistance from the anti-apartheid movement during the 1950s (Meintjes, 1998). This was accompanied by a period of increased women's activism with the formation of the African National Congress Women's League (ANCWL, 1948 – subsequently banned in 1960) and the Federation of South African Women (FSAW, 1954) (Baden, Hasism and Meintjes, 1998). Women in the ANC, SACP and trade unions were instrumental in the establishment of FSAW, which was tasked with developing a Women's Charter envisioning women's role as activists in the anti-apartheid movement, and in relation to their specific oppression as women (Wells, 1993; Baden, Hassim and Meintjes, 1998). During this period even where the need for women's emancipation was recognised it was assumed that liberation would automatically address this (Kimble and Unterhalter, 1982; Seidman, 1993) and the political discourse on women's rights was dominated by a women's status as mothers, and women's demands within the movement tended to be defined by their domestic roles (Walker, 1991; Seidman, 1993; Healy-Clancy, 2017). Even the key women's organisation the ANCWL focused primarily on the question of national liberation and not on women's rights issues (Kimble and Unterhalter, 1982; Walker, 1991).

When political organisations were banned in 1960 the nature and scale of anti-apartheid mobilisation escalated and diversified, often matched with violent reprisals and repression from

the state authorities (Deegan, 2011). Over the following decades, women in the movement transitioned to organising in a different context, in the underground wings of the ANC and the SACP in exile, within South Africa in trade unions, community-based organisations and in the United Democratic Front in the1980s (Meintjes, 1998; Hassim, 2004; 2006). When in exile, the ANC, with the SACP, embarked on a change in tactics, establishing a military wing, Umkhonto we Sizwe (Spear of the Nation / MK) in 1961, which recruited both men and women (Suttner, 2007). The SACP worked closely with the ANC, often working as ANC officials, maximising opportunities through international political relationships, while also trying to ensure their own survival (Lodge, 2021). In the radical atmosphere of the 1960s this facilitated the incorporation of SACP ideology and strategy into ANC analysis (Suttner, 2007) but it was clear that the ANC saw themselves as the leaders of the liberation movement (Lodge, 2021). At the end of the 1960s, most of the affiliated members of the anti-apartheid Congress Alliance had merged into the ANC, and the strategic approach was based on developing international solidarity, furthering the armed movement, political mobilisation and education. The repressive political terrain and the movement's change in tactic and strategy had a shaped the gendered nature of the anti-apartheid movement and women's role within the movement in exile. Conditions in exile were harsh and there was an evident male dominated hierarchy of command within the ANC which also affected women's contribution and place in the movement (Hassim, 2004).

The anti-apartheid movement was multi-faceted, incorporating banned political parties and militarised units (which operated underground), trade unions and diversified civil society groups that organised at local community level, regionally and nationally. Women's activism in the 'movement' was expressed in different types of organisations including women's organisations under the umbrella of different churches, women's collectives and in the multiple structures of the anti-apartheid movement (Walker, 1991; Ginwala, 1986, 1990, 1991; Wells, 1993; Berger, 2007; Gasa, 2007, 2012; Hassim, 2004, 2006, 2014a; Britton, 2006). Debates within these groups on women's rights were underpinned by diverse praxis including conservative, feminist, socialist and nationalist ideologies (and a mix of these perspectives) (Kimble and Unterhalter, 1982; Walker, 1991; McClintock, 1991; Meintjes, 1996; Hassim, 2004, 2006, 2009c, 2014a; Gasa, 2007; Britton et al., 2009). Given the rural base of the mass membership of the national movement, including women's groups, it characteristically centred its demands for women's rights on ideas of 'motherism', which presented women as active agents based on their role within the family and as mothers (Ginwala, 1990; Meinjtes, 1996;

Cock, 1997, 2001; Geisler 2004). It also has to be recognised that for the majority of South African women the issue of women's equality was premised not solely on gender inequality but was inextricably linked to race inequalities and was therefore distinctive from the feminist demands of white women (Bazilli, 1991).

In 1969, the ANCWL was suspended and a Women's Section was established, with less autonomy than the ANCWL and with the primary objectives of organising women in the national liberation movement and harnessing international support (Ginwala, 1986; Hassim, 2004). However, gender equality was subordinate to the national question, not solely for the leadership but also for women activists throughout the 1970s and into the 1980s, and there were many examples where women articulated the necessity of putting the national movement first above their specific concerns as women (McClintock, 1991). Nevertheless, demands for women's equal status and the adoption of gender equality perspectives in the exiled movement continued to be made to varying degrees. In the aftermath of the Soweto student uprising and state brutality in 1976, there was a substantial expansion in women's engagement in the exiled Women's Section (Hassim, 2006). Combined with increases in women's membership of MK, both structures eventually became key places where women developed gender specific demands (Cock, 1991; Geisler, 2004).

The profile of younger women who joined MK after the Soweto uprising is significant to the analysis of gender and the movement against apartheid with many of these women joining the movement with a sense of militancy, having developed their political consciousness in the anti-apartheid student movement (Cock, 1991; Modise and Curnow, 2000). Women's participation in MK, provided opportunities for women to develop and deepen their gender awareness; influence ANC engagement with gender equality issues, and attain a limited measure of equality with men (Modise and Curnow, 2000; Hassim, 2004; Suttner, 2007; Ngcobo, 2012; Healy-Clancy, 2017). MK has also been described as a hostile male dominated, masculinist structure where women were excluded from decision-making and experienced sexual harassment, violence and rape (Cock, 1991; Modise and Curnow, 2000; Hassim, 2004; Suttner, 2007). This duality in women's experience of MK illustrates the disparity between the discourse and practice on gender equality and that it had a rhetorical commitment to gender equality but actively worked against the concept of women's leadership (Hassim, 2004, 2006).

A politicised gender discourse began to emerge within the ANC's Women's Section at the first women's conference in exile in Luanda in 1981 (Hassim, 2004). As the 1980s progressed, the Women's Section became increasingly representative of the growing awareness of gender equality issues among women in the movement, although they continued to hold diverse perspectives and occupy an auxiliary role (Geisler, 2004). Key debates which can be discerned within this discourse relate to conceptualising women's role in national liberation; determining the power and status of women's structures including issues of autonomy; engaging with international feminist debates and the experience of women in post-independent African states (Hassim, 2006). These questions were central to the movement's engagement with gender equality that was not a linear and consistently progressive trajectory. For example, the paradoxical nature of the movement's perspective on gender equality was manifestly evident in an ANC editorial on the 'Year of the Women of South Africa', where it was noted:

> They suffer triple oppression…..their struggle for 'equal rights' is closely interlinked with the struggle for national liberation and social emancipation. It is an aspect of it, or, if you like, it is subordinate' to it…..We must start now (if we have not started) to free ourselves from 'male chauvinism' and its counterpart, 'feminism' (Sechaba[3], 1984:1).

At this juncture, the ANC perspective on gender equality saw women's emancipation as dependent on the progression of the national liberation movement but also identified feminism as problematic.

South African women were exposed to the international gender equality norms that had emerged in the context of the UN Decade for Women (1975-1985) (Bazilli, 1991). Through their engagement in the Nairobi conference in 1985, ANC delegates from the internal and external wings of the movement were able to connect and strategise on gender issues (Hassim, 2004). Women were also engaged in international deliberation on strategies for the advancement of women, dialogues on the differences between African and Western feminisms, gaps between legislation and application, and practical priority issues for women (Bazilli, 1991; Geisler, 2004). Figures such as Frene Ginwala, active in the ANC from the 1950s, were influential in relation to the gender equality position that the party adopted (Albertyn, 1994). Ginwala played a significant role as a senior figure in the ANC in exile and in the transition to democracy, becoming an ANC MP and Speaker of the National Assembly in the new democratic parliament (Meintjes, 1998; Waylen, 2014). A participant in the Nairobi conference

[3] ANC official journal in exile produced in Lusaka.

(Primo, 1997), Ginwala subsequently articulated a perspective on gender equality that placed women's issues within the liberation movement, stating that:

> Women's liberation is an integral part of the liberation struggle. It is not something that will be done after liberation, and it is recognised that the liberation process will not be finished until women are liberated (interview with Ginwala, 1986:11).

In the same interview in the mid-1980s, Ginwala was unequivocal in her position that unlike Western feminist concepts, the ANC did not identify women's liberation in isolation from other forms of oppression, a key point that had been debated in Nairobi (1986:10). However, while this statement was supportive of addressing women's issues, it was also felt that there was a tendency to reinforce the ANC perspective that feminism was distracting, a position Ginwala later refined and repudiated (Seidman, 1993; Britton and Fish, 2009; Magubane, 2010). The exiled leadership of the ANC had also begun to articulate a more positive perspective on women's equality, particularly under the Presidency of Oliver Tambo, considered broadly sympathetic to women, supporting their engagement in the movement and appointing women as representatives of the party in exile (Hassim, 2004). Hassim cited the importance of Oliver Tambo's statement that South Africa would not be free until women's oppression was addressed, not just by women, but by the movement as a whole (2004:448).

During the period of exile, South African women engaged with women who had participated in liberation movements in other African countries, giving them an insight into the limitations and pitfalls of addressing gender equality and women's rights in the context of national liberation movement and post-liberation states (Steyn, 1998; Meer, 2000; Modise and Curnow, 2000; Hassim, 2004, 2006; Geisler, 2004; Ngcobo, 2012;). In a subsequent reflection on this experience, MK female Commander, Mtintso, said that:

> the question of gender struggle as distinct began emerging. We see reversals in Mozambique, Zimbabwe and Namibia. For women comrades "normality" meant going back to the kitchens. We began to be quite worried about what liberation is going to offer (Interview with Mtintso, 2000, cited in Hassim, 2004:443).

Accordingly, the development and articulation of the ANC position on gender equality in exile was debated in a range of fora throughout the 1980s, influenced by African women's experiences, as well as regional and international political discourses on gender. Policy and strategy papers were produced by women within all sections of the movement against apartheid and were debated at conferences and seminars with some progressive outcomes (Hassim, 2006). By the end of the decade, gender equality positions were being adopted by the

mainstream sections of the exiled ANC, SACP and MK movements, even if this was not reflected in their praxis.

SACP as an integral part of the movement in exile, contributed substantially to the ANC and MK (Adams, 1997). There was a significant overlap between membership of the SACP and ANC at leadership level, although there were also limits to the overall ideological influence of the SACP, evidenced in documents such as the ANC's 1988 'Constitutional Guidelines' (Lodge, 2019). From a gender perspective, there appears to have been limited engagement with women's issues in the SACP (Meintjes, 1996; Seidman, 1993; Hassim, 2006). It is argued that the SACP maintained a strategic silence in relation to gender equality demands which were viewed as stemming from a 'bourgeois' or 'western feminist' position (Seidman, 1993:297). As a result, the adoption of feminist ideas was made more difficult by critiques from within the SACP that dismissed feminism as imperialist in nature.

Internally within South Africa, the political landscape also began to change during the 1980s with a major emphasis on civic organisation and mass mobilisation, matched by a rise in trade union organisation, opening up spaces for women's engagement and the politicisation of gender demands (Hassim, 2003b; Meintjes, 1998). During apartheid, COSATU was differentiated from both the ANC and the SACP by several characteristics, including their legitimate capacity to organise despite the associated risks of state repression, the interdependence of both class and race as central to the ideological traditions which underpinned the trade union congress, and the manner in which they mobilised against apartheid within South Africa (Buhlungu, 2009). In the 1970s and 1980s there was a marked increase in black women's trade union mobilisation, with a discernible politicisation and conscientisation regarding gender and class issues (Primo, 1997; Meer, 1998, 2000, 2005; Orr, 1999; Tshoaedi, 1999, 2012; Tshoaedi and Hlela, 2006). Concurrent with these developments, women's activism was also evolving rapidly through a range of local, regional and national structures including the Black Women's Federation (BWF), United Women's Organisation in the Western Cape (UWO), Natal Organisation of Women (NOW) and the Federation of Transvaal Women (FEDTRAW) (Magubane, 2010). Within each of the regional organisations there were multi-faceted perspectives owing to the diversity of women activists whose experience was shaped within the anti-apartheid movement, student movements, trade unions and local civic organisations. When COSATU was established in 1985, this became the primary vehicle for women's activism in the labour movement, although there remained an

overlap of engagement in women's local and regional community organisations (Primo, 1997; Meintjes, 1998). This led to a combined analysis and emphasis on addressing women's daily challenges in the domestic sphere and at community level in addition to a focus on workplace campaigns and formal rights (Govender, 1987; Magubane, 2010; Tshoaedi, 2012).

Within trade union struggles, some women activists constructed a language that politicised personal struggles, highlighting the impact of unequal power relations, inequality in the public and private spheres and patriarchal dominance (Seidman, 1993; Meer, 2005; Tshoaedi and Hlela, 2006; Tshoaedi, 2012). Furthermore, women trade unionists created a space for deliberation in these different fora and in women's publications in the 1980s, framing inequality in practical struggles for workplace rights, leadership and representation, sexual harassment and violence against women (Lacom et al., 1992). Yet despite being at the forefront of community organising and mass action in civil society, union women were still expected to conform to social norms which emphasised their role in the family both within the trade union movement and in the domestic sphere (Lacom et al., 1992). In practice therefore, union women's battle for their rights were compounded by opposition to their activism from their husbands and partners in the private sphere; male resistance within the unions and discrimination perpetrated by white employers (Lacom et al., 1992; Meer, 1998; Hassim, 2006; Tshoaedi, 2012). Resolutions on women's issues were particularly contentious at trade union meetings; COSATU had difficulty embedding a clear commitment to gender equality in its policies and failed to give women access to leadership positions (Preface, Lacom et al., 1992; Tshoaedi, 2012). Although some resolutions in support of women's issues were passed at conferences during the late 1980s, they tended to focus externally on the workplace rather than addressing the internal challenges within the trade union congress (Tshoaedi and Hlela, 2006). It is noted that some union leaders were amenable to women's issues and to the recruitment of women workers because of the attractiveness and influence of international funding (Seidman, 1993). Reflecting on the engagement with delegations from other unions, a COSATU official noted that 'it made us more amenable [than] we might otherwise have been to increasing women's representation and creating women's forums' with actions 'designed to appeal to foreign donors, rather than simply reflecting internal demand' (Seidman, 1993:310). Deliberation on gender equality issues at national congress and conferences was often contested and problematic due to the dominance of the debate by male members, and even when women's rights resolutions were approved, there was limited implementation in practice (Bonnin, 1989; Meer, 2000). The trajectory of women's activism illustrates that male resistance

in COSATU was reinforced by patriarchal societal values that regarded women as subordinate and inferior (Meer, 2005; Tshoaedi and Hlela, 2006; Tshoaedi, 2012). The development of a narrative and commitment to gender equality in COSATU therefore followed a similar contested pathway to that of the ANC, albeit there were specific differences also in terms of the substance of women's demands.

Women in other civil society organisations and women's collectives worked on a diverse range of policy issues including childcare, high food prices, rent and forced removals, unemployment, education, rape and sexual harassment, rights in the workplace (Govender, 1987). During the 1980s these groups increasingly integrated into the broader movement to end apartheid in the belief that this was the only way that these issues would be addressed (Hassim, 2003b). This was solidified with the establishment of the United Democratic Front (UDF) a mass movement against apartheid in 1983. The UDF was a national umbrella movement comprised of churches, civic associations, sports organisations and trade unions. While a significant number of trade unions joined the UDF there were some who refrained due to the dominance of the national movement at the expense of class issues. The United Women's Congress (UWCO),[4] NOW and FEDTRAW were all affiliated and participated in the establishment of the UDF Women's Congress in 1987 (Hassim, 2006). The internal civil society wing of the anti-apartheid movement gained substantial regional and national momentum as these local and regional women's groups and organisations recognised the mass liberation movement as a mechanism to progress gender equality in tandem with the broader objectives of the anti-apartheid movement. In turn, the UDF leadership saw these groups as pivotal to increasing the capacity and reach of the movement in the context of state repression (Hassim, 2006). However, the position of women's organisations and the degree to which there was gender equality within the UDF was complex and fraught with contradiction, perhaps unsurprisingly given the diverse membership and ideological base of the organisation (Bazilli, 1991; Cock, 1991; Ginwala, 1991; Hassim, 2004; 2006). The experience of women in the UDF was one that was shared by women in other mass organisations internationally. The UDF through its activist women's group 'inserted values of gender equality into the vision for a democratic South Africa' even if at the same time 'many feminists felt that the UDF paid little more than lip service' to gender equality (Hassim, 2006:73).

[4] The United Women's Congress was formed when the United Women's Organisation of the Western Cape joined with the Women's Front.

Prior to the peace negotiations that led to the formation of a new state, women in exile held a seminar on Feminism and National Liberation in London, 1989, initiating a public debate on feminist discourse and the diffusion of gender equality ideas which were further analysed at a subsequent conference on women's movement in Amsterdam, January, 1990 (the Malibongwe conference) (Hassim, 2006). Malibongwe brought together delegates which included women activists who had been in exile and women who were active within South Africa in regional women's organisations, COSATU, the UDF, along with women from the UK, Soviet Union, Cuba, Philippines and the Netherlands, identifying future constitutional issues in relation to gender equality, political participation, violence, health and customary law (Singh, 1990). Effectively the conference brought a broad spectrum of South African activists who had been politicised through their various and multi-faceted engagement in the movement against apartheid (Bazilli, 1991; Meintjes, 1998). At this time, the framing of women's activism in the context of their role as 'Mothers of the Nation' was being interrogated, but had not been entirely dismissed (Ramphele, in Bazilli, 1991). The subordination of gender concerns to the national question was similar to women's experiences in liberation movements in other contexts and South African women were acutely aware of the dangers of this situation for their position in a future liberated state (Molyneux, 1986; Seidman, 1993; McFadden, 1998; Meintjes, 1998; Geisler, 2004). This meant that feminist women actively campaigned to have a commitment to gender equality adopted by the constituent organisations of the anti-apartheid movement and the movement as a whole (Hassim, 2006). The impact of Malibongwe cannot be underestimated and it is notable that it was just four months after the conference when the ANC published their statement on women's emancipation illustrating the influential nature of women's collective engagement internationally. It is argued that Malibongwe gave legitimacy to the objective of addressing women's position and status in the context of national liberation (Charman, de Swardt and Simona, 1991).

As a whole, the national liberation movement provided an opportunity for women's mobilisation and women's political engagement that opened up the space for gender equality demands (Meer, 2000; Hassim, 2004, 2006, 2014a; Britton et al., 2009; Magubane, 2010). However, this was a problematic process and despite the substantial debate and increased awareness on gender equality within the ANC, COSATU and the SACP in the 1980s, there was still resistance to women's representation at leadership level. This included a propensity to identify gender equality as a women's issue to be addressed by women members; internal opposition to gender equality; and a tendency to be dismissive of feminist objectives (Murray

and O'Regan, 1991; Meer, 2005; Hassim, 2004; Beall et al., 2011, Meintjes, 2011). However, women's activism of the 1980s, bolstered by support from the international community, led to the formal adoption of gender equality policies by the ANC. This was manifest in 1990, as negotiations to end apartheid began, when the ANC National Executive Committee (NEC) issued its seminal document on gender equality entitled 'Statement of the National Executive Committee of the ANC on the Emancipation of Women in South Africa'.

This NEC statement analysed the nature of gender inequality and articulated a vision and policy position to advance gender equality, noting that:

> The experience of other societies has shown that the emancipation of women is not a by-product of a struggle for democracy, national liberation or socialism. It has to be addressed in its own right within our organisation, the mass democratic movement and in the society as a whole. The majority of South African women, who are black, are the most oppressed section of our people, suffering under a triple yoke of oppression. The liberation of women is central to our people's struggle for freedom (ANC, National Executive Committee, 1990:19).

In terms of the analysis of women's oppression and perspectives on gender equality, the philosophical basis of this statement was similar to ANC President Oliver Tambo's reference to women's emancipation in the mid-1980s. It was fundamentally different from the 'Constitutional Guidelines for a Democratic South Africa' produced just two years earlier which had emphasised women's role in the family, as this Statement acknowledged the material and ideological basis of women's subjugation. According to Meintjes, (1998:66-67), it was probable that this statement was written by Frene Ginwala as Deputy Head of the ANC's Emancipation Commission. A discussion on this statement by a small group women activists, political representatives and academics, illustrated how positively it was received, captured in the response that it was 'uplifting to know that we have a movement and organisation which is genuinely committed to the elimination of all forms of oppression and, moreover, one that recognises that gender oppression has a momentum of its own, needing to be engaged with in very specific ways (Beall 1990:5). Ginwala who participated in this discussion, acknowledges that while there were only three women among the thirty members of the ANC's NEC, the ANC statement demonstrates male leadership's endorsement and 'commitment to the emancipation of women' (cited in Beall 1990:8). These deliberations demonstrate that this document provided a platform that positioned the ANC's perspectives on gender equality, committing the ANC to integrating women's oppression as a key concern in the liberation movement, at least on paper and in the public arena (Beall, 1990; Meintjes, 1998). Furthermore,

the identification of a national women's movement tasked with progressing the implementation of the ANC's statement was also envisaged by women who engaged in this analysis (Ginwala in Beall, 1990).

Although the ANC, COSATU and the SACP appeared to be responding to women's demands there remained a disparity between the high-level position espoused by the leadership and their commitment to gender equality in practice with considerable shortcomings between rhetoric and implementation (Ginwala, 1991; Meer, 2005; Hassim, 2006). Regardless of the political expediency of promoting gender equality, the emancipation of women was neither understood nor adhered to by the rank and file membership, and arguably even among the leadership of the three organisations despite the extensive nature of women's agency. While gender equality was now linked to the wider goal of liberation conceptually, it was envisaged that it was up to the new state to consider how to achieve this, leaving a gap in terms of responsibility and related action at the crucial period of negotiation (Meintjes, 1998). Despite the shared view that the post-apartheid state would include a commitment to promoting gender equality and the emancipation of women, there was no specific consideration or vision on how this would be achieved in practice. Nonetheless, women continued to be motivated by the determination that the South African gender equality outcomes would not follow the same trajectory as women's experiences in other nationalist movements whereby women's issues were 'relegated to a subordinate role' (Steyn, 1998:42; Britton, 2005). The backdrop to the commencement of political settlement negotiations was one where women continued to engage in deliberation on the process of advancing the gender movement through local and regional debate, seminars and conferences, albeit at the margins of the political sphere. At the start of the formal political negotiations, the ANC, COSATU and SACP perspectives on gender equality remained contested in discourse and practice.

Gender and the Negotiations for the New State

Prior to the commencement of political negotiations, women's organisations active against apartheid, also followed a strategy of consolidation which was consistent with the ANC leadership's approach in general (Hassim, 2006). Key ANC women activists and some high-ranking male ANC members that were supportive of women's issues were involved in developing this strategy (Britton, 2005). It was agreed that many of the internal women's structures would disband and amalgamate into the ANCWL that could provide a national structure (Hassim, 2006). Significant women's organisations who had been in the UDF

integrated into the ANCWL, leading to the disbandment of the UDF Women's Congress, the United Women's Congress (UWCO), the Natal Organisation of Women (NOW) and the Federation of Transvaal Women (FEDTRAW). There was some division over this strategy internally in some of these organisations and there remained tensions (Fester, 1997). Consequently, this action was not taken without reservation; some of the internal women's organisations believed that the ANC Women's League was weakened by the lack of racial and class diversity, and grassroots connections that had been established through the years of women's mobilisation against apartheid within South Africa (Ntombela-Nzimande, Schreiner and Routledge-Madlala, cited in Hassim, 2006:119). A further outcome of this approach was that the objective to firstly recruit women into the ANC and thereafter into the ANC Women's League became a tactical norm, a strategy that would always have significant gender implications. Firstly, women were a recognised electoral constituency and deliberately this strategy could be deemed to be of benefit primarily to the ANC party organisation. Secondly, it could also offer opportunities for women by providing a platform from within the party to engage with gender concerns and a space to progress their specific objectives. The strategy therefore had implications for the gender dimensions and perspectives on women's issues in the negotiation of the new state as the process of embedding gender concerns was fundamentally tied to the ANC.

In tandem with the unbanning of political organisations a process of political engagement between apartheid and anti-apartheid representatives, referred to as the 'talks about talks', commenced in 1990, building on secret negotiations which had been taking place between representatives of the ANC and the apartheid government. Prior to the commencement of the formal negotiations, a high-level meeting of the ANC leadership and the government led to the signing of the Groote Schuur minute in May 1990, which committed to stability and a process of peaceful negotiations. This commitment was meaningful as it was a governing principle for a range of decisions that followed. The ANC delegation of 11 members at Groote Schuur included two prominent women in the anti-apartheid movement, internal activist Cheryl Carolus and Ruth Mompati who had a substantial role in the ANC in exile. Although they were the only women representatives present at these talks, women believed that it was only through their participation that there would be attention to gender equality (Albertyn, 1994; Meintjes, 1996; Gouws, 1998; Seidman, 1999; Hassim and Gouws, 1998; Cock and Bernstein, 2001; Britton 2002a; Naraghi-Anderlini, 2004; Geisler, 2004: Hassim, 2003a, 2006; Bazilli, 2010; Waylen, 2014). Despite this understanding, and the presence of these women, there was no

consideration of gender issues and as the talks progressed behind the scenes throughout 1991, even the two women representatives became excluded (Seidman, 1999; Mbete, 2003). South African women's insight into other transitions had given an indication that if women were not party to the negotiations, gender demands would be side lined and the collective organisation of women changed as the political negotiations progressed (Steyn, 1998; Geisler, 2000; Waylen, 2003; Hassim, 2006). Advocating for inclusion and access to decision-making was therefore understood as a key strategy for the legitimisation of women as a political collective and for embedding gender equality issues (Geisler, 2000; Hassim, 2002). Issues of inclusion and representation had been established as central to gender equality strategies internationally under the auspices of the UN Conference on Women in Nairobi and other related fora.

Accordingly, women's inclusion in the negotiations became a key challenge in the early 1990s, making the issue of women's representation a priority focus (Mbete, 2003; Hassim, 2006; Waylen, 2014). Women had to persistently intervene to ensure that they were party to the settlement negotiations and as a result the concept of a national women's structure resurfaced, having been a dominant feature in debate and discussion around addressing women's issues in the exiled ANC throughout the 1980s (Mbete, 2003; Hassim 2006). This now became a key objective for the ANC Women's League, which grew exponentially in the early 1990s under the leadership of Gertrude Shope and Albertina Sisulu, and played a significant role in progressing women's issues at this time (Meintjes, 1998; Mbete, 2003). The league had already witnessed the resistance to gender equality demands with the ANC refusal to adopt a quota allocating 30% of seats on the NEC to women (Meer, 2000). It is noted that although the leadership appeared to support the quota proposal, it was withdrawn by the Women's League due to the level of objections among the ANC's membership (Seidman, 1993).

To those women making the decision, it appeared to be a logical step to mobilise collectively, a task force comprised of women from the exiled Women's Section and internal Women's Congress was established to develop a Women's Charter campaign (Seidman, 1993; Meintjes, 1998; Meer 2000; Hassim, 2002). This was also consistent with previous campaigns where women had mobilised against apartheid. The Women's League initiated a meeting with 40 women's organisations in September 1991 to draw up the Women's Charter in accordance with the ANC Statement on the Emancipation of Women. The ANC statement had called 'upon the ANC Women's League to initiate a campaign for the Charter…..based on the needs of African women…..it should draw in and represent the wishes of women from all sections of South

African society' (ANC, May 2nd, 1990). Deliberation on the nature of this campaign had highlighted the necessity of connecting with women from the grassroots and targeted the development of a set of agreed objectives which women sought to ensure were addressed in the post-apartheid state (Hassim, 2002, 2006). It was further envisaged that the Women's Charter would identify key gender concerns for inclusion in the new constitution (Albertyn, 1994; Meintjes, 1996; Meer, 2000).

Activists in the ANCWL played a seminal role in the establishment and leadership of the Women's National Coalition (WNC), a broad based coalition of seventy organisations drawing together women from distinctive political and ideological backgrounds (Meintjes, 1996, 1998; Baden, Hassim and Meintjes, 1998; Meer, 2000; Hassim 2002). Aside from the ANCWL, the WNC included women across racial, political, language and cultural divides including the Inkatha Freedom Party (IFP), South African Communist Party (SACP), Congress of Trade Unions (COSATU), African Women's Organisation (PAC), rural and church women's groups, Afrikaans women, among others (Hassim, 2006). As a coalition, the WNC recognised there were potential political opportunities owing to the type of structure, the period of negotiation and the transition emphasis on redressing apartheid inequities through an identification with social justice and equal citizenship rights (Hassim, 2002; Baldez, 2003; Waylen, 2007b). The stated objectives of the WNC were to educate and mobilise grassroots women to identify issues of concern to them, and to lead the development of the Women's Charter to inform the constitutional negotiations (Meintjes, 1998; Waylen, 2004). Prior to the negotiation period, women in the ANC, SACP and COSATU had already identified the necessity of addressing gender equality politically and constitutionally through deliberation and debate at a number of conferences and workshops (Ginwala, 1991; Bazilli, 1991; Steyn, 1998; Hassim, 2004). While Hassim (2002:695) argued that the WNC provided a space for women in the ANC to autonomously articulate their claims, the independence of the ANCWL's relationship with the ANC was questionable.

There were specific issues identified by this constituency of women, such as the recognition of gender oppression in the Constitution; the inclusion of an equality clause in the Constitution to protect racial and gender equality; the recognition of reproductive rights; the prohibition of discrimination on the basis of cultural practices; and the inclusion of women in forming the Constitution (Albertyn, 1994). As a result, key issues of focus for the WNC were representative

of previous positions regarding women's political and legal rights and Constitutional protection for gender equality that had been articulated at the Malibongwe conference (1990). There was therefore a huge amount at stake for women given the constitutional emphasis in the negotiations to establish a political settlement that was understood as fundamental to the incorporation of gender concerns in the new state. It was also apparent that women activists in the ANC were the most influential constituency of women during the process of negotiation through the vehicles of the WNC and the Women's League (Meer, 2000; Hassim, 2002, 2006). However, within the overall negotiation process, both women's engagement and the objective of integrating gender concerns was met with continued resistance within all parties to the negotiations (Hassim, 2002; Waylen, 2007a, 2014).

The negotiations for the achievement of a formal political settlement began under the CODESA Declaration of Intent in December 1991, this declaration provided the framework for the negotiation process to end apartheid rule and construct the new democratic state. CODESA established the principles for the negotiation process including a core objective 'to bring about an undivided South Africa with one nation sharing a common citizenship, patriotism and loyalty, pursuing amidst our diversity, freedom, equality and security for all irrespective of race, colour, sex or creed; a country free from apartheid or any other form of discrimination or domination' (CODESA I Declaration of Intent). The Declaration outlined all party-commitment to the foundation of a united, democratic, non-racial, non-sexist state (CODESA I Declaration of Intent). The apartheid ruling National Party (NP) and the ANC were the chief negotiating parties and were the most influential in shaping the negotiation process and deciding its substantive outcomes' (Barnes and De Klerk, 2002). Delegates to CODESA were nominated by political parties, and as a trade union congress, COSATU were not included in the formal negotiations. However, some COSATU members were given a substantial role in the negotiations on the basis of their membership of the tripartite alliance with the ANC and the SACP and a trade unionist, Cyril Ramaphosa, was chosen as the lead negotiator for the ANC. Working groups were established to focus on the electoral system; the constitution; the establishment of an interim/transitional government; the future of the Bantustans and related time frames (Ebrahim, 1998).

While there was a clear statement in the CODESA Declaration of Intent on the creation of equal citizenship inclusive of ethnicity, gender and belief, it was not clear on the procedural inclusion of women in the negotiation process. At the initial negotiations, women comprised

just five percent of the 238 delegates from political parties; as a result, women's representation was a fundamental challenge from the outset across all political constituencies (Barnes and De Klerk, 2002). Pressure was mounted by women external to the negotiations and by prominent Democratic Party representative Helen Suzman who made a speech in the negotiations arguing that CODESA had to include more women and address gender discrimination (Ebrahim, 1998; Barnes and DeKlerk, 2002). The ANC Women's League voiced their criticisms and a Gender Advisory Committee (GAC) was established to advise on the gender implications of decisions throughout the negotiations, they had limited powers but were a symbolic presence (Friedman, 1993; Albertyn, 1994; Mbete, 2003). It is significant therefore that the gendered nature of the negotiations appeared to replicate the contested arena of securing gains for women that had been a characteristic feature of the 1980s, and that gender concerns were in danger of being silenced or ignored throughout the settlement negotiations (Meintjes, 1996, 2011; Hassim, 2002; Gouws, 2006).

The negotiations took place in the context of an extremely high level of violence, protest and political unrest across South Africa, along with increasing tensions between the oppositional negotiating parties, eventually breaking down in June 1992 when CODESA collapsed (Maharaj, 2008; Deegan, 2011). The ANC resolved to once again embark on a campaign of mass mobilisation, political protest and strike action, supported by COSATU, the SACP and the ANCWL. International pressure played a major role in the progression of the negotiations. After the business and international communities expressed their concern about the turmoil in South Africa, the UN Security Council intervened and established a mission to support the process (Barnes and De Klerk, 2002). A new round of political negotiations, the Multi-Party Negotiation Process (MPNP), commenced in 1993 tasked with establishing a constitutional framework (Deegan, 2011). These negotiations had a different organising structure, a Negotiating Council composed of two delegates per party and two technical advisers, but were however consistent with the previous approach of marginalising women (Albertyn, 1994). The WNC and ANCWL adopted a clear position on the exclusion of women. After protesting and threatening to boycott the elections, they successfully argued for a formal commitment to women's participation within the various structures of the negotiation process; a request that was progressed by the ANC within the negotiations (Hassim and Gouws, 1998; Cock and Bernstein, 2001; Waylen, 2007b; De Nobrega, 2014). A major concession was that all parties to the negotiations would have to ensure that one of their two representatives would be women and subsequently that one of their technical advisors would be women and a Women's Caucus

was established (Mbete, 2003). It is also notable that the female delegates were often from very different realms of expertise to the male delegates and that the appointment of women did not necessarily result in a consideration of gender concerns (Albertyn, 1994; Hassim, 2002). In addition, the negotiation process continued to marginalise women in multiple ways with additional bilateral meetings taking place outside of the process between male delegates, compounded by primarily male delegate social interactions and engagements (Waylen, 2014). Accordingly, representation and participation within the political process and the objective of political transformation took precedence over economic and social transformation (Waylen 1994; Meintjes, 2011).

Throughout the negotiation process, the ANC faced demands from a multitude of stakeholders, including traditional authorities, an affiliation that was strengthened in the latter stages of apartheid through the formation of a close alliance between the ANC and the Congress of Traditional Leaders of South Africa (CONTRALESA) from 1987. This alliance enhanced the power of traditional leaders during the political transition and CONTRALESA were integrally involved in the drafting of the interim Constitution under the multi-party negotiations process in 1993 (Albertyn, 1994). Accountability to traditional authorities had further implications for the process of engendering the constitutional negotiations as traditional leaders had jurisdiction over the implementation of highly gendered customary laws (Pillay, 1994; Tebbe, 2008). As a result, the issue of customary law became another significant battleground for the progression of gender equality during the negotiations (Currie, 1994). The drafting of the interim Constitution (1993) and Bill of Rights led to considerable debate and discussion regarding gender equality and customary law as the ANC sought a compromise position that would accommodate both women and traditional leaders (Currie, 1994).

In these constitutional deliberations, traditional leaders argued for the exclusion of customary law and the right of male accession to chieftainship from the Constitution and contended that the imposition of gender equality would destroy indigenous culture (Tebbe, 2008). Traditional leaders specifically argued for customary law to be the only recognised legal jurisdiction in their communities, placing women outside of the protection of the Constitutional framework (Hasism, 2002). In response to these demands, women in the ANC, the Women's Caucus and the WNC, supported by a strong rural women's constituency, lobbied for the inclusion of what was known as an 'equality clause', a legal mechanism in the Constitution that would supersede customary and traditional rights (Hasism, 2002, 2006). The ANC finally conceded to women's

demands and most accounts of the constitutional negotiations have identified that this was effectively a victory for the women's movement (Seidman, 1999; Meer, 2000). However, although the ANC eventually accepted women's position, in reality the context was more complex. It is notable that the outcomes of this contested battle have also been attributed to the pressures of timing in the final stages of the negotiations making it a 'victory by default', suggesting that perhaps the ANC were not entirely supportive of the equality clause (Albertyn, 1994:60). Accordingly, the constitutional outcomes for women in the context of customary law remained somewhat ambiguous and this outcome was only a partial victory for women (Pillay, 1994; Currie, 1994).

During the negotiations, women had to continually battle for inclusion and participation, and even those women who had a voice in the process faced serious constraints (Mbete, 2003; Hassim, 2002, 2006; Waylen, 2014). As a result, 'the presence of women delegates at the MPNP was tempered by several levels of marginalization and exclusion' with women describing the MPNP as an 'old boys' club' (Albertyn, 1994:56). In order to counteract these challenges, women activists established a Monitoring Collective in the negotiation process with the support of the Danish government (Hassim, 2006; Waylen, 2014). Non-gendered analysis of the negotiations suggests that the negotiations were relatively exclusive, relying on a select leadership making decisions in a manner that was relatively unaccountable (Marais, 1998; Bond, 2000). A notable perspective is that the settlement achieved political consensus but failed to determine which 'social and economic interests would be privileged' in the reconstructed state (Marais, 1998:96). The inequitable gendered negotiation context is rarely elaborated in the analysis of the transition and it demonstrates that there was still considerable resistance to gender equality among the major political stakeholders, including the ANC and the SACP. A salient observation is that COSATU while not formally involved in the process, having political and economic experience, got seats at the table under the ANC mantle and exerted considerably more power and influence than women who were directly included in the negotiations (Albertyn, 1994).

In November 1993, the Negotiating Council adopted a comprehensive political settlement that became the basis for South Africa's democratisation pact. The pact included an electoral act, provision for a transitional government of national unity and an interim constitution, which provided the legal basis for the transitional institutions and specified non-negotiable constitutional principles (Deegan, 2011). There are indications that several aspects of the

normative features of international gender equality strategies and mechanisms were incorporated into the South African settlement and subsequent transition, through the reconstructed legislative and policy frameworks, emphasis on institutional politics, political representation and introduction of voluntary gender quotas and national gender machineries as a basis from which to work towards implementing gender equality (Hassim, 2003a; Walsh, 2006; Waylen, 2014). The gender outcomes of the settlement were embedded in the interim Constitution and justiciable Bill of Rights that provided a high-level legal framework for equality, the limitations of which were overshadowed by the celebrated achievements of women in their respective parties and the WNC in particular. A subsequent critique argued that it was essentially 'an elite pact negotiated by leaders of the women's movement with the male leadership of the ANC' (Hassim, 2009b:61).

The WNC are considered to have delivered important outcomes for women, constructing a space for deliberation and advocacy on gender equality issues at an opportune time in the negotiated development of the new state (Meintjes 1996; Hassim, 2000, 2002). The Coalition was pivotal in terms of its overall impact within the political negotiations, successfully arguing for the inclusion of gender equality in the preamble to the 1993 Interim Constitution and conceptually reconfiguring discourse on gender inequality (Meintjes, 1996; Cock, 1997; Gouws, 1998; Hassim and Gouws, 1998; Steyn, 1998; Seidman, 1999; Cock and Bernstein, 2001; Hassim, 2000, 2002; Geisler, 2004; Waylen, 2007). Critiquing the WNC, Meer notes that the Coalition absorbed the tensions that had been present between the various women's constituencies during the movement against apartheid and also in the ANCWL at the time; had a liberal orientation reinforced by a middle ground approach; were not as responsive to the demands of working class women and tended to be dominated by women who had a strong political party allegiance (2000:118-119). It is also argued that the finalised Women's Charter was primarily shaped by white academics despite the broader consultation (Fester, 1997). Frene Ginwala, convenor of the WNC, acknowledged that the WNC made a 'mistake by being expressly non-political rather than just being non-party political' (1995 interview, cited in Geisler 2004:85). Further analysis suggested that the WNC also provided a mechanism for women in the ANC to leverage external women's voices in their battle to harness ANC acceptance of their demands during the negotiations (Hassim, 2006; Bazilli, 2010).

In terms of women's collective organisation, once the Charter was finalised, the ANC Women's League decided that there was no longer a need for the Coalition and withdrew its

representation (Bazilli, 2010). Their capacity to exert such influence supports the insight into the dominant role that ANC women held in the Coalition. In the interim, Winnie Madikizela-Mandela had become leader of the ANCWL in 1993, surmounting the continued controversy that surrounded her in the ANC, a move that also impacted on the position of the Women's League and their relationship with the tripartite alliance (Geisler, 2000). While Madikizela-Mandela was no longer popular among the ANC leadership, she remained an important figure for the grassroots supporters and her election as President of the League was considered advantageous for the ANC's election campaign (Geisler, 2000). A further shift occurred for women activists in the tripartite alliance organisations, as electoral representation became a strategic priority (Gouws, 1996). This was supported by the ANC who understood the significance of including women as candidates while also appealing to women as voters (Hassim, 2006). Women in the ANC had won out the quota debate overcoming the initial resistance from within the party, and women were guaranteed 30% of the share of candidates on the ANC's electoral lists (Geisler, 2000). The change in emphasis to electoral representation and parliamentary politics ultimately finalised the dismantling of the WNC as it was agreed that women in parliament could not be members of the Coalition (Hassim, 2002). The process of democratisation was considered to offer opportunities for women and they actively sought to be involved in the formal political arena, with the result that the priority objectives of representation and institutional politics became the main site for the pursuit of gender equality (Gouws, 1996). The emphasis for women activists in the alliance changed to mobilising women to harness their vote for the ANC (Hassim, 2006).

All parties to the tripartite alliance played a crucial role in voter education and in the rollout of a mass campaign for voter registration prior to the first democratic election (Hassim, 2006). At this point, the ANC were the dominant force in the political landscape that represented various strands of the anti-apartheid movement. According to Adler and Webster's analysis, from 1989, 'the center of gravity within opposition politics shifted as the ANC began to reassert its hegemony as the political leader of the anti-apartheid movement, a process that was completed in the run-up to the April 1994 elections' (1999:145). As women transitioned into parliamentary roles, the gap between women who were now integrated into institutional politics and the majority of rural African women also began to widen at this juncture (Hassim, 2003a). The equality framework was reliant on both women parliamentarians and the tripartite alliance's commitment to ensuring that the outcomes were met within the confines of the inclusionary agenda of the new state (Gouws, 1996, 2006, 2008; Hassim, 2003a; Geisler,

2009). This strategy therefore required the support of the tripartite alliance and made it essential that there was substance to the position on gender equality that the government partners represented. It was complicated by the fact that individually within the ANC, SACP and COSATU there were contested and divergent conceptual and strategic perspectives on gender equality (Hassim, 2006). Women in these organisations continued to push for gender demands to varying effect and continued to look for ways to progress gender equality as the new state was established. Although a healthy scepticism of the ANC's position is evident in ANC women's writing and feminist analysis prior to the transition (Ginwala, 1991; Hassim, 1991) this dissipated as the transition unfolded (Baden, Hassim and Meintjes, 1998). It is repeatedly recognised that South African women were acutely cognisant of ensuring that their experience would not follow the trajectory of women's marginalisation in other post-liberation states, particularly those on the African continent (Seidman 1993 Fester, 1997; Steyn, 1998; Modise and Curnow, 2000; Hassim, 2004, 2006). Towards the end of the first electoral period of the tripartite alliance in government it was considered that gender inequality 'is recognised as an issue in mainstream debate and among the country's senior leadership…..the majority party in Parliament, the ANC, has explicitly committed itself to gender equity (Baden, Hassim and Meintjes, 1998:10)

Gender Equality and the Construction of the New State

The gendered dimensions and characteristics of the political settlement, determined by the political leadership, were further reinforced during the period of constructing the new state. The transition altered the dynamics of the relationship between anti-apartheid political parties and organisations, and the state, through their engagement in the process of negotiation and the settlement outcomes (Lodge, 2003). As the settlement negotiations concluded and the first democratic election was held, the ANC achieved a dominant position in representing the majority of South African citizens against apartheid in the context of the complexities of the political and economic elite power holders of the apartheid regime. Although the alliance operated democratically, with major policy decisions taken at regular summits where the three partners were represented, power was concentrated and increasingly centralised at leadership level (Lodge, 2003, 2021). In 1994, when the new South African state was established, the Tripartite Alliance, which had primarily been an oppositional force, found itself in a Government of National Unity under an ANC electoral pact. While the ANC are effectively the leaders of the alliance, members of both COSATU and the SACP who wish to participate

in politics under the democratic process are required to be a member of the ANC and are included on their electoral lists. From 27th April 1994 to 3rd February 1997, South Africa was governed by a Government of National Unity (GNU) led by the ANC alliance under the conditions of the interim Constitution (Maree, 1998). In the aftermath of the democratic election in 1994, the ANC became the dominant political party in office, with a majority of 62.6% of seats in parliament (252 of the 400 seats), a position it has retained in the post-apartheid state despite being beset by challenges. There were a number of concessions to women's demands in the context of the establishment of the new democratic state and the first electoral term of the new government, with high-level constitutional and legislative reforms in tandem with the creation of a national gender machinery infrastructure. The progressive outcomes for women are understood to be representative of the outcomes of women's agency in the political negotiations and the foundation of the post-apartheid democracy, noted to have been 'enhanced by the overall ethos of human rights that is established by the Bill of Rights, the Constitution, and by the ANC government's commitment to a strong transformation agenda' (Baden, Hassim and Meintjes, 1998:10).

After the first election in 1994, the ANC held 18 of the 27 cabinet portfolios. The ANC also won a majority in seven of the nine provincial legislatures. The SACP attained 13% of the National Assembly seats, with five of the eighteen ANC cabinet appointments going to SACP members and a further two to former communists (Adams, 1997:240). The SACP representation was similar in the majority of the provincial legislatures and three regional Premiers were also communist, ensuring that the Communist party were fully integrated into the state system. COSATU attained 20 seats in the new parliament under the ANC led alliance (Buhlungu, 1994; Maree, 1998). Women's representation in the South African parliament was fundamentally altered from the apartheid era, with 100 of the 400 seats held by women; however only three of the cabinet ministers were women and this number was proportionally less than half their representatives. The increase in women's representation was primarily attributed to the implementation of the ANC's 30% quota for women, ranking South Africa within the top-ten democratic states in terms of women's parliamentary representation at that time internationally. The ANC is the only South African political party with a formally validated quota system internally within the party, adopting the 30% quota prior to the elections in 1994, a 50% quota for local elections in 2006, extending to 50% at national elections in 2009. This outcome is consistent with the parliamentary position of women in other transitioning states where quotas were implemented (Tripp, 2006; Tripp and Kang, 2008;

Gouws, 2008). It is notable that while women achieved a higher percent of national assembly seats (29.3%), the SACP attained more positions in the post-apartheid government. Accordingly, for women, while representation was a significant achievement it did not necessarily equate with decision-making power given these comparative percentages. The ANC entered the transition period with formal commitments to gender equality, despite the adoption of quotas however, it was also notable that the party's senior leadership remained male dominated (Brechenmacher and Hubbard, 2020)

As the transition commenced, leading gender equality activists were absorbed into the state apparatus through parliamentary representation (Geisler, 2000; Britton, 2005; Goetz and Hassim, 2003; Hassim, 2003a, 2005c). However, women's engagement was shaped by the fact that ANC loyalty and contribution to the movement against apartheid was a primary factor in allocating roles for women in parliament and the national gender machinery (Mtintso, 2003; Gouws, 2006). The rank and file members of COSATU, the SACP and the women's movement faced a similar trajectory and the gap between the grassroots and organisational leadership widened considerably with experienced leaders being integrated into the state (Meer, 2005). Consequently, the transition period saw the relative abandonment of protest politics and the demobilisation of social movements with an emphasis on civil society policy advocacy and partnership with the state to deliver outcomes in a complex political and institutional environment that included apartheid era civil servants (Beall, Gelb and Hassim, 2005). Retaining apartheid era civil servants in their posts was a compromise agreed during the settlement negotiation (Alexander, 2003). The distance between the issues represented in high-level discussions and the grassroots activist/membership base have been observed by commentators on the trade union congress, the Communist Party and gender equality, although there is less analysis on the gender implications of such gaps (Adam, 1997; Maree, 1998; Meer, 2000; Hassim, 2002; Friedman, 2011).

The ANC-led alliance set about addressing the legacies of apartheid injustice with a strong emphasis on the political project of nation building and reconciliation, accompanied by the institution of a constitutional and legislative framework that sought to embed equality and inclusivity in the new state underpinned by a macro-economic strategy that strongly supported social development (Baden, Hassim and Meintjes, 1998). It could be expected that the alliance partners would be instrumental in determining the political, economic and social developments in the new state. During the process of negotiation and the establishment of the new state,

international political and economic developments were also critically influential in shaping the policies of the post-apartheid government (Lodge, 2003). Studies on the economic nature of the transition acknowledge that post-1989, the global political and economic consensus had 'transformed the international climate, delegitimised radical notions of democracy and reinforce[ed] a global economy that dictated neo-liberal market-based solutions as the only acceptable solutions (Ginsburg et al., 1995:7, cited by Webster, 1998:47). In the aftermath of the election, several international finance packages were promised to support the new state, pledging millions in aid to support economic and social development (Marais, 1998). At the time of the democratic transition, many international aid programmes came with conditions and expectations with regard to contemporary democratic norms, including gender equality. For example, international funding from countries such as Sweden provided the impetus for adopting gender equality demands within the ANC, during and in the immediate aftermath of apartheid, as the prioritisation of gender equality was an integral aspect of Sweden's international aid programme (Duke, 1996; SIDA, 2002; Gleijeses, 2005; Lundin, 2019).

Although the leadership within the ANC, supported by their alliance partners, shaped the discourse, strategy, and emphasis within the democratic transition their position was determined through negotiation, compromise and the influence of these external pressures. The socio-economic framework finalised under the White Paper on the Reconstruction and Development Programme (RDP) supported the integration of social, political and economic objectives into an overall growth and development strategy. A fundamental priority for the RDP was to begin to 'meet the basic needs of people: jobs, land, housing, water, electricity, telecommunications, transport, a clean and healthy environment, nutrition, health care, and social welfare' (Republic of South Africa, 1994:7). Despite the RDP appearance of a socially progressive vision, the inherent limitations of the economic strategy were already apparent as the new democracy was established and were critiqued accordingly (Adelzadeh and Padayachee 1994, cited by Webster 1998). The emphasis on addressing racial and gender inequalities is referenced throughout the programme but a workshop held at that time critiqued the gender focus as meaningless and auxiliary to the RDP, demonstrating a lack of awareness of gender equality (Agenda Collective, 1995). The constitutional and legislative protections were insufficient to address the material conditions of black South African women (Hassim, 2005d). Two years after the democratic elections, the RDP was redundant, being replaced by the Growth, Economic and Redistribution (GEAR) strategy, aimed to stimulate economic growth while retaining a focus on social needs. However, while there remained an emphasis

on social development, a key pillar of the GEAR strategy focused on trade and economic liberalisation that effectively aligned the South African economic development strategy with neoliberal economic orthodoxies. From a gender perspective, Meer warned of the implications of adopting a neoliberal approach in terms of the impact on women in rural communities and the limitations in addressing women's needs in land reform programmes (1997). COSATU outlined that 'instead of the Alliance being the engine for transformation, policy has in many instances been driven by the old bureaucracy, business advisers, economists from the Reserve Bank, the World Bank', replacing the 'researchers and advisers of the democratic movement' (COSATU 1996:12, cited by Webster, 1998:44).

The democratic transition in 1994 presented both challenges and opportunities for the ANC's alliance partners. While the adopted corporatist approach had benefits such as direct access to the political arena, there were also limitations including the power differential within government, with the ANC being the more dominant partner in the power sharing structure. Undoubtedly, the most discordant issue in the alliance relationship has rested in the area of economic policy and development (Marais, 2001; McKinley, 2001). A frequently cited critique of the ANC's economic trajectory is the noted disparity between Mandela's references to the ANC's economic redistribution and asset nationalisation strategy while in prison, and the subsequent dominance of neoliberal orthodoxy, which reinforced South African and international elite capital interests (Marais, 1998; Bond, 2000). For both COSATU and the SACP a key challenge in the post-apartheid state was the capacity to retain a 'distinct political vision' (Wood, 2002:132) and to exert influence over ANC decisions (Lodge, 1999, 2003; McKinley, 2001; Thomas, 2012).

Economic analysis of the transition illustrates that 'while there is no doubting the profound changes which the end of apartheid has produced……..the transition did not encompass the fundamental shift in social and economic power relations which the end of apartheid was meant to produce' (Friedman, 2011:6). The SACP leadership played a distinctive role in the construction of a paradigmatic shift that allowed for the articulation of a structural reformist approach incorporating social empowerment through a state-driven social reform agenda (Adams, 1997:240). Analysis of COSATU suggests that the labour movement leadership strived to influence the 'discourse and practice of economic development and social reconstruction', however their impact was seriously compromised (Buhlungu, 2010:13). Both the SACP and COSATU opposed many aspects of GEAR but remained integral to the tripartite

alliance. As McKinley observed the 'most crucial thing to emerge was the ability of the ANC leadership, alongside many of their SACP and COSATU colleagues, to contain and suppress truly open debate….and to prevent mass membership shaping its outcome' (2001:192).

While the conservatism of the economic strategy resulted in substantial criticism, the failure to include differentiated gender policies, or demonstrate an awareness of women's practical needs, did not attract a similar critique from either the SACP or COSATU. This had clear implications for both gender and class outcomes of the transition and by inference also race, given that the poorest communities were African and were female (Hassim, 2005d). In many respects, the adoption of macroeconomic norms favouring market liberalisation followed a similar trajectory to the incorporation of normative gender equality mechanisms in the South African transition, despite the inherent ideological and practical contradictions. In both contexts, adherence to international policy, donor and investor relationships proceeded alongside a strategy to retain the support of unions, SACP members and women's organisations. The ANC relied on this support to maintain their position of power, and their inclusion of the representative interests of the mass movement against apartheid - class, race, gender, youth, workers, – within the power structures allowed them to act with a level of impunity. The adoption of a neoliberal economic policy position, innately incapable of addressing women's demands, diluted the commitment to addressing economic inequalities, in turn affecting black South African women most adversely. In addition, the strengthening of the ANC's relationship with traditional leaders was also contrary to the improvement of rural African women's status. The alliance-led government's lack of policy implementation and resource commitment in the post-apartheid state created a litany of failures regarding the expected outcomes for South African women. The specific nature of gender inequalities and the disproportionate impact on black South African women is considered in detail in the following chapter.

Conclusion

The process of engendering the South African transition was enabled by the extensive engagement of South African women activists who had observed the limited changes and constraints for women in other democratisation processes. In addition, the politicisation of women's issues and gender equality in the context of the anti-apartheid movement had gained momentum prior to the democratic transition. As a result, the strategy of high-level legislative and policy change, accompanied by the establishment of a national gender equality

infrastructure and service provision was expected to deliver a more progressive outcome for women in the post-apartheid South African state. While it appeared that South African transition held the promise of changing the gendered outcomes of democratisation and state reconstruction processes, this did not materialise in practice.

Scholarship on democratic transitions and state building, discussed in Chapter One, has described the factors and conditions that support the progression of gender equality while also identifying the characteristics that impede progressive outcomes. In this literature the characteristics necessary to advance gender equality in transitioning states, including the presences of women's movement representatives, the embedding of gender equality as a policy object of political parties, were present in the South African transition to democracy. In addition, the positive influence of international gender norms is considered to be a significant factor in progressive gender equality policies in transitioning states and was also a characteristic of the South African transition. While the role of the ANC in supporting gender equality policy has been described in the literature in relation to the position and the actions of the ANC, both prior to and during the negotiation for the transition, there is an element of ambiguity regarding the level of their support and commitment. The role of elite actors is considered important in shaping democratic transitions and state building, and although noted as a factor in gender scholarship on democratisation, there is little in-depth examination of the position of elites on gender equality and inclusion issues. This context formed the basis for the development of the research emphasis on examining the gender equality perspectives of elite political actors in the South African democratic transition. Before elaborating on the research process in Chapter 4, the following chapter provides a detailed overview of empirical data and gender research on a range of social, economic and political gender equality characteristics, disaggregated in accordance with the differentiated position of black South African women.

CHAPTER 3: GENDER EQUALITY AND THE POSITION OF WOMEN IN THE POST-APARTHEID STATE

This chapter documents the position of women in the post-apartheid South African state. The aim of this chapter is to provide an overview and analysis of the status of women in contemporary South Africa, taking into consideration the economic, political, social and cultural context, identifying some of the limitations of the progressive measures instituted to promote gender equality, and highlighting the entrenched inequalities that prevail. The parameters of this study are concerned specifically with black South African women, comprising the majority female population, and therefore potentially the major female beneficiaries from the transition. This chapter presents existing research, data and measurements on gender equality and women's position disaggregated in relation to ethnicity where possible.

Positive changes to women's status in the post-apartheid state are notable in relation to the substantial increase in girls' participation in education, enhanced reproductive rights and legislation, social security, political representation, maternity and parental rights. However, despite these significant indications of progress, in the aftermath of the transition period, the gender profile of the post-apartheid state illustrates the ubiquitous nature of inequality. Contemporary South African statistics, disaggregated data and academic research illustrates there are deeply entrenched gender inequalities that prevail in the social, economic, political and cultural spheres in contemporary post-apartheid South Africa. The UNDP Global Gender Inequality Index 2012, measuring gender inequality in relation to reproductive health, empowerment and labour market participation, ranked South Africa at number 90 in relation to levels of gender inequality, and by 2020, this ranking had dropped significantly to 114. Analysis of women's status demonstrates the differentiated position of black African women regarding poverty and unemployment, reproductive health, maternal mortality and access to services; extremely high levels of gender-based violence, HIV and AIDs (Albertyn, 2003, 2015; Cooper et al., 2004; Lince-Deroche et al., 2016).

The challenges that women face in the political sphere are perhaps less obvious from statistical datasets given the high proportion of women in parliament and the implementation of national gender machinery mechanisms. Nonetheless, there are indicators of the limitations of South African women's political representation based on empirical research studies. Cultural norms

and practices have also been identified as problematic, exemplifying the complexities of customary law in the context of constitutional transformation, the failure to transform gender relations and the pervasiveness of patriarchy. Increased expenditure in the broad sector of health care has not fully addressed the magnitude of the challenges in relation to maternal health and mortality rates. Although there is limited analysis on the gendered nature and implications of transformation in the economic sphere it is evident that neoliberal policies have been detrimental to women's employment and the dilution of worker's rights, particularly for women from black working-class and rural constituencies (Meer, 1997, 2000; Tshoaedi, 2012; Fester, 2014). Arguably, the economic strategy adopted in South Africa initially had a positive impact on the economic position of black women, introducing social assistance and protections for domestic workers, however there remain challenges with regard to implementation. As noted, in the early stages of the democratic transition the replacement of the RDP with the GEAR macroeconomic strategy was in itself an indication that at its core, economic policy was not concerned with gender inequalities. This is important given the extensive debate and criticism of GEAR during the period of transition and the fact that the macroeconomic context was so central to policy implementation and infrastructural transformation in the post-apartheid state. The introduction of GEAR, at a time when gender policy and legislation was considered an integral part of the alliance programme of action, exposes some of the serious limitations of the commitment to gender equality from the outset of the construction of the new state.

The Social Position of Women: Education, Health, Reproduction, HIV/AIDS, Gender based violence

During the democratic transition, social rights were constitutionally embedded and enacted in specific legislation that took cognisance of differentiated rights according to gender, ethnicity and other identity markers. According to Hassim, the social policy context is considered to have a strong commitment to gender equality (2005b). In addition, is also argued that since 1994, 'the South African government has held fast to social spending on an array of programmes in the fields of health, education and welfare' (Budlender and Lund, 2011:927). However, there are contradicting perspectives on this point and Albertyn's research notes that by 1999, when the ANC entered its second term of office, a gap between the public and private spheres became more obvious in relation to progressively higher levels of poverty, gender based violence and HIV prevalence among women (2003). This is evidenced by statistical data and gender studies, which have increasingly recognised that despite the recognisable

improvements to the social status of black women since the end of apartheid, enormous challenges prevail with regard to HIV, AIDS, access to abortion and gender based violence.

Education

In 1990, educational inequality was a major issue for poorer South African communities with more than 50% having incomplete education (Baden, Hassim and Meintjes, 1998). The introduction of the South African Schools Act, in 1996, changed the existing apartheid law to ensure school attendance, making it compulsory for all children between the age of 6 and 14 to attend school. Between 1995 and 1999, the percentage of girls under 19 years attending school increased considerably from 21% to 66%, and from 2002 to 2006, 81% of the population, between the age of 15 and 19, were attending school, a slight majority of whom were female, possible due to primary school data (Geisler, Mokgope and Svanemyr, 2009). In 2017, the average number of years spent in school was 9.9 for girls and 10.4 for boys (Gender Inequality Index, 2017). However, the legacy of apartheid remains apparent in relation to adult literacy where 8.6% of men and 12.6% of women over 20 have no formal education and again African women are the most disadvantaged with more than 20% reported as having no formal schooling (Geisler, Mokgope and Svanemyr, 2009). Educational levels are very closely related to poverty; 79.2% of individuals with no formal education were poor as compared to only 8.4% of individuals who had a post-matric qualification in 2015 (Statistics South Africa, 2017:69).

The Gender Parity Index measurement for education in South Africa gives a value of 1.003 (2019) for primary and secondary level and a value of 1.316 (2018) for tertiary education, illustrating high levels of gender parity.[5] Progress in relation to gender equality is evidenced by the higher ratio of female (61.5%) compared to male graduates in higher education (38.5%) with the exception of PhD students where there is a higher percentage of male students (Dept. of Higher Education and Training, 2020).[6] The overall picture of higher education is therefore an indication of the substantial progress regarding access and outcomes for black female students, albeit the lower number at PhD level prevents the progression of females into academia (Dept. of Higher Education and Training, 2020). However, while these figures

[5] The World Bank Gender Parity Index (GPI) indicators suggest that figures with a GPI value between 0.97 and 1.03 have achieved parity. Available at: School enrolment, primary and secondary (gross), gender parity index (GPI) - South Africa | Data (worldbank.org) (2020).

[6] In 2017, there were 446,946 female black African students enrolled in higher education and 316, 808 male black African students (Dept. of Higher Education and Training, 2020).

represent progress in dismantling the structures of the apartheid education system, they also conceal the continued impact of racial disparities linked to the socio-economic circumstances of black African students. Even though most students were black African, the education participation rate of this population group remained proportionally low in comparison with the Indian/Asian and white population groups. The percentage of South Africans aged 18 to 29 enrolled at a higher education institution have remained virtually unchanged at 4.4% between 2002 and 2018 (General Household Survey, 2018). In addition, there is little attention to the overall percentage of black African students as a ratio of the black African population, in comparison to the participation of white African students in higher education.

Analysis of educational equality just over a decade after apartheid illustrated, that despite the commitment to gender equality in policy and structures, there were continued inequalities in the broad field of education. These inequities are illustrated by the unequal representation of women at senior management level and in decision making processes; the failure to effectively reform the curriculum; and the allocation of inadequate resources (Moletsane, 2005:3). These entrenched inequities are also characteristic of more recent research which identifies that the adherence to patriarchal norms and expectations undermines the value of girls' education owing to gendered expectations in the private sphere (UNICEF 2011, 2020; Rarieya, Sanger and Moolman, 2014; Turner 2018). The issue of high levels of gender based violence and sexual harassment in school and in the surrounding school area is an ongoing concern. Girls' are exposed to risks due to distance from schools as well as within the school system from both students and teachers (Geisler and Svanemyr, 2009; Moletsane, 2005; Unterhalter, 2005, Turner, 2018, Unicef, 2020). According to Rarieya, Sanger and Moolman (2014:2) 'gender inequities in everyday South African life filter into the classroom in multiple and interrelated ways: through teachers' attitudes about gender; the curricula in general and specifically; gender and sexual violence against girls; and learner vulnerability to unplanned parenthood'. The prevalence of HIV/AIDs also has serious implications for gender equity in education, given the disproportionate burden on women and girls.

Health, Maternal Mortality and Reproduction

At the start of the new democracy South Africa had inherited a severely compromised health service that was inequitable in provision, had limited infrastructure, was overcrowded and understaffed, where HIV and gender based violence were largely ignored.[7] During the transition to democracy, reproductive rights and the legalisation of abortion were at the forefront of deliberation on women's rights and became a priority focus for women in the constitutional negotiations (Hassim, 2014b, Favier, Greenberg and Stevens, 2018). This was reflective of the experiences of women in the ANC in exile that included multiple challenges in terms of reproductive health care and helped to develop awareness and support for women's rights in health, including access to abortion. While the reformed legislative and policy infrastructure provides a rights-based framework for sexual and reproductive health care, there remain significant constraints owing to scarce resources and HIV prevalence (Cooper et al., 2004; Albertyn, 2015; Lince-Deroche et al., 2016). More recently, it is argued that legislative progress advancing women's health and reproductive rights has been undermined by 'pervasive stigma and normative resistance, a less visible non-governmental sector and unclear political will' (Albertyn, 2015:430). The challenges within the health care system impact more negatively on poor black women than any other constituency group. Family life in South Africa is characterised by the multiple legacies of apartheid which had a particularly strong impact on family structure, combined with the more recent effects of HIV and AIDs, to the extent that the nuclear family is not the norm. There is an alarmingly high and disproportionate burden of care on women, with many instances of fathers having limited involvement in caring for children, both practically and financially.

Increased expenditure in the broad sector of health care has not fully addressed the magnitude of the challenges in relation to maternal health and mortality rates.[8] It is notable that over a ten-year period there has been a significant decrease in maternal mortality, where the figure for 2008 was 410 per 100,000, showing a reduction by 272 that illustrates significant positive change (CIA World Factbook, 2015). At the same time, there is substantial divergence between women from different ethnic and geographic populations in South Africa and there is a vast contrast between the figures for rural and urban women and for black African women. A review of the state of health illustrated that while there is progress in fighting HIV, AIDS, TB and

[7] During apartheid, reproductive health care was very limited for African women; the major emphasis was on the provision of contraceptives with the objective of limiting population growth in the African community.

[8] The total health expenditure as a percentage of GDP is 13.5% (UNICEF, 2017).

malaria, 'conversely, there is no progress in improving maternal health, and mortality of children less than 5 years of age is worsening' (Susuman, 2018:1036). In terms of maternal mortality, for every 100,000 women, the average figure is that 138 die in childbirth, but the figure for the lowest income bracket is alarmingly high at 479 per 100,000 (World Bank, 2015; Gender Inequality Index, 2018). Contraceptive use among women is estimated at 47% for all women, again with differentially lower rates among rural black African women and adolescent girls (Hoopes et al. 2015; Family Planning South Africa, 2018).

During the democratic transition, debates around abortion were contentious, while there was a pro-choice lobby supported by some women in the ANC, there was also extensive resistance to abortion, and support was based initially on medical as opposed to rights-based arguments (Everatt and Budlender, 1999; Albertyn, 1999, 2015). As the democratic transition progressed, the racial and socio-economic impact of the lack of reproductive rights became part of the analysis regarding issues such as maternal health and mortality, and the overall discourse on equality and rights prevailed. Access to abortion was the first piece of female focused legislation enacted after the approval of the 1996 Constitution, under the Choice of Termination of Pregnancy Act (1996). The enactment of the legislation was attributed to a 'small but effective civil society alliance', support from government and feminists in the ANC, the international framework and the South African constitutional emphasis on bodily integrity and reproductive rights (Albertyn, 2015:435). [9]

The immediate aftermath of the provision of abortion services appeared to correlate with a decline in maternal mortality rates and there is some data on excellence in service provision, where there are services (Albertyn, 2015). However, in contemporary South Africa, there is a significant gap between legislative rights and legal and safe abortions, with access to services more restricted for poor black women in rural areas (Rispel and Popay, 2009; Geisler, Mokgope and Svanemyr, 2009; Albertyn, 2015; Berro Pizzarossa and Durojaye, 2019). There are numerous barriers in relation to access to abortion including conscientious objection to provision on religious or moral grounds; stigma and misinformation; under-resourcing,

[9] The International Conference on Population and Development (ICPD) in Cairo in 1994 advocated a link between reproductive rights and reproductive health.

incomplete/partial and inadequate service provision with less than 10% of health facilities providing abortion services (Harries et al. 2014; Green, 2018). Albertyn noted that the decline in state support correlated with the decrease in capacity of the Reproductive Rights Alliance, and public discourse under the Presidency of Jacob Zuma reinforcing patriarchal values in culture and custom (2015:446).

HIV and AIDS

There is a strong correlation between socio-economic status, educational attainment and gender in relation to the prevalence of HIV in South Africa (Albertyn, 2003; Hames et al. 2006; Rispel and Popay, 2009; AVERT, 2018). Analysis of the status of women's health in post-apartheid South Africa has been dominated by issues related to HIV and AIDs, and the implications for women, children and young people.[10] Women (aged 15 and over) have the highest rate of infection with HIV, with over a fifth of women aged between 15-49 HIV positive (Statistics South Africa, 2019a:6). HIV incidence among young women aged 15-24 in South Africa is alarmingly high, with a clear disparity in terms of their male counterparts in the same age group.[11] Furthermore, there have been several studies on the links between HIV and gender based violence in South Africa, identifying that gender based violence is a significant risk factor in HIV infection and can also be triggered in response to admittance of having a HIV diagnosis (Kistner, 2003; Dunkle et al., 2004; Jewkes et al., 2003, Dunkle and Jewkes, 2007; Jewkes, 2010; Dunkle and Decker, 2012; Abdool and Baxter 2016).[12]

While it is recognised that activist organisations have made substantial progress in activating and maintaining the government response to HIV, there are also some critiques of the failure to understand the gendered implications of treatment access and decision-making and the limitations of determining women's status based on motherhood. According to Albertyn and

[10] The total number of people living with HIV in South Africa increased from an estimated 4.64 million in 2002 to 7.97 million by 2019, an issue that has also impacted on life expectancy figures (Statistics South Africa 2019a:6).

[11] Young women between the ages of 15 and 24 accounted for 37% of new infections in South Africa in 2016 (South Africa National AIDS Council, 2017). In 2017, there were 277,000 new HIV infections, 77,000 were among adolescent girls and young women between the ages of 15 and 24 years, more than double that of their male counterparts which were 32,000 (UNAIDS, 2017, http://www.unaids.org/en/keywords/gender-based-violence, accessed 12th April 2019).

[12] A woman disclosing her HIV-positive status is more likely to experience physical and emotional abuse (Abdool and Baxter 2016).

Meer, feminist lawyers and organisations such as the Reproductive Rights Alliance were increasingly marginalised in relation to HIV campaigns and were unable to sustain their momentum due to the lack of a strong women's movement (2008:28). In the past decade, the South African government have introduced a number of measures to address and alleviate the HIV and AIDS epidemic, including a national strategy with specific targets and the delivery of the largest HIV treatment programme in the world, with 87% of funding coming from South Africa's own resources (2018).[13] Progress has been made in relation to education and awareness, increased diagnosis and treatment with national targets met for reducing the transmission from women to children, nonetheless HIV and AIDS continue to have a major impact on women and girls.

Gender Based Violence

The pervasiveness of gender based violence remains one of the most significant indicators of the entrenched nature of gender inequality in the post-apartheid state. The extensive studies on gender based violence, undertaken throughout the two decades since the end of apartheid, have consistently documented the extent of the problem of gender based violence, recognised as a priority issue by women prior to the establishment of the new state (Moffet, 2006; Jewkes et al., 2003; Dunkle and Jewkes, 2007; Jewkes, 2010). Despite legislative progress through the enactment of the Prevention of Family Violence Act (1993), the Domestic Violence Act (1998), the Criminal Law (Sexual Offences and Related Matters) Amendment Act (2007), coupled with policy intervention and awareness raising initiatives, there is little indication that the endemic levels of gender based violence are abating. Studies indicate that the primary perpetrators of violence against women are intimate partners and that cultural, religious, social and economic factors are contributory factors (Vetten, 2014a; Centre for the Study of Violence and Reconciliation, 2016).[14] The Commission for Gender Equality report on the South African police response to gender based violence, found there was very little knowledge of the national legislative, policy and strategic frameworks aimed at combating gender based violence (2016). The CGE report stated that there was 'limited institutional capacity and virtually no relevant

[13] While the overall budget for health was cut in 2017, funding to tackle HIV was increased.

[14] The Human Development Index statistic for 2019 outlined that 21.3% of women aged 15 and older had experienced intimate partner violence in South Africa. This is only one aspect of the picture on gender based violence and there is a lack of data on gender based violence involving non-intimate partners.

intervention programmes on the ground to deal with the scourge of violence against women at community level' (2016:3).[15]

It is exceptionally difficult to construct a fully comprehensive picture of the scale of gender based violence owing to a lack of reliable statistics, low rates of reporting, inaccurate police records, low level of prosecutions, social shaming and a high level of case withdrawals (Kistner, 2003; Sigsworth, 2009; Vetten, 2014a). Nonetheless, there are a number of studies that assist in contributing to an overall understanding of the scale of gender based violence (CGE, 2015; Statistics South Africa, 2018). A study undertaken by the Commission for Gender Equality in 2015 found that 'intimate partner violence, sexual offences as well as other forms of contact crime perpetrated against women, children and members of the LGBTI community are among in general the highest in the world'.[16] A Statistics South Africa report on crime found that although the overall crime rate decreased between 2013/14 and 2016/17, violent crimes against women, such as sexual assault, increased drastically between 2015/16 and 2016/17 (Statistics South Africa, 2018). The World Health Organisation data illustrates that despite a reduction in the murder rates of women; alarmingly high rates prevail, almost 5 times higher than the global average (Statistics South Africa, 2018). In 2019, South African President, Cyril Ramaphosa declared femicide to be a national crisis, a stark contrast to the position on gender based violence adopted by former President Zuma.

Civil society organisations have actively mobilised to highlight the gravity of the situation for women, undertaking research, advocacy, advice and the provision of support services, engaging with the state in relation to legislation and policy development (Gouws, 2016).[17] Analysis of gender based violence identifies the complex and multifaceted factors that have contributed to such epidemic levels of gender based violence, locating inequitable gendered power relations as a primary causal factor. The gendered construction of identity, concepts of masculinity, displaced aggression, cultural expectations, apartheid narratives of racial hierarchies and social stratification, and the normalisation of violence as a legacy of apartheid

[15] Where there are any support or intervention services, it is noted that the police force are reliant on civil society victim support organisations (Commission for Gender Equality, 2016).
[16] Safer South Africa for Women and Children Case Studies. 2015: UNFPA, referenced in the CGE 2015 study.
[17] Civil society engagement is determined in accordance with the parliamentary legislative schedule making it difficult for civic organisations to shape the agenda.

are noted as significant factors (Human Rights Watch, 2021). A report of the UN Special Rapporteur on Violence Against Women notes that:

> 'At the core of this violence against women pandemic lie unequal power gender relations, patriarchy, homophobia, sexism and other harmful discriminatory beliefs and practices….widespread use of drug and alcohol, high unemployment rate and the continuing stereotypical portrayal of women in the media. Compounding the problem is the high incidence of HIV.' (UN Special Rapporteur, 2016:3-4)

This report also acknowledged the legacy of violence resulting from apartheid, outlining that violence against women and children in rural areas and informal settlements is considered an acceptable social phenomenon.

Studies note that despite the enormity of the challenges, South Africa is not lacking in strategy, policy and plans to tackle gender based violence, however there are limitations in relation to importing best practice solutions from elsewhere that do not take full cognisance of the localised cultural, social, economic and political context (Gould and Amisi, 2019). In addition, the failure of government to provide shelters and adequate funding to support services is noted as a key concern (Human Rights Watch, 2021). While the structural nature of gender based violence is acknowledged, further exploration is limited. Kistner's discussion of gender based violence perhaps comes closest to naming the issue when she states that while there have been changes in women's legal status, 'the economic and social conditions under which most black South Africans still live, and the intractability of the social question within the framework of prevailing macro-economic policies, effectively render them citizens without rights' (2003:18). The legislative framework is ineffective in stemming the levels of violence against women, and many women do not pursue legal cases owing to a range of complex personal and systemic factors. This includes accessibility to the legal process, intervention by family members and the threat and intensification of violence as a result of trying to gain protection orders (Artz, 2011; Vetten, 2014a). [18]

[18] MOSAIC an organisation that provides support services to victims of domestic violence estimated that almost half of all of their clients did not return to court to finalise their protection orders (Artz, 2011).

Water and Sanitation

In 1994, the apartheid legacy left 14 million people lacking adequate water supply and 21 million without adequate sanitation, as these basic services were not prioritised for black South Africans (Department of Water Affairs and Forestry, cited by Abrahams, Mhlongo and Napo, 2011). The enhancement of the service infrastructure, which supports quality of life in addition to health equality, was a central aspect of the development programme that the alliance embarked on and is relevant to social and economic conditions. The Constitutional provision for the right to water and the enactment of the Water Services Act in 1997 and National Water Act 1998 enshrined the universal right to access to basic water and sanitation services in legal terms. An outcome of this legislation is a strategic policy framework to underpin the water and sanitation service provision and the government commitment to the provision of 6,000 litres of water without charge per household, per month (South African Human Rights Commission, nd). This has implications for South African women as the gendered nature of access to water and sanitation is evidenced by the manner in which access to these basic services disproportionately affects women, having an adverse impact on the division of labour and women's economic status, particularly rural African women (Abrahams, Mhlongo and Napo, 2011; Mia and Muponde, 2020).

The gendered implications of water and sanitation service provision is outlined in policy positions, and monitored by the CGE, and there have been significant improvements in terms of this vital infrastructure in rural communities since 1994. However, despite the legislative and policy basis, and infrastructural developments, the gap between policy and practice is similar to other relevant policy domains expected to progress gender equality. Issues cited include problems with the 'quality, sustainability and…affordability of services' with the serious issue that 'poor water quality continues to lead to children's deaths' (van Koppen et al., 2015:460). Although the overall percentage of households with access to an improved source of water increased from 84.4% to 88.2% between 2002 and 2018, access declined in five provinces (Statistics South Africa, 2019c). Women in the former homelands have been particularly disadvantaged, losing access to water and land (van Koppen et al., 2015; SAHRC, nd). According to the South African Human Rights Commission, 'at least 26% (3.8 million) of households within formal areas have sanitation services which do not meet the required standard due to the deterioration of infrastructure' (nd:5). It is argued that water has ceased to be a human right and is now seen as a commodity, and that 'many of the past inequities in

terms of access to water have continued and even widened', and women's constitutional rights have been eroded as the corporate sector and elite middle class are the main beneficiaries of water infrastructure (van Koppen et al., 2015:504).

The Economic Position of Women: Poverty, Employment and Unemployment, Domestic workers

From a macroeconomic perspective, there have been strategic policy frameworks that proactively sought to strengthen democracy and to address the apartheid legacy of economic, social and spatial inequalities. During the transition to democracy, the Reconstruction and Development Programme (RDP) emerged from the deliberations of intellectuals in the unions and civil society, articulating a vision of integrating social, political and economic objectives into an overall economic growth and development strategy to effectively address the problems of poverty and the gross inequality evident in almost all aspects of South African society'.[19] While the emphasis on addressing racial and gender inequalities is evident in this strategy and in the subsequent investment in the provision of basic housing, health and social care, there remain deep rooted economic inequalities. In post-apartheid South Africa, economic inequality has had a persistently detrimental impact on black women, particularly those in rural communities, townships, and informal settlements. As previously acknowledged, economic strategy has proved to be a contested area within the tripartite alliance and the democratic transition has to be contextualised in the wider global economic environment and the neoliberal economic orthodoxy. There are implications for black women given the gendered nature of neoliberalism and two years after the democratic elections, the replacement of RDP with the Growth, Economic and Redistribution (GEAR) strategy, aimed to stimulate economic growth..

Critical analysis of the economic pathway pursued by the post-apartheid state highlights the ineffectiveness of the state adherence to neoliberalism and the inability to transform the economic legacy of apartheid (Donnelly and Dunn, 2006; Buhlungu, 2010). According to Unterhalter and North, 'economic growth associated with an elite, urban African middle class was fostered at the expense of redress of historic inequalities and development for the impoverished and weakest quarters of the society' (2011:497). The limited analysis that exists

[19] A fundamental priority for the RDP was to begin to 'meet the basic needs of people: jobs, land, housing, water, electricity, telecommunications, transport, a clean and healthy environment, nutrition, health care, and social welfare' (RDP, 1994:7).

on the gendered nature and implications of the introduction of GEAR accentuates how neo-liberal policies are detrimental to women's employment and the dilution of worker's rights, particularly negative for women from black working-class and rural constituencies (Meer, 2000; Tshoaedi, 2012; Fester, 2014). Extending this analysis, Meer argued that 'there is little evidence that South Africa is moving away from its position as one of the most unequal societies in the world' with poverty and inequality both racialised and gendered (2000). Arguably, the economic strategy adopted in South Africa also impacted in a positive way on the economic position of black women, introducing social assistance and protections for domestic workers, however there are still challenges with regard to implementation. Additionally, the disproportionately high levels of poverty and unemployment are significant obstacles in improving the status of black women.

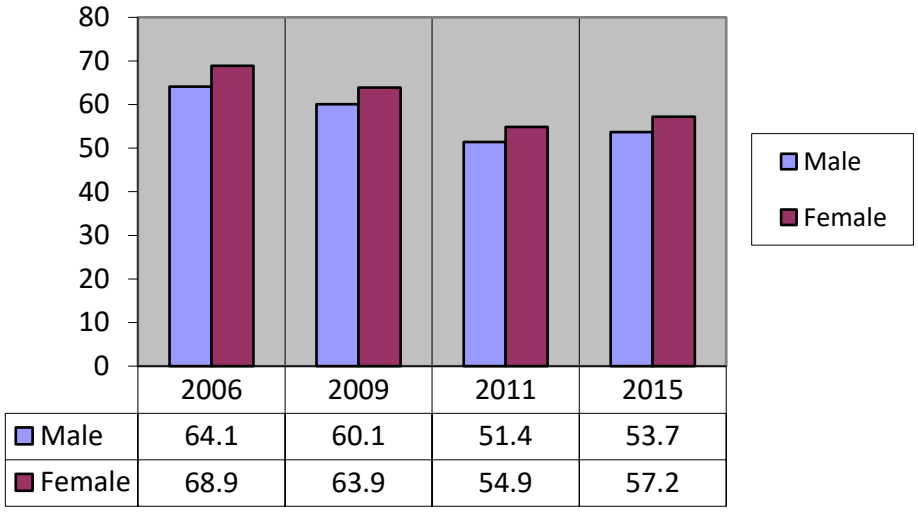
Poverty and Social Protection/Assistance

In the aftermath of apartheid, the tripartite government established programmes and social services to support women living in extreme poverty, including pensions and social grants, housing schemes, clean water and electrification. Initially, while social grants were understood to be a short-term measure to address poverty, they have increasingly become a source of livelihood in South Africa and played a central role in reducing poverty levels (Statistics South Africa, 2017:9). Black women have access to old age grants, disability grants, child support grants, care dependency grants and foster care grants, however, there is a substantial difference between access, capacity to meet basic needs, and outcome (Surender et al., 2010; Potts 2012).[20] Gender critiques of the social welfare model assert that there are assumptions about family units, male-headed households and women as dependent on male-breadwinners, embedded within the social welfare policy framework (Gouws, 2012, Cheteni, Khamfula and Mah, 2019). Studies have shown that despite a decline in overall poverty levels, the gender gap in income poverty has widened in post-apartheid South Africa, with social grants inadequate in addressing gender inequalities in the labour market while women increasingly head households alone with more dependents than men (Rogan, 2016).

[20] Four main social assistance grants include the grant for the aged, the grant for the disabled, the foster child grant, and the child support grant. 17 million people received grants in South Africa in 2015 (Statistics South Africa, 2017:51).

Statistical data illustrates that poverty remains a major issue and that the gap is widening with a clear differentiation in the poverty levels between younger people, black Africans, females and males, rural and urban communities (Statistics South Africa 2017).[21] According to the Statistics South Africa report, 57.2% of South Africa females and 53.7% of males live below the upper based poverty line, the highest poverty rates are in the black African community (2017:56). The data for poverty headcount by sex and by population group in Figures No.1 and 2 below provides a clear picture of the disparities according to gender and ethnicity:

Figure No.1: Poverty Headcount by Sex[22]

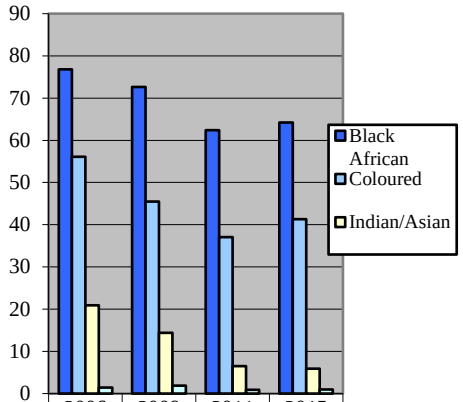


	2006	2009	2011	2015
Male	64.1	60.1	51.4	53.7
Female	68.9	63.9	54.9	57.2

[21] The figure in 2006 was 66.6% and this had decreased to 53.2% in 2011. While poverty figures decreased between 2011 and 2015, the poverty gap widened meaning that those who were below the poverty line had moved further away from the poverty line during this timeframe also. In 2015, more than 30 million were living under the UBPL and more than 20 million under the LBPL.

[22] Statistics South Africa (2017) 'Poverty Trends in South Africa', p. 56.

Figure No.2: Poverty headcount by Population Group (upper based poverty line)[23]



	2006	2009	2011	2015
Black African	76.8	72.6	62.4	64.2
Coloured	56.1	45.5	37.1	41.3
Indian/Asian	20.9	14.4	6.5	5.9
White	1.4	1.9	0.9	1

Research on women and poverty illustrates the deeply inequitable position of rural African women, black women and girls live in the poorest households (Everatt, 2005; CSVR report, 2011; Gouws, 2012; Cheteni, Khamfula and Mah, 2019). According to Statistics South Africa (2019), seven in every ten households headed by females (74.8%) in traditional areas are living under the upper bound poverty line. It is also noted that customary laws impact on women's economic status, access to land and income, and that the failure to address such patriarchal norms impacts substantially on women's unequal financial status (Cheteni, Khamfula and Mah, 2019.

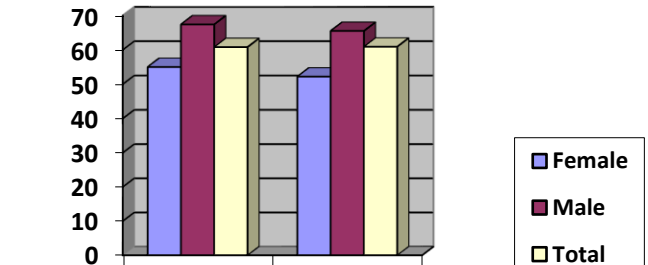
Gender, Employment and Unemployment

During the democratic transition, a suite of legislation was enacted to create a comprehensive legal framework to support equal rights and conditions in employment in line with commitments enshrined in the 1996 Constitution. For all South African women, and black African women in particular, it was the first time economic and employment rights were extended to include them. The new legal framework also incorporated expanded categories of workers specifically relevant to the black women, including domestic and agricultural workers. Progressive changes in employment for women are evident in the substantial increased of female participation in the labour force, estimated at a 38% rise from the end of apartheid to 2012 (OECD, 2012; Posel and Rogan, 2009). However, black women remain overrepresented

[23] Statistics South Africa (2017) 'Poverty Trends in South Africa', p. 58.

in poorly paid employment, care work and domestic labour, which, according to Ally, is arguably one of the 'enduring continuities of apartheid in contemporary South Africa (2009:8). Since 2001, the figures for labour force participation have stayed relatively static up to 2017, 52.2% female and 65.2% male (see Figure No. 3 below):

Figure No. 3 Labour Force Participation[24]



	2001	2018
Female	55	52.2
Male	67.4	65.5
Total	60.8	60.9

Although there has been progress, female labour force participation remains lower than international norms, and there is a 13% gap in the rate of participation between men and women, with men at the higher end of the spectrum (World Economic Forum, 2018:251). Additionally, Sinden outlines that while there have been important gains for women in the workplace, the implications of under-representation in senior level positions mean that women are not contributing to decision making at the top level of employment and accordingly equity in employment cannot be reached (2017:49). The Global Gender Gap report 2018 finds that women's proportion of unpaid work per day is at 56.1% whereas men's is at 25.9% (GPG:252). South Africa has profound inequalities in relation to women's earnings (Sinden, 2017; Plagerson, Hochfeld and Stuart, 2019). The gender pay gap stands at 28.6% in 2018, locating South Africa as the most unequal state for women, in terms of economic equity (International Labour Organisation, 2018). In 2018, the average monthly earnings for women were R, 9,967 and for men R17,160 (World Economic Forum, 2018).

[24] Drawn from Statistics South Africa, 2017b:11, and World Economic Forum Global Gender Gap report, 2018: 251.

There are very high levels of unemployment which impact on women, Statistics South Africa (2019b) calculated unemployment at 27.1% in 2018.[25] Using the expanded definition, the unemployment figures for the black African population are at 41.1%, which is alarmingly higher than the figures for all other racial groups in South Africa (Statistics South Africa, 2019b). For example, unemployment among the white population stands at 10.6% (Statistics South Africa, 2019b).[26] Unemployment is highest among African women; the official rate is 33.1%, against 28.2% for African men (Statistics South Africa, 2019b). These figures rise considerably using the expanded definition of unemployment with 45.4% of African women and 37.3% of African men characterised as unemployed (Statistics South Africa, 2019b). A stark insight is illustrated in the employment gap between white women (6.8%) and African women, where unemployment levels for African women were estimated to be almost five times higher than white women (Statistics South Africa, 2019b). The key prevailing issue is an inequitable situation for African women comparative to all South African men and to women from other racial groups, where African women are more likely to be unemployed, to be in low paid and insecure employment, often working in conditions that breach employment legislation.

Domestic Workers

The transition to democracy saw a commitment to transform the position of domestic workers commencing with the recognition of domestic work as a form of employment in the revised Basic Conditions of Employment Act 1993, prior to the ANC electoral success in 1994. Budlender notes that the position of domestic workers has to be understood in the context of the democratic transition and the widespread political changes at the time (2016).[27] The formal status of domestic workers was transformed from servitude to citizenship through the introduction of a range of rights and entitlements including a national minimum wage, mandatory employment contracts, unemployment insurance benefits, severance pay, formal registration, annual leave and a pension fund supported by government (Ally, 2009). In 1995,

[25] In 1998, Statistics South Africa adopted a narrow definition of unemployment that excluded unemployed people who wanted work but who did not search actively in a 4-week reference period, in contrast to a broad measure of unemployment that was inclusive of this group (Van Klaveren et al, 2009). The overview presented here will adopt the broader measurement or expanded definition of employment where available.

[26] Younger people are particularly adversely affected by unemployment, with rates for the 15-24 year old group estimated at 67.4% (using the expanded definition). Again, this is higher for the African population and for rural young people.

[27] A minimum wage for domestic workers was part of the ANC election manifesto for the 1994 elections.

the Labour Relations Act was broadened to include domestic workers.[28] It is noted that some measures such as the protection against unfair dismissal and the support provided to address this by the Commission for Conciliation, Mediation and Arbitration has proved of benefit to domestic workers (Ally, 2009; Budlender, 2016). Research indicates that wage levels have increased for domestic workers since the introduction of the minimum wage agreement in 2002 (Van Klaveren et al., 2009; Budlender, 2016). However, the minimum wage is not consistently applied and persistent problems continue to exist for domestic workers. A report in 2015 noted that these workers remain the poorest of the working poor with a minimum wage at such a low level that it does not adequately meet basic needs (Finn).[29]

The experiences of domestic workers are inconsistent with legislative advances, with many black women in positions of servitude, poorly paid, working in slave like conditions, subjected to physical and emotional abuse. In spite of legislative obligation, not all domestic workers are registered, thus the sector remains primarily informal due to non-compliance with domestic labour laws, on the part of employers and workers. Some persistent challenges include the lack of departmental capacity to enforce the legislation and policy to protect domestic workers as well as complex challenges with union membership resulting in a very low number of unionised workers (Fish, 2006; Ally, 2009; Budlender, 2016). Conditions for domestic workers therefore reveal some of the most ingrained gender inequalities that prevail in post-apartheid South Africa.[30]

Women and the Political Sphere: Parliamentary Representation and National Gender Machinery

Engendering the political system was a key objective of the women's movement in the South African transition to democracy. Women's organisations collectively pursued a strategy of electoral representation, quota adoption, state feminism and national gender machineries, which was in accordance with international norms and state-building processes during the third wave of democratisation. The progression of gender equality in the South African political

[28] Both the Labour Relations Act and the Basic Conditions of Employment Act were further revised in 1997 and 1998. The introduction of the child support grant was also beneficial as it supplemented the wages of domestic workers with children.
[29] According to the National Minimum Wage Research Initiative (2015), 95% of those employed in domestic services and 90% of those in agriculture earn considerably less than the minimum wage per month.
[30] It is estimated that close to one million black women are employed as domestic workers.

domain led to the introduction of voluntary quota systems to increase women's participation at the level of national, provincial and local government, in conjunction with the establishment of gender structures and institutions. The political domain is perhaps where the most obvious transformation has taken place in gendered terms, and is arguably the sphere where the most progress has been made. Hassim documented the evolution of women's electoral politics during the democratic transition, noting that women's initial focus on representation and participation in 1994, had shifted to a more strategic approach on the use of political power to extract beneficial policy gains by 1999 (2003a:83). A salient point in the literature is Moffett's analysis, that South African women are 'widely accepted as having equal political status, even within structures like parliament as long as they remain subordinate in the private and domestic realms' (2006:143). However, even in the political arena, progress was not necessarily linear and significant gender challenges prevail in parliamentary politics, state structures and institutions.

Parliamentary Representation

The representation of women in the formal political arena has increased exponentially during the post-apartheid era, outlined in Table 1, commencing with the democratic elections in 1994, where there was a 25% increase in women elected to parliament, a stark contrast to women's representation during apartheid. There is no formally legislated quota system at national political level, however the ANC adopted a 30% quota prior to the 1994 election[31], and a 50% quota for local elections in 2006, extending to 50% at national elections in 2009. Under the Local Government Municipal Structures Act 1998, parties are required to seek to ensure that 50 percent of the candidates on the party list are women, however they are not obliged to enforce this. By 2009, women's political representation was 44.5%, placing South Africa in joint third place on the Inter-Parliamentary Union international ranking. In 2020, women's proportion of seats was 46.4%, ranking South Africa at number 10.[32] During the transition period, women were assigned to traditional female ministerial portfolios, this has since expanded and the allocation of ministerial positions to women has consistently increased since

[31] ANC Constitution Section 6(1).

[32] Inter-parliamentary Union, 1st October 2020, https://data.ipu.org/women-ranking?month=10&year=2020

the democratic transition. In 2019, women Ministers comprised 50% of the cabinet, women Deputy Ministers make up 44% of the total number of Deputy Ministers.[33]

Table 1: Overview of Women's representation in National, Provincial and Local elections[34]

Elections	***1990***	***1994***	***1999***	***2004***	***2009***	***2014***	***2019***
Proportion of Seats held by women in Parliament %	2.7	28	30	32.8	42.3	42.7	46.4
Provincial %		24	27	32.3	41	35.2	37.7
Elections		***1995***	***2000***	***2006***	***2011***	***2016***	***2021***
Local %		19	29.6	40	38	41	37
Ward %		11	17	37	33	33	27

The ANC quota for party lists has been identified as a major factor impacting on the percentage of women in parliament and since the democratic transition to the 2014 election, 75% of all female parliamentarians have been ANC representatives (Nkala and Ogunnubi, 2015; Lowe Morna et al., 2014). The commitment to women's equal participation in parliament precariously relies on the ANC; a factor deemed a risk to the maintaining the high levels of women representatives unless mandatory gender quotas are applied to all parties (Lowe Morna et al., 2014).

Analysis of the transition documents the benefits of women's formal engagement and representation in influencing the integration of gender equality objectives in legislative and policy reform. Despite progress in the formal political arena, the effectiveness of the substantial increase in female representation and participation has been analysed in a number of studies illustrating that there are significant challenges for women both within the patriarchal formal

[33] South African Parliament: https://www.parliament.gov.za/ministers.
[34] Sources: Inter-parliamentary Union, Electoral Institute for Sustainable Democracy in Africa.

political system, the wider polity and at the level of civil society (Britton 2002a, 2002b, 2005; Hassim, 2003a, 2005c). Persistent problems include the double burden on women in relation to their work in parliament and on gender equality; the inability for women to collectively organise at the level of parliament owing to race, class and ideological divisions (Britton, 2005; Hassim, 2003a). Furthermore, issues such as the lack of government commitment to gender equality; the liberal inclusionary strategy; cultural and institutional blockages; the loss of connection with grassroots women's voices; the quality of women's participation and the nature of women's political leverage are also cited as problematic (Britton, 2005; Goetz and Hassim, 2003; Hassim, 2003a, 2005c; Geisler, 2000; Gregg, 2014). Research also noted issues such as resistance to women in leadership positions, differences in political power and the struggle against political hierarchies, and many women who had been elected to the first democratic parliament refused to run for office a second time believing they would be more effective in their own communities (Britton, 2002b: Bazilli, 2010). The objective of increasing women's representation and enabling empowerment did not shift the status quo embedded in social, political, economic and institutional structures, relying on empowerment within the existing structures rather than transformation of gender relations thus restricting the potential gender equality outcomes (Meintjes 2005, 2011; Hassim 2005b).

State Feminism and National Gender Machinery

The creation of a National Gender Machinery infrastructure combined with the legislative transformation is a defining feature of the high level legislative and policy commitment to the inclusion of women in the post-apartheid state. During the democratic transition, the government established a number of structures at the level of the Executive, Legislative and Statutory bodies to promote and mainstream gender equality as well as engage with civil society organisations.[35] The Commission for Gender Equality (CGE) was established as an independent body in 1997, under the terms of the South African Constitution, to promote gender equality and to monitor the actions of government and statutory bodies in their commitment to gender equality. In the following decade, the state-led gender equality focus increasingly came under criticism due to a lack of funding and under-resourcing, inadequately qualified staff, ad-hoc communication between different elements focused on gender equality,

[35] The Office on the Status of Women (OSW) was established under the Office of the President in 1996. Other Provincial Offices on the Status of Women, gender units in Government Departments, gender units in local Government Structures (also referred to as gender focal points) and the Joint Parliamentary Committee on the Improvement of the Quality of Life and Status of Women.

very little support for gender focal points within ministries and from the Office of the Status of Women (Meintjes, 2005; Giesler, Mokgope and Svanemyr, 2009). Critiques also identified further challenges regarding the perceived legitimacy and authority of the institutions, compounded with bureaucratic resistance and lack of understanding of gender equality in the civil service (Britton, 2005:133).

There are similar challenges identified in the CGE relating to changes in personnel, internal and external tensions, and the gap between the CGE and civil society (Meintjes, 2005). It is argued that the independence of the CGE is compromised by a close relationship with the ANC and a failure to demand accountability from government (Meintjes, 2005; Giesler, Mokgope and Svanemyr, 2009). These challenges are also compounded by weaknesses in civil society organisations that could have strengthened the capacity of the National Gender Machinery, supporting state allies and feminist activists in parliament, through advocacy and demanding accountability. Critical interrogations of the state led gender equality project indicated that the focus on gender was rights based and did not attempt to address the structural nature of gender inequality or transform the gender nature of social relations (Meintjes, 2005; Hassim, 2005a).

Customary Law

The gender implications of the relationship between traditional leadership and the ANC-led government warrant some consideration given the manner in which customary laws are diluting gender equality commitments in the post-apartheid state. In the early stages of the new state, parliament enacted the Recognition of Customary Marriages Act (1998), recognising customary marriage and extending equal rights to women regarding status, children and property, attributed to an extent to the work of the Joint Monitoring Committee on the Improvement of the Quality of Life and Status of Women (Britton, 2005). In the same year, parliament introduced the Amendment of Customary Law of Succession Bill to change inheritance laws, affording women the same rights as men. The Bill was vehemently opposed by traditional leaders who defended their right to maintain existing inheritance laws on the grounds that the proposed amendments were Eurocentric (Tebbe, 2008). The legislators decided to take a more gradual approach to transforming customary law with the result being that some of the initial concessions in the legal framework, to prioritise gender equality over customary law, have been eroded in the subsequent decades. Traditional leaders have

successfully lobbied for a redefinition of the content of some laws to limit women's rights (Albertyn, 2009).[36] Tensions regarding the amendment of land rights are an example of the erosion of gender equality gains, whereby after the first democratic election, measures to introduce a transformation of control of land to the state, were met with fierce opposition from traditional leadership and the proposal was shelved. Subsequent proposals to reform land rights also proved divisive within the ANC, among traditional leaders who threatened violent retributions and among women's organisations who felt that power was being ceded to traditional authorities (Hassim, 2006). The final version of the Communal Land Rights Bill (2004) was extremely favourable to male traditional leaders providing them with executive powers over women's access to land, as was the Traditional Leadership and Governance Framework Act (2003). Such examples are characteristic of the struggle between gender equality and customary law that has transpired in the post-apartheid state, which has also faced challenges regarding women's right to succession to chieftainship.

The 'Traditional Courts Bill', introduced in 2008, aimed to reinforce the rights of traditional rulers and courts. Civil society organisations and rural women's groups highlighted serious concerns in response to this Bill. They objected to the strengthened power of adjudication that it conferred on traditional leaders in the traditional courts system and the privileging of customary law, both of which were believed to contravene the principles of the Constitution (Mkhize, 2014). Consequently, an alliance of civil society organisations challenged the lack of consultation regarding this Bill, initiating a process of consultation commencing in 2012 in each of the nine provinces, the outcome of which led to the withdrawal of the Bill in 2014. Nonetheless, according to Devenish, 'the reinvention and bolstering of customary law in the case of the TCB has ensured support for the Zuma government in the rural areas, but it comes at the cost of its commitment to women's equality rights….gender inequality is written into legislation under the guise of protecting customary rights (2016:26). A revised version of the Traditional Courts Bill was proposed, and eventually adopted by parliament in 2019. The duality of approach in terms of promoting and protecting gender rights and customary law simultaneously is problematic in ensuring progress on gender equality in the post-apartheid state. The support for traditional leaders is at odds with a progressive strategy on gender

[36] The Communal Land Rights Act, 2004, and the Community Courts Bill, 2007 have been redefined.

equality, a relationship cultivated by the ANC prior to the transition to democracy, and strengthened in the democratised state.

Conclusion

The multiple legacies of apartheid control, oppression, injustices and inequalities embedded at all levels of the South African state and society, positioned African women as inferior without rights. The newly elected democratic government in 1994, headed by the ANC, sought to undo the legacies of the past through the introduction of legislation, policies and practices to address gender inequality and to promote women's rights in political structures and institutions across all sectors of the state. Substantial literature has addressed the promise of transformation that the high-level reforms in the new democratic state symbolised, and the concomitant expectations in relation to gender equality. Progress in developing a comprehensive gender equality framework, supporting both racial and gender equality in legislation, policy and practice post-1994 remains significant. However, while generalised measurements indicate some progress across different aspects of social, political and economic development, the data presented in this chapter outlines that there is significant differentiation when contextualised by characteristics such as ethnicity, gender, class and geographical location. With the exception of education which also has a unique set of gendered challenges, African women and girls fare comparatively worse on these measurements compared to men in all groups and to women from different ethnic and geographical communities. The high rates of poverty, lower rates of reproductive care, prevalence of HIV and AIDS, higher rates of maternal mortality, and the prevalence of gender based violence remain serious impediments to advancing gender equality.

The comprehensive data and research on women's position in post-apartheid South Africa discussed in this chapter demonstrates that despite the appearance of a high-level commitment to progressing gender equality, there was limited substance to ensuring that the programme of reform was appropriately resourced, implemented and accessible to women who were expected to be the major beneficiaries. Furthermore, the adoption of neoliberal macroeconomic strategies and programme of action, in addition to enhancing the position of traditional leaders, were policy choices that were detrimental to improving women's status. These decisions are at odds with the capacity of the state to address the legacy of gender inequality and are indicative of the superficial nature of the adherence to women's demands that shaped the post-apartheid

state. Although women were acutely aware of the patriarchal currents that shaped the negotiations, nonetheless patriarchal gender relations and gendered social norms were embedded within institutions, policies and practices that shaped the democratic transition and the construction of the new South African state. Gender equality gains as indicated by an advanced constitution, legislative and political change and the democratisation of the public sphere, reference a commitment to gender equality that was not implemented in practice. The following chapter discusses the research framework, methodology and related aspects of the research process.

CHAPTER 4: RESEARCH FRAMEWORK AND METHODOLOGY

This research is a case study using qualitative research methods, primarily document analysis and the application of computer-assisted software. This study is informed by feminist critical approaches and theoretical perspectives, and my personal experience of living and working in South Africa for a period during the transition. The chapter will discuss the research question and my positionality. It will then explain the methodological choices made, including the choice of empirical material and how the research was conducted.

Research Question

The purpose of this research is to analyse the gendered nature of the transition to democracy in South Africa, a post-conflict state that is of relevance to the literature on progressing gender equality in the context of democratisation. The case of South Africa remains a puzzle in terms of the divergence between the high level legislative and policy emphasis on gender equality at the time of the democratic transition and the subsequent deeply inequitable position of women in the post-apartheid state. During the democratic transition, the gender equality agenda appeared to be progressively embedded in the political arena, and although the failures to achieve the expected outcomes for women have been considered, the analysis is incomplete. Specifically, there has been no comprehensive evaluation of the tripartite alliance's position on gender and women's status during the period of transition or the impact that elite values and ideas had on the subsequent gender outcomes. This research revisits the democratic transition to analyse the ideas on gender evident in the views of elite actors in the tripartite alliance as expressed in their respective journals and magazines. The embedded ideas on gender equality in the printed journals that were distributed to the membership base of the alliance partners is the subject of analysis. The journals that form the basis for this analysis are the ANC's *Mayibuye* journal, COSATU's *Shopsteward* magazine and the SACP's *African Communist* journal. These journals are chosen as they reflect a range of views in those organisations including an articulation of the official position aimed at party and union members.

This thesis asks if the embedded views on gender held by the elite leadership that made up the tripartite alliance, the ANC, COSATU and SACP, at the time of transition explain the intractability of gender inequality in post-apartheid South Africa and the failure of the state to progress gender equality effectively. In the post-apartheid South African state, patriarchal

power dynamics and their influence in shaping gender identities and relations remains a critical factor in maintaining women's inherently unequal status. However, the process whereby these unequal gender relations were embedded in the transition has not been fully explained.

Researcher Positionality

As a researcher my interest in South African gender issues emerged through various periods of residence in South Africa in the late 1990s and early 2000s. During the period 2003 to 2014, I again visited South Africa numerous times. While living in Johannesburg in 1998 I was exposed to some of the key debates that were continuing to unfold in the context of the construction of the new state, particularly with regard to the South African Communist Party through connections with members of the SACP political education secretariat and Central Committee of the party. These activists were committed to addressing the ideological struggle that was at the heart of the SACP and within the tripartite alliance itself, particularly in relation to the economic position that was being advanced in the new state. As is the case with many South African political activists, these SACP members were also members of the ANC and one of these activists also held a position in COSATU. Reflecting on these intellectual and ideological debates which I was witness to on a daily basis, it is notable that class was the central issue, interwoven at times with race, while gender was considered negligible or even a distraction to the main purpose of the struggle. In my interactions with women members of the SACP, it was clear that gender was also relegated to the margins. These experiences gave me an acute awareness to the problem of addressing gender equality in the SACP.

While in South Africa, I worked in different contexts, as a lobbyist for the East Timor independence campaign and as an editor for visual documentaries on issues of sustainability and community engagement as well as the UN World Conference against Racism, Racial Intolerance and Xenphobia (2001) and the World Summit on Sustainable Development (2002). Some of this work involved meeting with government Ministers and officials in the ANC which also brought some insight into the political context of the new South African state. In the context of this experience, the intersection of race, gender and class identities was consistently of significance in cultural and political contexts, the high levels of gender inequality and the ways in which women were marginalised were evident. My motivation for this research study stemmed from this experience of living in South Africa at the time of the democratic transition. The transition period held the promise of addressing the deeply unequal legacies of apartheid and deliberation on the construction of the new state, the related possibilities and expectations

in terms of women's status and position was unfolding in that context. Regardless of the appearance of a lack of interest in gender issues in the SACP, the wider political transformation and emphasis on gender equality seemed to indicate that there would be better outcomes for women than what actually materialised in the post-transition period.

Despite these experiences, it is important to acknowledge that the analysis of gender equality in the South African transition to democracy in this research is undertaken from an outsider position. Reflexivity was a key concern throughout the research process, with continuous reflection and awareness of the researcher position in the context of the research (Finlay and Gough, 2003). Although this study focuses on elite political actors, it is nonetheless important to note that it does not in any way seek to represent or speak on behalf of South African men or women, either at the level of the elite or grassroots. As a researcher, this is a particularly important position in addition to the consideration of postcolonial concepts of 'othering' and of feminist theory in the context of research pertaining to gender, race and class from an outsider position (Said, 1978; Spivak, 1985, 1988; Mohanty, 1988, 1991; Crenshaw, 1989). Furthermore, it is understood that 'prior knowledge and theoretical preconceptions' are part of the research process and are therefore subjected to a 'rigorous scrutiny' (Charmaz, 2008:402). Consequently, it is essential to locate the researcher's position and understanding within the research, for the researcher to continuously analyse and reflect on their 'personal, social and cultural positioning(s), as well as their methodological and theoretical frameworks' (Esin, Fathi and Squire, 2014:206). Accordingly, it is important to state that the researcher is informed by a feminist epistemological standpoint that was central to the theoretical framework and analytical strategy for this study. The subjectivity of this position was interrogated throughout the research journey in the understanding that implementing a reflexive approach is a continuous dialogical process. A central aspect of the research process was understanding that the researcher's values and positionality can impact on the research and therefore an iterative approach which checked the researcher's assumptions and own positionality in relation to the data, emerging research findings and analysis (Bryman, 2012).

Feminist Research Methodology

While recognising that there isn't a singular or specific feminist research methodology, the researcher acknowledges that feminist research methodologies which are orientated towards critical perspectives on gender equality and the position of women, informed by both theory

and practice were purposely embedded in this study by design (Wambui, 2013; Leavy and Harris, 2019). This research study is further informed by feminist praxis that includes a reflective approach to the research process, conceptual basis, methods, ethics, and underlying assumptions (Ackerley and True, 2020). The application of a feminist analytical framework to this study draws on existing feminist scholarship on gender democratisation and post-conflict state reconstruction pertaining to international and South African research as discussed in Chapters 1 and 2. The consideration of the researcher's positionality also draws on the implementation of a feminist research approach to the study, which the researcher understands to be informed by both political and academic considerations (Letherby, 2007:5). According to Moolman, analysis of gender equality in democratic transitions and post-conflict contexts should be mindful of the wider contextual framing of gender and the construction of social identity in relation to history and place (2013). This insight illustrates the value of a close analysis of the phenomenon of gender equality in the context of the South African transition through an interrogation of how gender is framed and constructed by elites in the political arena. Feminist scholars have identified that issues such as power and gender relations are of fundamental importance to understanding how gender identities are maintained and explaining the inequitable position of women in comparison to men (Pateman, 1989; Mouffe, 1992; Connell, 1997; Wodak, 1997; True, 2020).

This research study is informed by the understanding that gender is a complex and much debated socially constructed concept which is reflective of the historical context and material conditions of the particular society, as well as the ideological persuasion of those in power (Mills and Mullany, 2011; Žarkov, 2018). When combined with a focus on equality, gender has tended to predominantly refer to women's position in the context of social, political and economic issues. Critiques of the tendency towards a universal representation of women's interests and experiences have been problematised by feminist theorists who have introduced a more complex understanding of women's identities and experiences pertaining to race, class and sexuality for example (Scott, 1986; Crenshaw, 1989). According to Kardam, 'gender norms and identities are constructed, contested and reconstructed in historical, and socio-political contexts' (2004:86). In South Africa and internationally, socially constructed gender norms are embedded in formal and informal contexts at the level of the state, society, community and family as well as being ingrained in structures, institutions, culture and traditions. This study is supported by the position that feminist research is based on a critical approach which seeks to challenge the status quo in terms of gendered norms, power relations

and the position of women. The application of a feminist theoretical lens in the analysis of political party and trade union documents was conducive to examining ideas on gender and how elite positions on gender are constructed (Leavy and Harris, 2019).

The predominance of male power referred to by Connell (1987) as hegemonic masculinity, has a particular relevance for understanding the manner in which elite ideation serves to reinforce dominant norms. Social critiques of gender relations are central to understanding how such hegemonic ideas on gender are embedded in elite political dialogue (Connell, 1987; Maharaj, 1995). This analysis is relevant to transitioning states as it raises fundamental questions about who has the power to shape perspectives on gender equality that prevail in the public and private sphere? What are the inherent obstacles that women face in ensuring that such gender ideation is enabling for feminists and what are the potential costs when progressive ideas mask hegemonic masculinities? It is therefore essential to consider what role do elite actors play in determining gender equality outcomes in democratic transitions and post-conflict statebuilding. According to Ní Aoláin, using a 'gender lens informed by what feminist theory has taught us to pay attention to is critical to ensuring the effectiveness of policies and practices implicated in ending conflicts' and to preventing the reinforcement of traditional gender binaries in democratised and post-conflict reconstructed states (2010:570).

The application of feminist theory to the examination of the gendered nature of the South African transition, analysing the tripartite alliance's perspectives on gender equality, brings into sharp focus the powerful role that political elites play in either progressively transforming gender relations, maintaining the patriarchal status quo or instituting more regressive and conservative measures in transitioning states. While there are differing interpretations of what constitutes elite actors in nation states, the emphasis on the transitioning state in this research provides a contextual historicity that supports the identification of male leaders in the anti-apartheid tripartite alliance organisations as elite actors in relation to the process of dismantling apartheid and in constructing the new state. In addition, it is also recognised that within the broad trajectory of South African women's activism there are women who held positions that were distinctive from grassroots activists, constituting a different elite to male actors but nonetheless occupying an elite position in the context of women's mobilisation in the democratising state. In addition to this understanding, there is a sensitivity to the positions of power that these elite actors held in relation to that of apartheid political and economic elites.

Qualitative Case Study Design

The applied method is a pre-determined case study on the gender equality perspectives of elite political leaders in South Africa based on document analysis. According to Harrison et al. case study designs have the capacity to address a wide range of questions and can support 'researchers to explore, explain, describe, evaluate, and theorize about complex issues in context' (2017: final para.). Case study design can be employed in different ways in research studies. For example, studies can be approached with a pre-determined case in mind, which is how this research study unfolded. As Collier and Ellman contend, it is feasible to commence a research process with a specific pre-determined case if it is deemed that the case is worthy of analysis and can contribute to a wider understanding of the research problem being analysed (Collier and Elman, 2008). As noted in the discussion on the researcher's position, the starting point for this research was the phenomenon of gender equality in the post-apartheid South African state with specific reference to the gendered nature of the democratic transition. It was evident from the outset that the gender characteristics of the South African democratic transition have relevance for the wider body of research on gender, democratic transitions and post-conflict states. However, the particular emphasis and research focus on elite actors and the transition to democracy emerged after the review of the literature on gender and South Africa.

The scope of this case study is bounded by the timeframe of 1990 to 1999 and the parameters of the gender perspectives of elite actors within the political arena of the tripartite alliance. This timeframe was chosen as it was at this time that the political settlement to end apartheid was negotiated, the first democratic elections were held and the new South African state was established. It was a significant time from a gender perspective not solely because the political organisations which had mobilised against apartheid were in a unique position in the context of constructing the new state, but gender demands arising from women's agency were integrated into policy positions adopted by these organisations, the ANC in particular. In 1990, the publication of the ANC's seminal policy document on the emancipation of women was seen as an indication that gender equality and women's issues were being taken seriously by the leadership of the ANC. This statement represents the ANC's outwardly progressive public position on gender as the negotiations and period of transition commenced, and is intended for internal and external stakeholders. The documents that were produced by the alliance partners for consumption by rank and file members, as well as political activists outside of their ranks,

gives a more nuanced and internally focused understanding of elite views on gender in the ANC, COSATU and the SACP.

Research methods scholarship recognises that case study design is valuable for addressing 'how' and 'why' questions, understanding context and conditions in relation to the phenomenon being analysed, changes over a given time period, relations between different aspects of the phenomenon and potential relevance for future events, rendering this a suitable design for the study (Reinharz, 1992; Yin, 2014). The application of a qualitative research strategy to the alliance publications was determined by a central objective of the research study which was to allow for the generation of key concepts and identifiable themes on the gendered nature of the South African democratic transition based on the data. In addition, there are several aspects of qualitative research that are particularly important for this study such as the flexibility and iterative aspects of the research process (Schritter, 2012). The implementation of a qualitative strategy allowed for this iterative process of gender equality perspectives-concepts-themes-analysis to be implemented at multiple intervals in the process, with a continuous emphasis on questioning the ideas generated, researcher assumptions and the relationship to the literature.

Qualitative Document Analysis

In order to address the research question, the researcher sought to identify a set of documents that articulated the views of elites within the alliance partner organisations at the time of the transition. The reliance on party and union primary documentary sources was deemed to constitute a valid evidence base from which to examine the narrative and ideas on gender equality articulated by elite actors in the tripartite alliance organisations, the ANC, COSATU and the SACP. Qualitative research was considered by the researcher to be the most appropriate research strategy as it supported the interpretivist nature of the research emphasis on gender equality in the context of elite political perspectives. In this research study the value of using documents such as political journals and magazines was reinforced by the fact that documents can be located in the social and political context of the time (May, 1997), therefore constituting a set of data that can provide a distinctive insight into dominant gender equality ideas and issues. Furthermore, given that these types of documents can 'be analysed in terms of thematic content, to reveal patterns, sequences and absences' they are therefore a valid source for providing an insight into themes pertaining to gender ideation (Coffey, 2014:376).

As qualitative document analysis is a systematic and rigorous method of examining documentary evidence, it was considered by the researcher to be an appropriate strategy in responding to the research question. In a research context, documents are considered to be 'social facts', which are 'produced, shared, and used in socially organised ways' (Atkinson and Coffey, 1997:58; Coffey, 2014:369). The ANC, COSATU and SACP's political journals and magazines that formed the basis of the study served as a communication and discursive platform within the individual organisations for the rank and file membership and a base from which to articulate leaders' ideological and policy positions. These documents created a space for deliberation on social, economic and political issues of importance and provided a mechanism to engage in discussion on issues of relevance in the context of the relationship with the respective alliance partners. In addition, it is arguable that documents do not just reflect norms, but they can shape them and order their ranking in terms of importance (Reinharz, 1992:151).

Analytical strategies that 'enable the meaning-making of documents to be subjected to critical scrutiny...recognize documents themselves as ways in which social actors make sense of social worlds' and that are 'concerned with intended meanings' including the authors and purpose of the document are key features of document analysis (Coffey, 2014:371). However, it is understood that research studies which utilise documents as data must be cognisant of the authenticity of the document, the profile of authors, the purpose of the documents and who the intended audience is (Coffey, 2014; Merriam and Tisdell, 2016). The value of understanding the ways in which documents function, their potentially persuasive role and their orientation towards the recipient illustrates that the discussions in the political journals and magazines analysed are central to the construction of dominant perspectives on gender and the social, political and economic implications of these ideas (Coffey 2014). The articles in these magazines and journals preserved the documented ideas on gender equality and women's issues that the ANC, COSATU and the SACP held at the time of transition. Accordingly, these documents merit a thorough examination to determine if there are aspects of the embedded ideas on gender equality evident in the views of elite actors in the alliance that can illustrate the subsequent limitations of the outcomes for women in the post-apartheid South African state. As previously acknowledged, there has been almost no investigation of the position of the alliance at the time of the transition, with some contradictory perspectives on the ANC, limited insights into the COSATU and almost no consideration of the SACP. Furthermore, there has been no analysis of this particular set of documents from a gender perspective.

Dataset: Overview and Justification of the Sources

Each of the tripartite alliance organisations relied on the production of newsletters, position papers, magazines and journals as a platform to articulate priorities, tactics and policies during the apartheid era. ANC journals included *Sechaba* published in exile in Lusaka, and *Mayibuye*, which was published illegally from 1966 throughout the apartheid era, with some gaps between 1969 and 1978. The SACP published the *African Communist* also in exile. In South Africa, there were also various publications under the auspices of the UDF and the trade union movement. From 1992, COSATU began to publish a regular journal the *Shopsteward*.[37] These journals and magazines served as a forum for the dissemination of ideas and strategies pertaining to the position of the particular organisation responsible for the publication, the ANC, SACP or COSATU, regarding the anti-apartheid movement and other issues of relevance such as worker's rights and related campaigns. While they also provided a platform for deliberation on gender equality matters, there were specific publications dedicated to women's concerns produced by the ANC Women's Section in exile such as the *Voice of Women* magazine, with the assistance of funding from the Swedish government. Women's collectives in South Africa also focused on using written publications to generate awareness around gender equality issues such as SPEAK in Durban.

Mayibuye

The ANC *Mayibuye* journal[38] was legally published from 1991 and continued to be published throughout the transition period with considerable frequency, there was a different number of editions produced on an annual basis ranging from 6 to 10 journals a year. *Mayibuye* is sometimes referred to as a magazine but officially it is described as the journal of the ANC with the party website stating that '*Mayibuye* was the Journal of the African National Congress from 1991 to 1998'.[39] There was a gap in publication during the democratic transition early in 1994, prior to the democratic elections. The website document section has links to copies available from 1995-1997.

[37] The Institute for Industrial Education began publishing the South African Labour Bulletin in 1974. It is still published at the time of this research study. There is some crossover between authors cited in both the 'Labour Bulletin' and the *Shopsteward*. However, there are substantial differences between the publications in relation to intended audience, format and article style.

[38] Legal publication commenced when the ANC was unbanned. There were no issues of *Mayibuye* published between June 1969 and January 1975, and December 1975 to May 1978.

[39] Mayibuye – ANC (anc1912.org.za)

Shopsteward

On average six issues were produced annually when the magazine was established in 1992.[40] It was expected that each union should ensure that every shop steward receives a copy of the magazine. The majority of issues for the period 1994 to 1999 were later made available online through COSATU's website. The issues published between 1992 and 1994 were accessed by hard copy from the COSATU office in Johannesburg.

African Communist

The SACP began publishing the *African Communist* in 1959 in the early stages of the anti-apartheid struggle. The journal was initially published in South Africa and while the SACP were in exile they continued to produce the journal outside of South Africa. The *African Communist* journal is published quarterly on an annual basis. As the main journal of SACP it was widely disseminated in shops in South Africa during the transition period. The back issues from 1994 are available on the SACP website and the issues prior to this are available on the Digital Innovation South Africa website.

The political journals and trade union magazines that were used for this study were current to the period of the South African democratic transition and included all available editions of the ANC's *Mayibuye*, the SACP's *African Communist* and COSATU's *Shopsteward* between 1990 and 1999.[41] The dataset includes 33 issues of *Mayibuye*, 24 issues of the *African Communist*, and 35 issues of the *Shopsteward*. Although there isn't a comprehensive list of the number of issues that were published for each of these journals and magazines in the period 1990-1999 there are some evident gaps in relation to the material that was accessible, particularly that there were no copies of the *Maybiuye* journal available for the years 1990 and 1998, it was first published in 1991 and it ceased publication in 1998. The ANC also published a separate journal, *Umrabulo* during this period, an initial scoping of this journal illustrated no references to women's issues and as the research process was based on the analysis of the mainstream publications of each of the alliance partners, *Mayibuye* was the more comparable publication. There are some gaps in the issues of the *Shopsteward* and *African Communist* that were available also but the issues that were reviewed cover the timeframe up to 1999, albeit the *Shopsteward* commenced publication in 1992.

[40] *Shopsteward* 1996, Vol. 5, No. 3. The figures listed were: Cawu 580; CWIU 275; CWU 1,140; Fawu 2,300; IPS 0; Nehawu 4,000; NUM 3,480; Numsa 3,180; Popcru 2,700; Ppwawu 600; Saapawu 240; Saccawu 540; Sactwu 100; Sadtu 2,000; Sadwu 320; Samwu 125; Sarhwu 1,300; Sasbo 150; TGWU 105.

[41] See reference list for itemised editions in accordance with year of publication, volume and number.

These publications were initially accessed online through the official websites of each of the three organisations, with some publications also accessed through the Digital Innovation South Africa online collection. It was difficult to ascertain exactly how many were missing as both the ANC and COSATU didn't publish the same number of journal/magazine issues each year, varying between 4, 5 and 6, whereas the *African Communist* is published quarterly so it was therefore easier to establish the number published. However, nonetheless there were some evident gaps and after contacting the publishing sections of the ANC, COSATU and the SACP on a number of occasions, the only responses received were from the COSATU official. The online copies of the *Shopsteward* were only available from 1995 onwards. The COSATU archives at their headquarters have hard copies of the magazine from the initial date of publication in 1992 to 1994 and these were accessed by a relative in South Africa who took images of the magazines and emailed these soft copy images.

These publications contain articles, speeches, policy papers, preparatory discussions and reports on conference proceedings. The publications were produced and edited by a core team and then circulated in different ways to rank and file members of the ANC, SACP and COSATU, as well as non-members in the case of the *African Communist*. The writers are drawn from party/federation leadership, publication editors, members of parliament, activist leaders and research organisations. In *Mayibuye* there is a very small core team of writers whose brief appears to include women's issues as they are frequently associated with the articles on women and gender and in both *Mayibuye* and the *Shopsteward* there are relatively regular feature sections on gender equality and women. In *Mayibuye* there is a feature section in several editions on women and in the *Shopsteward* there is a section entitled 'Gender Agenda'. Although these sections are not present in every edition, there are articles on women or on gender equality issues in almost all the editions of these magazines/journals. The *African Communist* does not include a dedicated section on women or gender equality. There are some articles that are primarily focused on women's struggles and other articles where these issues are considered in the context of wider SACP discussions, but they are not as frequent as those in the ANC and COSATU publication.

The content of these publications was deemed to be an appropriate body of empirical data that would provide insight into the perspectives on gender emanating from elite actors in the alliance organisations. There is a cross-fertilisation of writers from each of the organisations within the publications with speeches published, congress addresses and articles by the

leadership in the ANC, SACP and COSATU in their partner publications. It is also important to note that the examination of these documents paid specific attention to the difference between elite political representative, activist and researcher discussions and the inward or internal dimension of these publications. This allowed for a unique insight into the nature and substance of the articulated perspectives on gender equality while also determining the manner in which each organisation sought to address women's issues. These publications preserved the gender equality position that was articulated by political leaders at the time of the transition and accordingly they constitute a valuable source of information to contribute to existing knowledge on the gender dimensions of the South African transition. The first stage of the process of analysis supported the intuition that these publications would be a rich lens from which to determine the manner in which elite political representative engaged with gender issues, what was of particular value to these leaders, what was problematic, and what was ignored.

Coding and Analysis

The coding process following a number of different phases including a manual word search of the publications as well as the use of the computer assisted data analysis software NVivo to identify emerging areas of emphasis on women and gender equality. It was decided to utilise NVivo software for this phase of the research process as it is a tool which can assist in managing data and ideas as well as query, visualise and report on data (see Figure No. 1 below) (Bazeley and Jackson, 2013). While there was a reliance on word counts to inform or signpost key issues of relevance the emphasis in the coding process was on a more in-depth qualitative assessment of the substance of the discussions and their implications for the research question.

Phase 1: Manual Coding

The coding process commenced with a pre-determined selective unit of analysis. The first step was undertaking a separate manual word search of each individual publication for the words 'woman', 'women', 'gender' and 'equality' as well as associated words such as 'children', 'family', 'mother' and 'feminist/feminism'. For the purpose of open coding, this generated a substantial number of references which were highlighted in the documents as well as the number of times it was referenced. The second step was to extract every reference into a separate master table for each of the tripartite alliance organisation publications, compiling an overview of all references including the authors, articles, editorials, speeches and discussion

papers. References that were in relatively lengthy or substantial discussions were accompanied by extracts from the articles and a synopsis of the emphasis on women or gender equality issues within the discussion for example reproductive or labour rights, Beijing Platform for Action, patriarchy. This also allowed for the generation of themes and issues that emerged from the initial immersion in the data.

Phase 2: Software Assisted Coding

The second phase of coding involved the use of NVivo software to further examine and analyse the emerging data. This phase included the creation of three distinct datasets within the software programme for each set of the ANC, COSATU and the SACP publications. The establishment of these electronic projects based on the individual datasets involved the importation of all documentation in order to systematically categorise the references to women and gender equality in each document. The emphasis at this stage also included word counting the number of references to 'women' and 'gender' for the publications under each organisation. In addition, this phase also involved documenting the number of words that were associated with different gender themes identified in the preliminary scoping of the documents in the previous phase. For example, as Phase 1 documented the specific issues discussed it was possible to then search for frequencies such as number of references to the 'Beijing Platform', to 'abortion', to 'patriarchy' etc. as these were the issues that were emerging from the articles which were focusing on gender equality and women's issues. For each of the three Nvivo datasets then this led to the construction of a detailed project file with coded references in specific areas of relevance to gender issues (see Figure No.1 below for sample structure). This allowed for cross-referencing and comparative views as well as snapshots of the extent to which gender issues were located across all of the editions of the journals and magazines. The codes informed the next stage of analysis and interpretation.

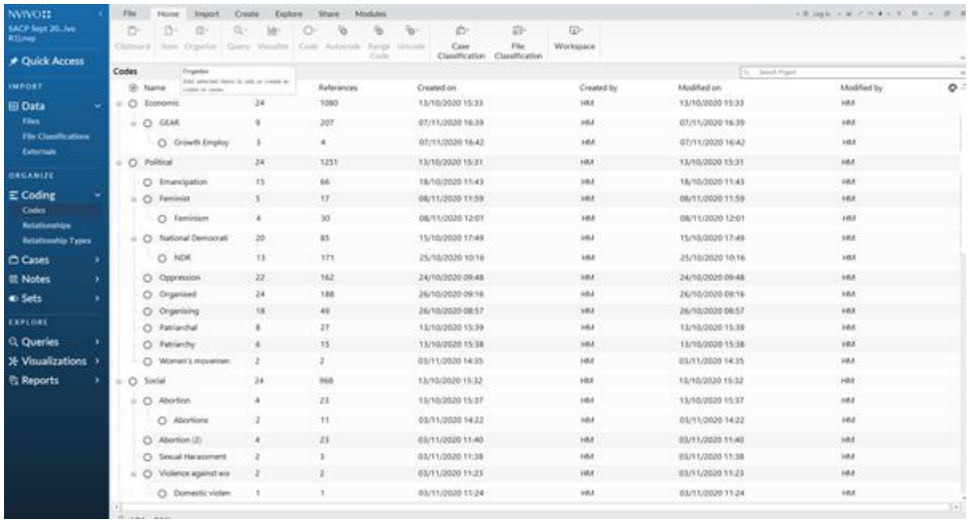


Figure No. 4: SACP *African Communist* Nvivo Coding references

Nvivo was also used to identify and list the most frequent words in each set of publications and the creation of word clouds provided a visual representation of the most frequent words signifying their relative importance in the publication. The process of determining word frequencies also generated words which were common in everyday speech such as ‘many’, ‘also’, ‘one’ and ‘must’ to name some for example but it was deemed that such words were superfluous to the process of analysis. These common words generated in the initial word frequency searches were added to stop lists in the NVivo project properties which excluded them from the search process. It is understood that while word frequencies provide a quantitative set of data from which the importance of women’s issues and gender equality can be inferred, the primary emphasis in this study was a qualitative analysis of the substance of these references and the gendered nature of the discussion. Accordingly, while in each publication the word counts tended to illustrate a high level of frequency, with regard to ‘women’ more so than ‘gender’, the actual articles that focused on women’s issues in any depth were substantially more concentrated and limited. In this context, the deeper qualitative analysis and interpretation of the nature of the specific discussions on gender and the related ideas was a more accurate representation of the views on gender equality. In many articles, the references to women were included superficially in a wider discussion, without any further reference to the implications for women or gender equality. The qualitative approach allowed for the generation of more in-depth insights and analysis of the ideas on gender.

Phase 3: Developing Analytical Frames / Data Analysis

The analysis of the data was reliant on a qualitative approach, which sought to identify and examine the relationship between the different themes emerging from first phase of manual coding, and the computer assisted coding process in the second phase. The specific codes were further interrogated through the application of a feminist lens, which incorporated analysis on the social construction of gender, the gendered nature of material conditions, the implications of power, patriarchy and gender relations. This allowed for the emergence of deeper analytical frames which identified gendered assumptions, the intractability of gender inequality and barriers to progressing women's issues, patriarchal dominance and gender relations, hegemony and power dynamics, the influence of international norms as well as the differentiation between the rhetoric of gender equality and practical commitment. The analysis also sought to discern between the representation of official organisational positions on gender and the substantive deliberation and ideas on gender. As the analysis was being developed opportunities for making comparisons between the different datasets emerged and were valuable in differentiating between the different aspects of gender equality ideation that were present in each alliance partner's publications.

Research Constraints and Limitations

A key aspect of the research process was the consideration of the potential weaknesses that the primary data sources might hold such as insufficient insights in the data in relation to the research focus, incomplete or inconsistent datasets and lack of accessibility (Bowen, 2009). Being prepared for these potential challenges is part of the research process and this study involved a rigorous evaluation of the primary dataset in order to satisfy the researcher's concerns where there were gaps in terms of the accessibility of some of the publications. It was decided that there was still a substantial volume of data within the dataset that could satisfactorily address the research question. In the earlier stages of the research process, prior to the interrogation of the ANC, COSATU and SACP publications, consideration was given to the use of additional sources and approaches that would be of value in undertaking this research. This included the potential use of parliamentary debates contained in the South African Hansard or undertaking interviews in South Africa. The initial scoping of these possibilities found that the Hansard is available online from 1999 and is therefore not available for the period examined. It was not feasible to travel to South Africa because of the ongoing Covid19 pandemic which ruled out the use of the Hansard. The in-depth analysis of both party and union journals and magazines also illustrated that there was a rich dataset that provided a

solid evidence base for this research. It was decided not to undertake interviews as the emphasis was on elite views at the time of the transition, and while interviews can generate important insights into all types of research topics, in this case it was felt that interviews would be informed by hindsight and the reconstruction of events in the context of current experiences. Therefore, it was deemed that the documents preserved the perspectives that would inform the analysis and response to the specific research question in a comprehensive and reliable manner.

Conclusion

The methodological approach was rigorously applied to each issue of the journals and magazines that informed the research study. The iterative nature of the process allowed for the progressive evolution of insights into the gender equality perspectives articulated. While there were evidences of similarities in some aspects of the content of the publications analysed, there were also significant distinctions between the viewpoints and areas of emphasis on gender equality. The following three chapters will in turn address the gender equality perspectives outlined in the SACP, COSATU and ANC publications. Each of these chapters provides an in-depth overview of the publication and the nature and substance of the discussions on gender equality. These chapters document and analyse the empirical data and identify the embedded ideas on gender in the tripartite alliance organisations. The discussions on the gender perspectives in the *African Communist*, *Shopsteward* and *Mayibuye* cover a wide spectrum of gender equality issues reflecting international gender concerns and South African women's interests, primarily at the elite level. The analysis of the empirical data was then used to inform the overall analysis and conclusions for this research study.

CHAPTER 5: GENDER EQUALITY, WOMEN AND THE SOUTH AFRICAN COMMUNIST PARTY

Introduction

This chapter analyses the narrative on women and gender equality in the articles published in the South African Communist Party journal the *African Communist*. As one of the three organisations forming the tripartite alliance, the South African Community Party was in a position of influence throughout the democratic transition, albeit arguably to a much lesser extent than the majority party, the ANC. Articles, and SACP documents that were reproduced in the journal publication, are analysed to determine the level and nature of the attention given to gender equality and women's issues in the journal. The chapter uses a word count including instances of references to women and gender equality to assess the relative importance of issues raised it then moves to a detailed examination of the content of the articles. Firstly, there is a brief description of the journal itself.

Overview of The *African Communist*

The *African Communist* was first published in October 1959 as a result of 'pressure from the rank and file of the SACP for a more structured system of propagating communist policies' (Brian Bunting (former editor) essay on the African Communist.[42] The SACP journal was initially produced in Johannesburg, however shortly after the first issues were published, the leadership of the Party were forced to relocate first to London and then to Lusaka following the Rivonia arrests and the imprisonment of so many of their personnel. The material for publication throughout the period of exile was in the hands of the Editorial Board with writers using pseudonyms. Reflecting on the role of the *African Communist* publication in the South African struggle, Blade Nzimande, General Secretary of the SACP since 1998, noted the influence of the journal in developments in the 1980s such as the formation of COSATU and its alignment to the ANC. Emmanuel Bonginkosi 'Blade' Nzimande has been a member of parliament since 1994 and also a member of the ANC National Executive Committee since 1994. While acknowledging that Nzimande's aim is to progress the SACP, his perspective

[42] https://disa.ukzn.ac.za/sites/default/files/pdf_files/ess00000000.040.026.001.pdf, accessed 6th November 2020.

reflects the SACP executive view of the purpose of the journal. Nzimande states that 'the *African Communist* guided debates and analysis as COSATU took shape and deepened working-class struggles in the workplace'.[43] In this speech, Nzimande identified the significance of the *African Communist* during the transition period as the only published platform of major Alliance discussions, 'among the most notable was the debate on the "sunset clauses" during the transition period in the early 1990s'.[44] In the context of the post-1994 period, Nzimande outlined that the journal was a platform for the dissemination of Central Committee discussion documents, leading debates and analysis about issues such as the mobilisation of the working class and the dangers of the neoliberal economic strategy being pursued under the Growth Employment and Redistribution strategy (GEAR).[45]

This chapter reviews 24 issues of the *African Communist*, spanning the transition from 1990 to 1999. An issue of the journal published in 1990 refers to a print run of 18,000.[46] The editor in chief, Jeremy Cronin, played a significant role in the SACP during apartheid was active in the UDF, imprisoned and eventually went into exile. In the post-apartheid state, while remaining among the leaders of the SACP, Cronin also became a member of the ANC National Executive Committee in 1995 and was elected to parliament in 1999. There is a small pool of identified writers who published articles on gender equality and women's issues. Articles which focused solely on gender and women were written by women who were members of the ANC/SACP, activists and academics. It is acknowledged that women were both political party members and/or activists and academics simultaneously. These writers are Hilda Bernstein, Jenny Schreiner, Baleka Kgositsile and Pat Horn. There are references to gender issues in articles written by male SACP leaders, journalists, activists and academics but these articles tend not to concentrate on gender as their primary focus. There are also articles attributed to the SACP Central Committee and articles with no authors cited.

In contrast to both the COSATU and ANC journals, references to 'women' are not among the top ten most frequent words in the SACP's *African Communist*. There are 690 references to 'women' in 22 issues of the SACP journal, placing it at number 23 of the most frequent words

[43] Blade Nzimande, speech on occasion of 50 years of the journal: https://www.politicsweb.co.za/documents/in-praise-of-the-african-communist--nzimande; accessed 11.09.2020).
[44] Blade Nzimande, speech on occasion of 50 years of the journal: https://www.politicsweb.co.za/documents/in-praise-of-the-african-communist--nzimande; accessed 11.09.2020).
[45] Blade Nzimande, speech on occasion of 50 years of the journal: https://www.politicsweb.co.za/documents/in-praise-of-the-african-communist--nzimande; accessed 11.09.2020).
[46] *African Communist*, 1990, No.122, 'We have to move house', Editorial notes, p.17.

when excluding stop words, therefore this is still a relatively high categorisation. While it is lower on the list of frequent words, it is not substantially lower than the number of references in ANC journal, which has 795 references to 'women'. It is however considerably lower than the references in the COSATU journal where there are 1,506 references to 'women' in 23 publications and 477 references to 'gender'. There are 122 references to 'gender' in 11 editions of the *African Communist*. As with the COSATU and ANC journals, there is a marked difference between the highest number of references at the top of the list and the frequency of references to 'women', with the top reference 'party' occurring 1,896 times. There are only 10 references to 'gender equality' in just 5 issues. While the low number of references to gender equality is not necessarily an indication of the commitment to progressing women's issues, it may nonetheless be of significance. The figure below is a word cloud representation of the 100 most frequent words in the *African Communist*, visually illustrating by size the importance of each in terms of frequency:

Figure No. 5 SACP *African Communist* 100 most frequent words

The word cloud illustrates the significance of the ANC in the *African Communist* journal in addition to the emphasis on the political domain, such as the party, government, national and democratic. COSATU have a much lesser focus in the journal.

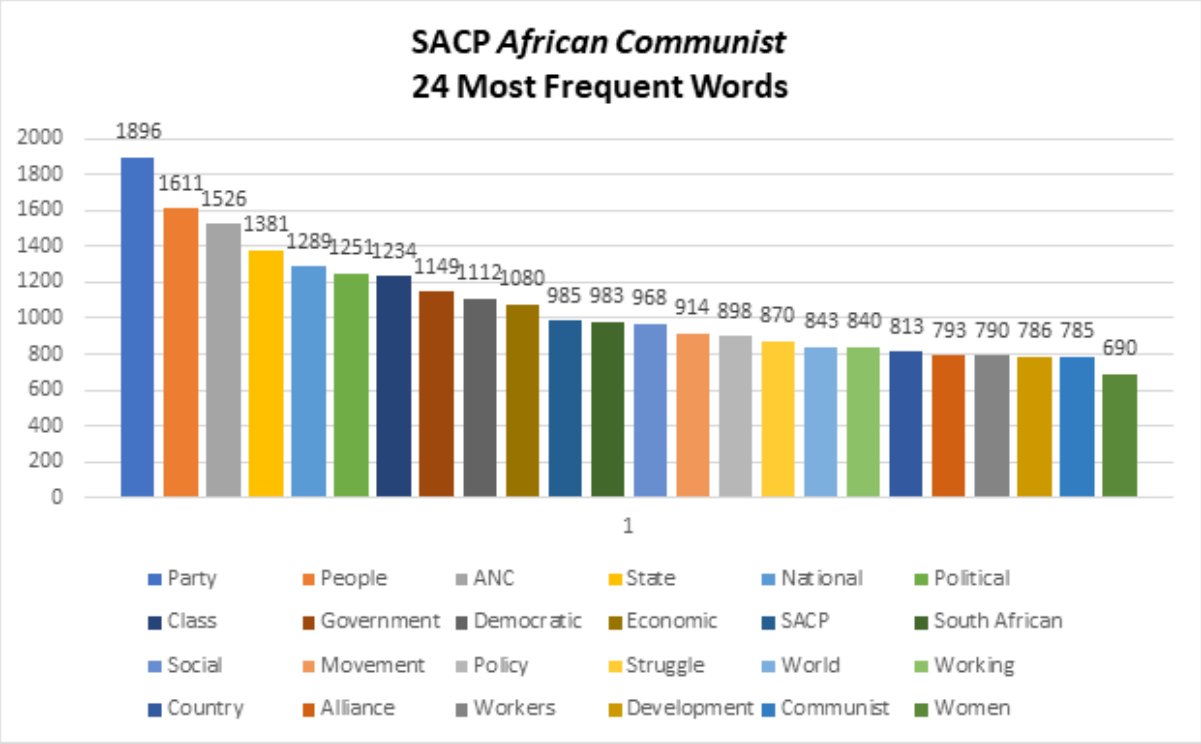


Figure No. 6 SACP *African Communist* 24 most frequent words

From this initial review, it was noted that 'political' is a high frequency word, being placed number 8 in the most frequent words list with 1,251 occurrences. 'Economic' is also a high frequency word with 1,080 instances, placed number 12 on the list of frequent words. Similarly, 'social' is also a high frequency word just below economic at number 13 of the most frequent words with 968 occurrences. A review of these figures illustrates that political, economic and social issues are at the heart of the SACP narrative in the *African Communist* and that 'women' could potentially be considered to be a significant focus in light of the number of references. As with the ANC and COSATU publications however, the frequency of references gives no indication of the substance and/or commitment to gender equality. The word count also illustrates the prominence of the ANC in the overall emphasis in the *African Communist* with 1,526 mentions whereas the SACP has only 985 mentions, and although not included in the chart, COSATU is mentioned 355 times. However, in the context of the gender focus, there is little consideration of the position of the ANC and the trade union movement is more prominent in the analysis of the process of women's collective organisation and mobilisation.

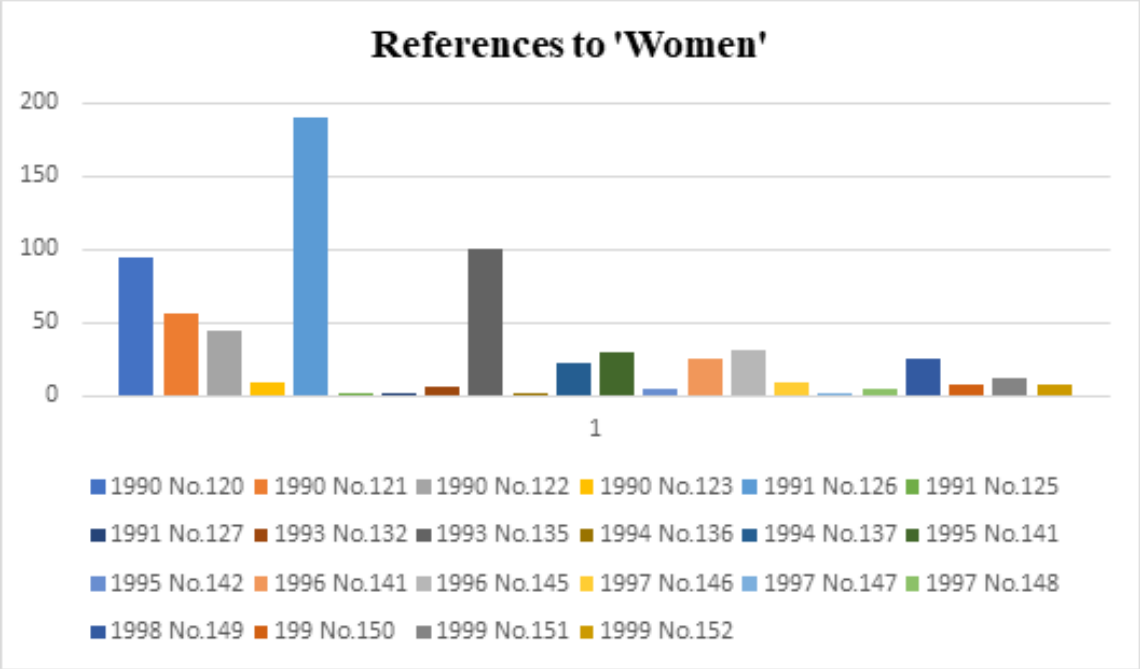


Figure No. 7 Profile of references to Women in the *African Communist*

All references to women and associated discussions were extracted as a basis for determining the key issues from a gender equality perspective. It is notable that the frequency of references to women is relatively concentrated as illustrated by Figure No.4 above, 73% of all references to women occur in the early stages of the transition prior to the formation of the newly established South African Republic (507 of the total 690) with the vast majority occurring in issue number 126 in 1991. However, it is only through closer examination of these references that the substance of the discussion on women and the SACP's specific position on gender equality issues can be ascertained. The analysis of the journal illustrated the ideological nature of the narrative on gender equality through the emphasis on patriarchy, women's oppression and national liberation in addition to the tensions arising from a Marxist Feminist position and women's mobilisation and emancipation.

Patriarchy and Women's Oppression in the context of National Liberation

A significant emphasis in articles that refer to women's issues and gender equality in the *African Communist* is the analytical and ideological consideration of the relationship between the national question, patriarchy and women's oppression. The issue of patriarchy and women's oppression is also addressed in the context of discussions on the legacy of apartheid and the progression of the national democratic revolution in the post-apartheid state. In addition, issues such as cultural norms and traditions are given some attention. 'Discussions on

'patriarchy' and 'patriarchal' relations permeate a number of articles which focus on women in the *African Communist* with 42 references in a total of 10 issues of the journal. Patriarchy is discussed in an analysis of Marxism and Feminism; the dominance of the liberation struggle over women's issues; nationalism; socialism; the necessity of transforming patriarchal relations in order to address women's oppression; the patriarchal legacy of colonialism and apartheid; and the national democratic revolution.[47]

Prior to the negotiations to achieve a political settlement, the place of women's issues and gender equality in the national liberation struggle was analysed by women activists. These were women who had spent significant time in exile and their particular deliberation concentrated on Marxist analysis of women's position and the relationship between Marxism and Feminism.[48] These articles discuss the value of adopting a Marxist Feminist analysis while commenting on the significant failings of the assumptions of the classical Marxist position that the class struggle would inevitably address women's inequality. Anti-apartheid and gender activist, Pat Horn, discusses the inadequacies of different socialist models in 'challenging patriarchal relations of exploitation' and the associated lessons for the South African context.[49] The central thesis of Horn's argument is that without a dedicated focus on addressing patriarchal relations and challenging the narrowly defined emphasis on biological difference, women's equality will not be automatically achieved when the class system is dismantled.[50] The tension between national liberation movements and women's emancipation is a key focus in this discussion which highlights that women's issues remain subordinate to class issues making this 'a major contributory factor to the failure to transform relations of patriarchal domination'.[51] In a separate analysis, Hilda Bernstein, an activist in the Communist Party in the 1930s and founder member of FEDSAW in the 1950s, notes that 'the liberation of women from all forms of oppression is an integral part of the transformation of South African society, and not something to be addressed as a separate issue, or only in a post-apartheid South

[47] *African Communist*, 1996, No.145, 'The Role of the Working Class in Consolidating and Deepening the National Democratic Revolution', Blade Nzimande; 'Let's Keep our Strategic Priorities in Focus', no author cited; 'The National Question in Post-Apartheid South Africa: Reconciling Multiple Identities', Yunus Carrim.
[48] *African Communist*, 1990, No.121, 'The real challenge of Feminism', Hilda Bernstein'; 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn.
[49] *African Communist*, 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn p.14. Pat Horn had been integrally involved in women's movements during the apartheid era in the 1980s as well as playing a role in organising women's groups in trade unions. Her academic research examined women in societies undergoing social change and the relevant lessons for the emancipation of women in South Africa.
[50] *African Communist*, 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn p.10.
[51] *African Communist*, 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn p.11, 18.

Africa'.[52] Although the leadership's emphasis and party position also articulated the necessity of addressing women's oppression in an integrated manner in the national liberation struggle and the post-apartheid state, there are explicit differences in Bernstein's analysis and position.

Horn discusses the inherent flaws associated with a narrow materialist interpretation that assumed once class exploitation ended, gender equality would automatically occur, a position that fails to address the specific nature of women's oppression.[53] Drawing on empirical examples of Socialist and Marxist-Leninist state projects, Horn argues that reliance on the class struggle is ineffective for addressing women's oppression, providing a clear warning of the limitations of simply subsuming gender issues in the national agenda without attention to the specific aspects that need to be addressed.[54] There is also awareness of attempts to delegitimise feminist perspectives and Bernstein critiques the dismissal of feminists who question language, sexism, violence and social oppression, stating that 'these issues are not separate from the struggle for national liberation, nor from the question of the establishment of women's rights after liberation'.[55] This awareness of the subservience and potential marginalisation of women in the context of the national question is evident among other women leaders in the ANC and COSATU, however, it is rarely given such weight in any of the discussions in their journals and magazines.

In further consideration of the relationship between Marxism and the national question, Philip Dexter[56] criticised the SACP for not contributing to the debate about the construction of national identity, and how it may address the 'perpetuation of racist and sexual stereotypes and the institution of patriarchy' noting that it is 'easy to see how real class and gender interests can be compromised for abstract national ones'.[57] Dexter states that if social identities are constructed, the extent to which they can be 'manipulated, and by whom, is of the utmost importance'.[58] This perspective demonstrates that there is awareness of the capacity to shape

[52] *African Communist*, 1990, No.121, 'The real challenge of Feminism', Hilda Bernstein, p.99. Bernstein was active in exile in the 1960s working with the ANC external mission and Women's Section.
[53] *African Communist*, 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn, p.11.
[54] *African Communist*, 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn, p.11.
[55] *African Communist*, 1990, No.121, 'The real challenge of Feminism', Hilda Bernstein, p.100.
[56] Dexter was an activist, politician, member of the SACP CEC and Politburo, member of the ANC NEC and ANC MP as well as union leader.
[57] *African Communist*, 1996, No.145, 'Marxism and the National Question in a Democratic South Africa', Philip Dexter, p.32-33.
[58] *African Communist*, 1996, No.145, 'Marxism and the National Question in a Democratic South Africa', Philip Dexter, p.32.

gender identity in the new republic and a key question remains who has the power to do so, what perspectives are informing their position and is it of any importance in comparison with the priorities that elite actors are pursuing. In an article on the reconciliation of multiple identities in the post-apartheid state, MP and Member of the SACP CEC and Politburo, Yunus Carrim, also recognises the gendered impact of apartheid. This article reiterates the objective of building a non-racial and non-sexist democracy, noting that 'gender equality will have to constitute a vital part of the content of the national question - and will have to be addressed on an ongoing basis as the transition unfolds'.[59] However, in contrast to this analysis, the article continues with the elaboration of a strategy that focuses primarily on the issue of race and class.[60] This is a common feature of the deliberation on the national question and the formation of the new state where there is mention of gender equality albeit subordinate to the greater emphasis on class and race.

The national democratic revolution is a substantial issue for the SACP, being integrally linked to the core ideological and practical basis for the socialist transformation of the South African state, referenced throughout the *African Communist*.[61] The connection between the national question, women's oppression and gender equality also arises in the context of the national democratic revolution and the establishment of the new state's objective of addressing the racial and gendered legacy of the special type of colonialism implemented in South Africa.[62] There is a specific focus on progressing gender equality in the national and class struggle in this article, a discussion paper from the SACP's CEC, stating that the national democratic revolution cannot succeed without addressing gender oppression.[63] This paper proposes that it is necessary for the SACP to reaffirm 'that there can be no true national liberation nor socialism without the progressive eradication of gender inequality and patriarchal practices and

[59] *African Communist*, 1996, No.145, 'The National Question in Post-Apartheid South Africa: Reconciling Multiple Identities', Yunus Carrim, p.43.
[60] *African Communist*, 1996, No.145, 'The National Question in Post-Apartheid South Africa: Reconciling Multiple Identities', Yunus Carrim.
[61] *African Communist*, 1998, No.149, 'A socialist approach to the consolidation and deepening of the National Democratic Revolution: Our Marxism', a Central Committee programme discussion document circulated in advance of the 10th SACP national congress.
[62] *African Communist*, 1998, No.149, 'A Socialist Approach to the Consolidation and Deepening of the National Democratic Revolution: 1.2 Gender struggle in the national and class struggle', a Central Committee programme discussion document circulated in advance of the 10th SACP national congress.
[63] *African Communist*, 1998, No.149, 'A Socialist Approach to the Consolidation and Deepening of the National Democratic Revolution: 1.2 Gender struggle in the national and class struggle', a Central Committee programme discussion document circulated in advance of the 10th SACP national congress, p.10.

institutions'. [64] It is argued that class and gender oppressions are both interconnected and institutionalised, and have to be addressed simultaneously.[65] The article states that 'one or the other oppression will not simply wither away because another of the oppressions has been overcome'.[66] The SACP affirms that while all three factors are significant, the national question is the dominant issue owing to the legacy of racial oppression.[67]

A separate CEC discussion document in the same journal issue on the SACP's concept of Marxism outlines that any transformation process that serves to 'legitimise and entrench capitalism (or gender or race oppression)' is unacceptable.[68] Building on the much earlier narrative on the gendered limitations of classical Marxism articulated in Horn's 1991 article, the SACP Central Committee adopts a perspective that there are gender blind limitations to the productivist analysis of classical Marxism which fail to acknowledge the:

> 'central economic and social role played by "non-economic" activity in the reproduction of society ….Much of this work is borne by women, and the failure to adequately account for it has led to an historical blindness around gender oppression in many socialist and communist formations'.[69]

While this discussion illustrates the ideological and intellectual analysis that the SACP put forward, it doesn't contain specific mechanisms for eliminating gender inequality. This narrative is also very similar to the discourse on patriarchy and women's oppression that could be found in other Marxist liberation movements internationally in that it advocates the integration of the 'women question' into the revolutionary objectives without specific commitments to equality in practice (Molyneux, 1985; Jayawardena, 1986; Alvarez, 1990).

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[64] *African Communist*, 1998, No.149, 'A Socialist Approach to the Consolidation and Deepening of the National Democratic Revolution: 1.2 Gender struggle in the national and class struggle', a Central Committee programme discussion document circulated in advance of the 10th SACP national congress, p.11.

[65] *African Communist*, 1998, No.149, 'A Socialist Approach to the Consolidation and Deepening of the National Democratic Revolution: 1.2 Gender struggle in the national and class struggle'.

[66] *African Communist*, 1998, No.149, 'A Socialist Approach to the Consolidation and Deepening of the National Democratic Revolution: 1.3 The National question in the class and gender struggles', a Central Committee programme discussion document circulated in advance of the 10th SACP national congress, p.11.

[67] *African Communist*, 1998, No.149, 'A Socialist Approach to the Consolidation and Deepening of the National Democratic Revolution: 1.3 The National question in the class and gender struggles', a, p.11.

[68] *African Communist*, 1998, No.149, 'Our Marxism', a Central Committee programme discussion document circulated in advance of the 10th SACP national congress, p.39.

[69] *African Communist*, 1998, No.149, 'Taking Theory Seriously', a Central Committee programme discussion document circulated in advance of the 10th SACP national congress, p.42.

The intersection of race, class and gender permeates some of these discussions with specific attention to the deeply inequitable status of working class and rural black women. For example, SACP Deputy Chairperson Blade Nzimande's discussion on the national democratic revolution notes that an:

> enduring factor of the South African state is that it is a patriarchal state, whose foundations and mode of reproduction has been the oppressive and exploitative gender relations, at the core of which has been the oppression of women. The acuteness of this exploitation sharply expresses itself in the oppression of black working class women, particularly rural African women who have borne the brunt of the landlessness of the rural masses and the system of migrant labour. [70]

Although recognising the patriarchal legacy, Nzimande however notes that there are differences in the post-apartheid state, as the new republic is prioritising the working class, through the implementation of the Reconstruction and Development Programme and other actions to advance the position of women in society.[71] Nzimande states that the new government has laid the foundation for 'the basis for the eradication of gender inequalities in general, and patriarchy in particular'.[72] In contrast, SACP activist Dale McKinley's subsequent article in the same *African Communist* journal also refers to patriarchal limitations noting that the national democratic project continues to be challenged by patriarchal oppression.[73] However, McKinley is in agreement with Nzimande that existing problems are 'the results of decades of systematic racist, capitalist and patriarchal underdevelopment'.[74] Nonetheless, the apparent contradiction is that the SACP leadership clearly prioritise the national question and class issues and in many respects adopt a gender blind approach while simultaneously advocating for women's emancipation.

The analysis of women's oppression is intertwined with discussions on patriarchy and includes consideration of the apartheid legacy, the national liberation struggle and the national

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[70] *African Communist*, 1996, No.145, 'The Role of the Working Class in Consolidating and Deepening the National Democratic Revolution', Blade Nzimande, p.6.

[71] *African Communist*, 1996, No.145, 'The Role of the Working Class in Consolidating and Deepening the National Democratic Revolution', Blade Nzimande.

[72] *African Communist*, 1996, No.145, 'The Role of the Working Class in Consolidating and Deepening the National Democratic Revolution', Blade Nzimande, p.6.

[73] *African Communist*, 1996, No.145, 'The Strategic Necessity of the Dictatorship of the Proletariat', Dale T. McKinley. McKinley was a freelance journalist and activist within the SACP during the transition period. This perspective is repeated verbatim in an article in a 1997 issue of the *African Communist* outlining the SACP Central Committee Discussion Document on strategic priorities.

[74] *African Communist*, 1996, No.145, 'The Strategic Necessity of the Dictatorship of the Proletariat', Dale T. McKinley, p.17.

democratic revolution. There are 162 references to 'oppression' in 22 issues of the African Communist, approximately 44% of which relate specifically to women and gender issues. These discussions refer to the position of African women and the triple oppression of gender, class and race.[75] The narrative on women's oppression is consistent with Marxist Feminist analysis, however there are also critical perspectives on the limitations of the classical Marxist economist position.[76] Schreiner draws on feminist analysis of the public and private spheres identifying that women experience oppression in 'the family and home, in cultural traditions and media, in health policy and through birth control, in the workplace, in education, in access to social services, in access to technology and through the corridors of power in government'.[77] The differentiated position of working class and rural black women is specifically highlighted as the most exploited, marginalised and oppressed.[78] Kgositsile proposed that there is often a failure among white women to recognise their active role and complicity in the oppression of black African women, acutely evident in the treatment of domestic workers.[79] Consequently, Kgositsile argues that it is essential that women participate meaningfully in 'all spheres of the process of social transformation'.[80] Bernstein notes that the Federation of South African Women, was representative of women from all racial backgrounds and recognised from its 'inception that the liberation of women from all forms of oppression is an integral part of the transformation of South African society, and not something to be addressed as a separate issue, or only in a post-apartheid South Africa'.[81] Importantly, Bernstein raises the issue of the role of culture alongside economics in women's oppression, stating that it is necessary to implement a thorough 'change of culture, custom, of social consciousness in addition to social change' noting that prejudice against women has permeated all aspects of culture and social relations.[82] This analysis is significant as it locates women's oppression in a more detailed analytical framework than envisaged by SACP male leaders.

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[75] *African Communist*, 1990, No.120, 'The Women Question: Are the chains breaking?', Baleka Kgositsile; 1990, No.121, 'The real challenge of Feminism', Hilda Bernstein; 1990, No.122, 'On the Emancipation of Women', no author cited.

[76] *African Communist*, 1990; No.121, 'The real challenge of Feminism', Hilda Bernstein; 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn; 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner.

[77] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.22.

[78] *African Communist*, 1990, No.120, 'The Women Question: Are the chains breaking?', Baleka Kgositsile; 1998, No.149, 'A Socialist Approach to the Consolidation and Deepening of the National Democratic Revolution: 1.2 Gender struggle in the national and class struggle'.

[79] *African Communist*, 1990, No.120, 'The Women Question: Are the chains breaking?', Baleka Kgositsile p.56.

[80] *African Communist*, 1990, No.120, 'The Women Question: Are the chains breaking?', Baleka Kgositsile, p.53.

[81] *African Communist*, 1990, No.121, 'The real challenge of Feminism', Hilda Bernstein, p.99.

[82] *African Communist*, 1990, No.121, 'The real challenge of Feminism', Hilda Bernstein, p.100.

This emphasis on culture and tradition is incorporated in other discussions that analyse women's oppression, patriarchal attitudes and customs. Customary law is briefly referenced in this context recognising that it is challenging for rural women under customary law owing to the 'patriarchal character of the chieftaincy, and its control over land'.[83] This article also contends that 'customary land rights help to explain women's oppression in the South African countryside', noting that there is an inherent danger in the transition process that chiefs will increase their power and influence, and consequently extra-economic coercion and gender oppression will thrive.[84] The normalisation of patriarchy is also a notable aspect of the analysis of culture where is it argued that 'the resilience of patriarchal institutions and practices has largely, though not exclusively, been reinforced by ideologically projecting women's oppression and gender inequalities as part of "normal", "acceptable" and "long-standing" cultural traditions'.[85] This analysis illustrates that as the transition progressed, patriarchal norms prevailed, and as the discussion further acknowledges, this was not limited to those groups who hold dominant positions in society but was pervasive and deeply impacted on working class women.[86] By extension, the article also contends that patriarchal attitudes, and the social conditions experienced by the poorest in society, result in the high levels of domestic violence and abuse against women and children in South Africa.[87] A weakness of this discussion is the dominance of ideological rhetoric over calls for substantive action. According to the SACP, the proposed way forward is to politically organise the working class to advance the national democratic revolution, and in doing so, challenge patriarchal norms.

There are practical suggestions in relation to addressing women's oppression in the earlier stages of the transition, which precede the priority emphasis on the National Democratic Revolution (NDR), these included the necessity of introducing legislation and constitutional rights for women in the democratisation process. Although constitutional reform is identified

[83] *African Communist*, 1996, No.144, 'Land and Agrarian Questions in SA: A Socialist Perspective', Richard Levin, p.16.
[84] *African Communist*, 1996, No.144, 'Land and Agrarian Questions in SA: A Socialist Perspective', Richard Levin, p.16.
[85] *African Communist*, 1998, No.149, 'A Socialist Approach to the Consolidation and Deepening of the National Democratic Revolution: 1.2 Gender struggle in the national and class struggle', a Central Committee programme discussion document circulated in advance of the 10th SACP national congress, p.11.
[86] *African Communist*, 1998, No.149, 'A Socialist Approach to the Consolidation and Deepening of the National Democratic Revolution: 1.2 Gender struggle in the national and class struggle'.
[87] *African Communist*, 1998, No.149, 'A Socialist Approach to the Consolidation and Deepening of the National Democratic Revolution: 1.2 Gender struggle in the national and class struggle'.

as a significant process for women's engagement, it is argued that there has to be debate and dialogue at the heart of the process as opposed to an elite group determining the content.[88] According to Schreiner, while many of the political parties have policies that seek to address issues affecting women's equality, the fundamental imperative is to transform social relations and provide resources to enable this transformation.[89] It is noted that policies alone are insufficient; mechanisms are required to implement policy and to address associated problems arising from their implementation.[90] Crucially, at the earliest stage of the transition period, the pitfalls of introducing legislative and policy change without transforming social relations is already recognised.[91] Therefore, perspectives on legislative and policy change which are normative aspects of the state-led feminist approach illustrate that there was awareness of the evident limitations of this process in transforming gender relations, addressing women's oppression and dismantling patriarchy. The concerns are evident from a subsequent discussion which identifies some of the limitations in the post-transition context, warning that 'real issues, like women's oppression, are picked up within this first version of change, but they then become confined to largely elite concerns and resolutions - ensuring a quota of women are represented within the emerging public and private sector elite'.[92] This perspective on the position of elite women is reflective of a similar viewpoint expressed in the *Shopsteward* and *Mayibuye,* albeit one that was minimal in terms of the overall narrative on gender equality.

While the *African Communist* editorial board saw value in publishing these articles which acknowledged women's oppression, identified the specific racial, class and gender exploitation experienced by black women and considered the impact of patriarchy, there is no indication that the more complex analysis articulated by women activists was adopted by the party executive leadership. Similarly, although narratives on gender equality emphasised the necessity of tackling power relations, this was not taken seriously by the leadership. The cultural norms that reinforce patriarchy are not only presumed absent from the organised political infrastructures, it is also stated in a CEC paper that such issues are not part of the

[88] *African Communist*, 1990, No.122, 'On the Emancipation of Women'; 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner.
[89] *African Communist,* 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner.
[90] *African Communist*, 1990, No.122, 'On the Emancipation of Women', no author cited, p.88.
[91] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.24.
[92] *African Communist,* 1996, No.145, 'Lets' Keep our Strategic Priorities in Focus', no author cited, p.17.

SACP and ANC legacy.[93] The limitations of the SACP perspective are glaring evident in this analysis, an interpretation that could be fundamentally flawed in terms of the capacity to dismantle patriarchal oppression and progress the position of women.

Traditional leadership and related gender equality concerns are noted in some of the articles on patriarchy and oppression. In addition to this analysis, there is a consideration of the power and role of traditional leaders and customary law in the transition, which notes class and gender implications as well as land rights.[94] While it is acknowledged there were many developments that defined women's status in the context of customary law, Maloka highlights the introduction of the 1951 Bantu Authorities Act which legally empowered chiefs in the Bantustan and which by design orchestrated a system that further disenfranchised and oppressed rural African women.[95] Effectively, the outcome according to Maloka, was the creation of a new elite which entrenched patriarchal control and is an outmoded and undemocratic system under the newly established democracy.[96] Maloka critiques the ANC position as contradictory in nature as they both support and enable this system of traditional leadership while also proposing to establish democratic structures in rural communities.[97] He advocates there has to be clarity in terms of 'customary law' and that chiefs should be consigned to advisory and ceremonial roles.[98] This is a stark contrast to the ANC position that appeases traditional leaders while also advocating for women's empowerment and equality. While this emphasis aligns with feminist critiques, the articles in the *African Communist* do not engage with the practical policy issues where the objectives of customary law are in conflict with gender equality.

Land rights for women are also discussed in the *African Communist* in the context of the gendered implications of traditional leadership and customary law. Again, this is a relatively minimal concern in the *African Communist* being deliberated in a single article by Richard

[93] *African Communist*, 1998, No.149, 'A Socialist Approach to the Consolidation and Deepening of the National Democratic Revolution: 1.3 The National question in the class and gender struggles', no author cited, p.12.
[94] *African Communist*, 1995, No.141, 'Traditional Leaders and the Current Transition', Eddy Maloka.
[95] *African Communist*, 1995, No.141, 'Traditional Leaders and the Current Transition', Eddy Maloka, p.19.
[96] *African Communist*, 1995, No.141, 'Traditional Leaders and the Current Transition', Eddy Maloka, p.21.
[97] *African Communist*, 1995, No.141, 'Traditional Leaders and the Current Transition', Eddy Maloka, p.18.
[98] *African Communist*, 1995, No.141, 'Traditional Leaders and the Current Transition', Eddy Maloka, p.22.

Levin[99] on land and agrarian questions in South Africa from a socialist perspective.[100] In this discussion, Levin contends that struggles in relation to the land issue are neglected by the SACP, and he proposes that they need to actively engage in these issues.[101] The substance of this deliberation also considers the position of women; class, gender and land; gender relations; and social differentiation.[102] Similar with Maloka's article, this discussion locates the current context in the process of land dispossession by white settlers, the formation of the Bantustans, the complex and exploitative relationship with land and the consequences for black people in rural communities.[103] The analysis of the impact on black women is elaborated in relation to the impact of capitalism on economic relations between men and women and the differentiated experience of rural women who themselves are not a homogenous group.[104] Levin particularly highlights the position of women in the Bantustans, stating that 'the ownership of assets is an important source of power and authority in the rural household, and this is one reason why men are able to exercise control over decision making and the lives of females'.[105]

Levin's analysis also refers to the centrality of the role of the chieftaincy in the process of examining of gender relations owing to the impact of the patriarchal nature of this system and the associated implication of customary law in terms of the exclusion of land rights for women.[106] Levin identifies that the process of democratic transformation provides opportunities for a restructuring of land tenure systems which will be free from gender discrimination'.[107] In both Maloka and Levin's discussions there is a clear critique of the traditional leadership and customary law system and a consideration of the gendered implications for women in tandem with the necessity for change, advocating for a

[99] Levin is an academic who contributed to SACP positions and occupied a number of high-level civil service roles in the new state.
[100] *African Communist*, 1996, No.144, 'Land and Agrarian Questions in SA – A Socialist Perspective', Richard Levin.
[101] *African Communist*, 1996, No.144, 'Land and Agrarian Questions in SA – A Socialist Perspective', Richard Levin, p.14.
[102] *African Communist*, 1996, No.144, 'Land and Agrarian Questions in SA – A Socialist Perspective', Richard Levin, p.15
[103] *African Communist*, 1996, No.144, 'Land and Agrarian Questions in SA – A Socialist Perspective', Richard Levin, p.16.
[104] *African Communist*, 1996, No.144, 'Land and Agrarian Questions in SA – A Socialist Perspective', Richard Levin, p.16.
[105] *African Communist*, 1996, No.144, 'Land and Agrarian Questions in SA – A Socialist Perspective', Richard Levin, p.16.
[106] *African Communist*, 1996, No.144, 'Land and Agrarian Questions in SA – A Socialist Perspective', Richard Levin, p.16.
[107] *African Communist*, 1996, No.144, 'Land and Agrarian Questions in SA – A Socialist Perspective', Richard Levin, p.17.

transformation in the power held by chiefs. Both of these more in-depth discussions on the role of traditional leaders are notable in that they were given attention by academics as opposed to being expressed by the SACP leadership. Again, there is awareness of the gender implications of maintaining the system of customary law, but it is not on the mainstream agenda of the SACP despite the editorial inclusion of these perspectives.

Feminism and Women's Mobilisation

The narrative on women and gender equality in the *African Communist* also refers to feminism, emancipation and to a lesser extent considers the process of mobilising and organising women. 'Feminism' or 'feminist' is referenced 47 times in 6 issues of the *African Communist*. This contrasts with the references in the ANC and COSATU publications, with just 9 references in the *Mayibuye* journal and 23 references in the *Shopsteward*, again illustrating the ideological and conceptual nature of discussions.[108] There are 66 references to emancipation in 15 issues of the *African Communist*, while these also include other general issues in terms of economic and social emancipation, 47 of these references are focused on women. The deliberation on gender equality, particularly in the early stages of the transition, includes repeated references to the process of organising women, considering ways in which women might be mobilised, as well as challenges and obstacles. Although collective organising is a focus point, there are no references to the 'women's movement' per se.

Women's mobilisation is primarily articulated in the context of a feminist approach, with the emphasis on women challenging patriarchy and gender oppression. There is also some discussion on the ideological and practical question of the range of strategies for organising both within the system and/or outside of the system, including whether autonomous women's structures or organising within the various political groupings in the liberation struggle is the best way forward. Some noted concerns highlight the dangers of adopting a narrowly defined feminist analysis, the dismissal of feminism as a western ideological concept, the potential marginalisation of gender equality issues as solely the concern of women resulting in 'ghettoising the women's question'.[109] Attention to the process of collective organising for women is primarily discussed by the women writers in the *African Communist*, although it is also notable that women's organisation is rarely referenced in articles where the dominant focus

[108] Some of the references to women's issues in the *Shopsteward* are attributed to Jenny Schreiner who also writes on feminism in the *African Communist*.
[109] *African Communist*, 1990, No.120, 'Are we breaking the chains?', Baleka Kgositsile, p.55.

is on organising the working-class, and the labour movement. Articles discuss the need to increase party membership do so without any consideration of gender differences illustrating that the party was gender-blind on the class issues that were its priority focus.

Writers in the *African Communist* demonstrated an awareness of the weakness of women's position in both historical and contemporary post-liberation states.[110] For example, Kgositsile argues that it is necessary to learn from women's experiences in other liberation movements and that it is important to have an understanding of feminist ideas rather than dismissing feminism as a Western phenomenon with no relevance in the South African context.[111] Similarly, Horn describes the experience of women in the Soviet Union where the Woman Question was considered to be solved once the communist state was created, despite 'significant reversals in state policy on women's and household issues'[112] This narrative adopts a critical feminist position regarding the assumption that revolutionary transformation will address the specific gendered challenges that women face. A counter perspective dismisses the critique that integrating women's issues into the liberation movement is tokenistic that will render them ineffective, arguing that women's previous engagement in democratic struggles resulted in a 'qualitatively new element'.[113] Ultimately, this view sees women's mobilisation as embedded within the liberation struggle and does not believe that the trajectory of South Africa will follow that of other revolutions as far as women are concerned.

The dominant view amongst feminists writing in the journal is that 'feminist theory has an important role to play in changing consciousness around women's oppression',[114] and that women should be 'organised as women and as feminists' while engaging in the wider political struggle.[115] The task is to determine the balance between organising as women and participating in the struggle, not to be confined to either one, which could curtail the potential for transformation in the South African context. It is further suggested that women should maintain an ability to critique the existing system in order to present a radical alternative not

[110] *African Communist*, 1990, No.120, 'Are we breaking the chains?', Baleka Kgositsile; 1990, No.121, 'The real challenge of Feminism', Hilda Bernstein; 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn; 'Organising Women in the 1990s', Jenny Schreiner.
[111] *African Communist*, 1990, No.120, 'Are we breaking the chains?', Baleka Kgositsile, p.55-56.
[112] *African Communist*, 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn, p.12-13.
[113] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.27.
[114] *African Communist*, 1990, No.121, 'The real challenge of Feminism', Hilda Bernstein, p.98.
[115] *African Communist*, 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn p.17.

dominated by patriarchal norms and 'ideological constraints'.[116] Nonetheless, the limitations for women working within the system are recognised in relation to the difficulties of challenging from within, and the problems facing activists who engage theoretically and can potentially become alienated from grassroots women and their concerns.[117] While Schreiner advocates the necessity of developing an autonomous women's movement, she strongly cautions about the limitations of a European style separatist feminism.[118] In her analysis, Schreiner reiterates the value of understanding that agency is defined by both material circumstances and the potential to address these conditions, noting that 'strategy and tactics are determined by the objective and subjective factors facing the liberation movement'.[119] Schreiner's analysis spans both ideological and practical concerns, identifying the specific challenges that South African women face in their day-to-day lives that can constrain their political engagement. It is suggested that this is compounded by a 'lack of political skills, lack of confidence to voice out their problems, and the negative attitudes of men towards politically active women'.[120] Consequently, Schreiner proposes addressing these obstacles and supporting women's active engagement and empowerment through a process of politicisation and conscientisation, as well as mobilising women in the liberation movement to embed women's emancipation in the democratic transformation.[121]

Horn's analysis considers how gender equality concepts are obfuscated and undermined by being defined as a Western feminist phenomenon - an approach that legitimises the dismissal of feminist politics as singular in interpretation and an extension of colonial and imperial ideologies. She believes that women's emancipation struggles have been subordinate in all national liberation struggles, and that this is 'a major contributory factor to the failure to transform relations of patriarchal domination'.[122] The disagreement between Horn and Schreiner is primarily one of tactics. Horn wants women to organise separately as women to address the subordination and marginality of women's issues, while Schreiner argues that if women are not engaged directly in the liberation struggle, gender issues will become ghettoised

[116] *African Communist*, 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn p. 11, 17.
[117] *African Communist*, 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn; 'Organising Women in the 1990s', Jenny Schreiner.
[118] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.24.
[119] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.24.
[120] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.24.
[121] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.25.
[122] *African Communist*, 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn, p.19-20.

and ignored.[123] Other articles in the journal clearly demonstrate that politically active women were aware that there was a difficult balance between autonomous organising as women and the danger of marginalising women's issues in the wider movement.[124] Despite this critical emphasis, discussion on the fundamental question of the nature of women's engagement disappeared from the *African Communist* by 1991, at the very beginning of the transition period. It became normalised that women's mobilisation was understood to be within the context of the party and tripartite alliance. The dominance of party objectives, class and by extension racial identity were paramount and predominantly gender blind. The trajectory that emerged as the transition progressed illustrates that Horn's warning that women's issues would remain subordinate, increasingly became the reality for the SACP leadership in the positions they adopted in the *African Communist* as is evident in their deliberations on the NDR.

The narrative in the *African Communist* proposes that there is a significant role for the trade union movement and the Marxist-Leninist party, where the unions are assigned to fighting for equal rights and conditions, and the party is tasked with supporting the development of political consciousness.[125] An article proposed that the party create 'mechanisms to ensure women's emancipation' pointing to the example of reforms in COSATU.[126] Most of the discussion is more theoretical including a debate on the role of both men and women in addressing gender equality with one article arguing that it 'is not simply a woman's struggle and should not be defined as being exclusively their concern', it is necessary to identify the cultural and social dimensions of men's behaviour, to change men's consciousness and to consider men's role in the 'struggle for women's emancipation'.[127] Linked to this is a discussion that highlights the role of the party in building capacity among both men and women members to engage in women's emancipation, stating that the SACP:

> must prepare their male members, in attitude and activity, on the women's question [and] prepare their female members to overcome the limitations they genuinely feel due to the male domination of society. Not only do the old ideas encourage male superiority, but they also encourage female inferiority. [128]

[123] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner.
[124] *African Communist*, 1990, No.120, 'Are we breaking the chains?', Baleka Kgositsile.
[125] *African Communist*, 1990, No.122, 'On the Emancipation of Women', no author cited, p.87.
[126] *African Communist*, 1990, No.120, 'Are we breaking the chains?', Baleka Kgositsile, p.53.
[127] *African Communist*, 1990, No.121, 'The real challenge of Feminism', Hilda Bernstein, p.99
[128] *African Communist*, 1990, No.122, 'On the Emancipation of Women', no author cited, p.87.

In this context, it is argued that the active engagement of women requires more than a call from the leadership to women to organise and that the political task for both men and women is to consciously transform interpersonal relations.[129] However, a number of articles argue that a central action of the feminist movement is to ensure that women are engaged at leadership level.[130] This view assigns the responsibility for progress to women and contrasts with other articles that call for men to change, for example that 'male dominated unions must consciously make room for and acknowledge the need for women to participate more actively at every level'.[131]

While practical strategies for supporting gender equality are marginal in the overall narrative on women there are some references to tangible objectives as 'the present conjuncture is one in which enormous gain can be made on issues pertinent to women's emancipation'.[132] Schreiner outlines the importance of considering how to prioritise women's emancipation at the same time as advancing democratisation and socialism through establishing an autonomous women's organisation; gender departments in political organisations; an alliance of women's forces and organising women in the labour movement.[133] Schreiner argues that in addition to the mass mobilisation of women the establishment of a gender department in the SACP that would include both men and women would further ensure that women's issues were not marginalised.[134] It is proposed that this department would be tasked with empowering women as well as educating men and women about women's emancipation.[135] According to Schreiner's perspective, the gender department would have a role in 'empowering women in relation to socialist theory and practice' and implementing practical strategies to engage working-class women from different cultural backgrounds into the organisation.[136] Arguably, this could be interpreted as a strategy to increase the support base and party membership of the SACP, particularly as Schreiner's justification rests on the rationale that 'women are

[129] *African Communist*, 1990, No.121, 'The real challenge of Feminism', Hilda Bernstein; 1990, No.122, 'On the Emancipation of Women', no author cited; 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn; 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner.
[130] *African Communist*, 1990, No.121, 'The real challenge of Feminism', Hilda Bernstein; 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner.
[131] *African Communist*, 1990, No.121, 'The real challenge of Feminism', Hilda Bernstein, p.98.
[132] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.24.
[133] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.24-29.
[134] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.27.
[135] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.26-27.
[136] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.27.

notoriously weak on theorising around social issues' and would benefit from the ideological analysis that is integral to the Communist party's strategic approach.[137]

Schreiner also considers the value of formal structures akin to national gender machinery through an analysis of the value of having a Women's Ministry. Her position is unequivocal, and she warns about the danger of marginalising gender issues under one department which would be in competition with other departments for resources and effectively ensure that there is limited attention to women in these departments.[138] Schreiner proposes that a Women's Desk should be established in each government department with the objective of 'ensuring that within policy-making and the implementation of policy, gender issues are integrated into the analysis and practice'.[139] Subsequently, some of these features were in fact created in the governance structures of the newly established post-apartheid state. Moreover, although these early discussions in the *African Communist* envisaged that these structures would be reinforced by the active engagement of women in political organisations and civil society, research has documented that this was a weaker aspect of the gender equality approach in the new South African state (Gouws, 1996; Hassim, 2001, 2003a, 2005b, 2014b; Britton, 2006; Gregg, 2014).

In the *African Communist,* there was consideration of how to engage women involved in issue-based organisations/groups in a broader alliance that could draw women together from across the political spectrum.[140] The organisation of trade union women is also considered a central element of the process of women's emancipation. Both Schreiner and Kgositsile highlight the COSATU's structures as a model for organising around women's issues.[141] It is proposed that although women workers faced problems similar to those experienced by women in political organisations, such as practical and cultural barriers that inhibited their participation, COSATU addressed these challenges in the federation structure and the affiliated unions.[142] The analysis of the role of trade union women outlines the issues women have engaged with, including working conditions and sexism in COSATU; and that women have gained power through

[137] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.27.
[138] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.29.
[139] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.29.

[140] This approach was articulated at the Malibongwe Conference in 1989, and a subsequent conference in Cape Town in 1991, laying the groundwork for the subsequent establishment of the Women's National Coalition.
[141] *African Communist*, 1990, No.120, 'Are we breaking the chains?', Baleka Kgositsile; 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner.
[142] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.28.

active involvement in negotiations with employers.[143] According to Schreiner, political organisation will not bring about transformation without the involvement of the trade union movement, she states that 'it is COSATU women with the support of their allies in the ANC and the SACP, who have to ensure that women workers are playing an active role in the economic aspects of civil society through their trade unions'. The trade union movement are drawn into the deliberation on gender issues in a number of contexts in the *African Communist,* in some cases specific articles on women refer to the role of trade unions in mobilising women, separate discussions on COSATU in a more generalised context also identify the progress the union has made on advancing the position of women. It was apparent in this analysis, that it was considered that COSATU had adopted a more proactive and progressive approach to gender equality than the SACP, in spite of the serious challenges for women in the union federation. This emphasis suggests that women in the SACP saw COSATU and the trade unions as a mechanism for engaging with working class women as the SACP did not have the same capacity or infrastructure. It is also significant that while women referred to COSATU's role in organising women, there was no mention of other mass women's organisations such as the WNC or the ANCWL in the *African Communist*. This omission suggests that women in the SACP had a specific position on the political organisation of women, and while there was an affinity with the trade union movement, this was the primary external group considered relevant.

At the beginning of the transition the articles written by Kgositsile, Bernstein, Horn and Schreiner in the *African Communist* converge in terms of the analysis of women's position that draws on elements of a socialist feminist framework, they differ on the process by which women should collectively organise. This debate was relevant to the approach to engendering the South African democratic transition and whether women should organise within the context of the national liberation movement or autonomously outside of it. This dilemma was present throughout the anti-apartheid struggle, and having both ideological and strategic dimensions, is at the heart of the stated objective of progressing women's emancipation in the South African context. These women writers had spent time in exile and were aware of the international debates on gendering democratic transitions and state reconstruction processes. Not only did the male leadership of SACP not engage in discussions on supporting women's organisations

[143] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.28.

and the processes necessary to progress women's emancipation, the question of women's equality quickly became marginal in deliberation on the NDR.

Achieving Women's Emancipation

In general, concern for practical issues which affect women are substantially limited in the narrative on gender equality in the *African Communist*. Attention to women's rights and related campaigns are referenced in minimal discussions on issues such as sexual harassment and violence against women, as well as conditions and rights for women workers. 'Sexual harassment' is mentioned 23 times in articles relating to COSATU, drawing attention to the work within the Congress to address this challenge but not considering this as an internal issue for the SACP.[144] There are marginal references to the prevalence of violence against women with just three specific instances where this is noted as an issue.[145] There is no discussion how this should be addressed, although it is included in Schreiner's article at the start of the transition as one of the issues that the broad alliance of women's organisations should mobilise on.[146] There is substantially more importance placed on the broader concept of emancipation than on practical gender equality issues and specific campaigns to advance women's rights. The one exception is the focus on abortion, which in the *African Communist* is the most frequently mentioned legislative issue that impacted directly on women, with 34 mentions in 4 issues of the journal. This is an indication of how little space was given to the discussion of gender and equality policies at a time when these issues were being discussed by the alliance led-government and in the constitutional negotiations. The construction of the democratic state was accompanied by the implementation of high-level constitutional, legislative and policy reforms that were focused on women's demands and these considerable omissions illustrate the failure of the SACP to consider the substantive issues that were facing South African women.

As with both the ANC and COSATU's publications, the focus on abortion is in the context of the introduction of legislation on the right to choose. In the journal, there are articles on the SACP statement to the Parliamentary Select Committee on Abortion as well as a separate SACP policy statement on women's right to choose.[147] The first of these articles documents

[144] *African Communist*, 1990, No.120; 1990, No.122.
[145] *African Communist*, 1990, No.121; 1991, No.126; 1998, No.149
[146] *African Communist*, 1991, No.126, 'Organising Women in the 1990s', Jenny Schreiner, p.21.
[147] *African Communist*, 1995, No.141, 'Women's Right to Choose', 'SACP Policy Statement on Abortion'.

the challenges for women, the issue of illegal abortions, access to contraception, poverty and the differentiated experience of rural and working class women.[148] This article highlights that abortion is linked to the issue of reproductive healthcare noting that 'until all South African women have access to education and facilities which guarantee the delivery of all requirements with regard to their full reproductive health, [we] cannot claim to be a country which guarantees all its citizens their complete democratic rights'.[149] The SACP policy position states that the SACP believes that women should have the right to choose; services should be accessible and safe; counselling should be provided, and that privacy should be respected.[150] The opening statement of the policy position outlines that the SACP 'believes that every woman has the right to control over her own body and thus the right to make independent reproductive decisions', in addition to acknowledging the connection between abortion rights and the equal status of women, stating 'the issue of abortion is not dealt with in isolation from the general struggle for the full empowerment of women, both educationally and economically'.[151] While this discussion acknowledges that abortion is a primary area of focus in terms of the overall analysis of specific references to women's rights, it is notable that this was concentrated in just three articles. It is of significance in the analysis of the SACP narrative that this focus was in the overall context of minimal attention to the practicalities and strategies to progress women's rights, suggesting that the party were aligned to the rhetoric of gender equality that was hegemonic in socialist circles internationally, but had limited commitment to the development of specific policy outside this international consensus.

Issues relating to women's economic status are addressed in the *African Communist* primarily on a conceptual basis through the analysis of class in the context of the national democratic revolution and the tripartite alliance's macro-economic strategies including the Reconstruction and Development Programme and the Growth Employment and Redistribution strategy. There are 446 mentions of the RDP, and 211 mentions of the GEAR strategy, making this substantially higher than any reference to a specific women's issue and there is no elaborated discussion or analysis of the gendered nature and implications of these economic programmes. The economic orthodoxy of neoliberal globalisation that underpinned these policies is a central concern for the SACP, but the gendered aspects are not considered and there is only a single

[148] *African Communist*, 1995, No.141, 'Women's Right to Choose', p.26.
[149] *African Communist*, 1995, No.141, 'Women's Right to Choose', p.26.
[150] *African Communist*, 1995, No.141, 'SACP Policy Statement on Abortion', p.26.
[151] *African Communist*, 1995, No.141, 'SACP Policy Statement on Abortion', p.26.

reference to women in a discussion on globalisation. This reference was in a central committee draft discussion document on the 'South African Revolution in its International Context' analyses the implications of globalisation and in this wider discussion makes references to the impact on women of the current phase of globalisation and imperialism.[152] This analysis contends that globalisation intensifies and reproduces gender oppression, exploiting, deepening and reinforcing gender inequalities.[153] The discussion elaborates on the impact of reduced expenditure in health and education, structural adjustment programmes, increased burden on women's work in the domestic sphere and that 'flexible work, like casual, part-time, contract and seasonal work, is overwhelmingly borne by poorly paid female workers'.[154] In this article, the articulated strategy to challenge the impact of globalisation is multi-faceted but generalised without any reference to tackling the identified gendered dimensions. For example, equal pay, which was a significant issue for women, is only discussed twice in the *African Communist.*[155] Therefore, as with many aspects of the SACP narrative there is the assumption that women's oppression will be addressed in the wider revolutionary struggle which leads to a repeated failure to consider the specific ways in which gender equality can be tackled from a practical perspective. Ultimately, the SACP adopt a gender blind approach to their strategic revolutionary objectives that indicates the inability to progress women's emancipation.

Conclusion

At the beginning of the transition, a series of articles by women writers, academics and political activists, provided insight and clarity on the range of obstacles that impeded women's emancipation, emphasising the constraints and the imperative of ensuring that the national question in South Africa was reconceptualised to include gender transformation.[156] This could be seen as a very promising signal that debates on women's oppression and exploitation in the Communist Party incorporated analysis of the structural nature of gender inequality and the impact on power and social relations in the public and private spheres, and that this could inform the thinking of the tripartite alliance. This narrative is representative of international Marxist Feminist discourse and the particular debates that had dominated Marxist liberation movements in the 1980s. Ideas on addressing gender equality, patriarchy and women's

[152] *African Communist*, 1998, No.149, 'The South African Revolution in its International context'.
[153] *African Communist*, 1998, No.149, 'The South African Revolution in its International context', p.6.
[154] *African Communist*, 1998, No.149, 'The South African Revolution in its International context', p.6.
[155] *African Communist*, 1990, No.122, 'On Women's Emancipation', no author cited; 1993, No.135, 'Women's struggles, women's gains in Norway', Liv Torres.
[156] *African Communist*, 1991, No.126, 'Marxism and Feminism: Uneasy bedfellows', Pat Horn; 'Organising Women in the 1990s', Jenny Schreiner.

oppression are notable in the *African Communist* but they are not a dominant perspective in the journal, remaining at the realm of ideation as opposed to a concrete programme of action. The failure to deal with practical policy issues apart from abortion, illustrates that there wasn't meaningful engagement with women's demands for equality. Although there was some consideration of how women should organise to progress their demands, this was marginal in the wider emphasis on positioning the SACP in the alliance.

The position taken by the majority male party leadership and male leading figures in the party deal with the necessity of addressing women's oppression and emancipation in the context of the national question and the national democratic revolution were grounded in international Marxist revolutionary ideation. However, there is a fundamental difference in content of the contributions to the journal by male as opposed to female writers. In the articles by women, there is a depth of engagement on the appropriate way forward, which contains complex analysis while male writers support the inclusion of women in the party's revolutionary objectives without any awareness of the need for specific measures to achieve gender equality. However, it is also the case that women writers did not engage with the specific issues that were facing South African women, and similarly did not discuss the related legislative and policy formation. The embedded ideas on gender evident in the SACP leadership's narrative locate women's emancipation in the overall objectives of the national democratic revolution, adopting both implicit and explicit assumptions that women's oppression will inevitably be addressed in the context of the socialist transformation project. Despite the recognition that progressing women's struggle and tackling gender oppression is central to the NDR, this is not accompanied by practical policies and there is no evidence that the SACP leadership had any intention to move beyond the conceptual and ideological discussion, past the rhetoric to the substance. Despite the high-level ideological argument, the 'woman question' remained subordinate to the class struggle in the SACP narrative, in many instances not just subsidiary but irrelevant. The potential of embracing a feminist analysis was relegated to the margins, and the identification of developing a consciousness around the transformation of gender relations failed to materialise as a central practical concern in the *African Communist*.

CHAPTER 6: CONGRESS OF SOUTH AFRICAN TRADE UNIONS

Introduction

This chapter identifies and analyses the narrative on gender equality constructed in COSATU's *Shopsteward* magazine during the period of democratic transition in South Africa. As the democratic transition was unfolding in the 1990s, COSATU's position in the national context was distinctive in that they were an alliance partner with a strong membership base, independent leadership and strategy. This chapter discusses the gender equality perspectives articulated in the journal, primarily by a small group of elite women activists, researchers, union representatives, MPs and the COSATU leadership. It does this is the context of the dominant and primary concerns represented in the *Shopsteward*. It first discusses an overview of the content of the *Shopsteward*, before discussing in more detail the specific gender narratives the journal contains.

Overview of *Shopsteward* Magazine

First published in 1992, the *Shopsteward* was the main source of written communication for union branches and COSATU affiliates. With approximately 6 issues a year it was estimated to have a circulation of nearly 24,000 in 1996. Given that trade union activists combined this form of activism with membership of other organisations in the anti-apartheid movement the range of authors was diverse. Although the information on who wrote the *Shopsteward* is not complete, the actors who made up the editorial board and wrote the editorials is an indication of the influence of this journal. The earlier editions of the *Shopsteward* between the period 1992-1994, have more detailed references to the editor, editorial board and tend to reference article authors. Later editions from 1994 onwards do not specify an editorial board and many instances do not cite an author, with several articles attributed to the *Shopsteward* itself. Throughout the period studied, editorials tended to be by the COSATU General Secretary, Mbhazima Samuel Shilowa, or Deputy General Secretary, Zwelinzima Vavi. Mbhazima Samuel Shilowa editor in chief, played a key role in formation of COSATU in 1985, was Deputy General Secretary of COSATU in 1991 and General Secretary in 1993 until 1999 when he became Premier of Gauteng province (he joined the ANC in 1997). Zwelinzima Vavi (Deputy General Secretary from 1993-1999 and subsequently General Secretary) was the editor of several issues of the *Shopsteward* during this timeframe. In the 1992-1994 issues, there is

reference to editorial boards as comprised of COSATU National Office bearers. The writers identified were often simultaneously writing in the 'South African Labour Bulletin' journal, such as Deanne Collins as editor, in these early volumes (*Shopsteward* Vo.1-3). Collins wrote for the Labour Bulletin and SPEAK a feminist magazine for women activists. Other writers referenced in this period include Zolile Mtshelwane who also wrote for South African Labour Bulletin (referenced up to 1994 but may have continued to work for *Shopsteward*) and Sakhela Buhlungu (1992-1994 issues, later became an academic expert on South African trade unions). In 1995 and 1996, editors include Annette Griessel who was also responsible for design and layout of Speak magazine and worked on publications on women's issues in other contexts. In 1995, writer William Gumede is welcomed as part of the *Shopsteward* team (1995, Vol. 4, No.3). *Shopsteward* magazines also include articles from COSATU's partners in the tripartite alliance, the ANC and SACP as well as members of the ANCWL. Female union representatives, national Gender Coordinators and Coordinators in the union affiliates, trade union researchers and academics. This overall profile illustrates that there was a collective of writers with sophisticated ideological awareness and conceptual analysis of labour, race and class issues, and in some cases gender analysis.

The *Shopsteward* has specific sections under headings such as Gender Agenda, Worker News, interviews with union officials and political representatives. The majority of discussions that refer to gender or women's issues are in separate articles under the Gender Agenda section. An initial observation appears to indicate that there is a considerable focus on women in the *Shopsteward* with 'women' referenced a significant number of times, as identified in Figure No. 5. However, a more in-depth examination of the substance of the *Shopsteward* articles illustrates that while women are referred to in a considerable number of articles; this is primarily in the form of singular references to women in a much broader discussion. Accordingly, the majority of references to women pay no attention to the wider analysis of the nature of gender relations. Yet these discussions sit alongside a much smaller number of articles that articulate deeper perspectives on gender inequality informed by ideological awareness, observation and analysis.

As gender equality concerns are therefore concentrated in a minority of articles, there are specific articles which dominate in shaping the overall discussion on gender equality in terms of the scope of their reach and depth of focus, either through undertaking a comprehensive review and analysis of gender equality in COSATU, or alternatively reporting on specific

issues, recommendations, congress resolutions and debates on gender equality. In summary, the writer profile on gender equality issues in the *Shopsteward* was primarily drawn from an elite group of activist women and political leaders with a high level of awareness of the potential marginalisation of women in the transition process. In the main, those who analyse the nature of gender inequality include the following women: Dorothy Mokgalo (COSATU Gender Coordinator/Organising Secretary), Patricia Appolis (South African Commercial Catering and Allied Workers Union, SACCAWU, Gender Coordinator), Louisa Nxumalo (National Union of Metalworkers, NUMSA, Gender Coordinator), Liesl Orr and Roseline Nyman (researchers with the National Labour and Economic Development Institute), Shafika Isaacs (Trade Union Research Project), Geraldine Fraser-Molekti (ANC MP and SACP Central Committee), Connie September (Deputy President of COSATU and responsible for September Commission report) Maria Von Driel (South African Municipal Workers Union) Thenjiwe Mthintso (ANC MP and National Executive Committee and SACP Central Committee).[157] Although, their discussions comprise less than ten articles in the entire set of *Shopsteward* magazines reviewed, these articles are valuable to the analysis of COSATU leadership's perspectives on gender equality as they illustrate the high level of analysis and awareness that was present. These deliberations also provide an insight into the normative impact of international gender equality mechanisms that were represented by male union leaders without attention to the substance of such practices and objectives. This chapter outlines and analyses the complexities and limitations of this overall narrative with specific emphasis on women's leadership and empowerment, women's rights and practical issues, economic concerns, power and gender relations.

A word frequency search of the *Shopsteward* reveals that women is the sixth most frequent word and gender is the sixty-ninth most frequent out of 100 words. 'Women' is referred to 1548 times in 35 editions of the magazine and gender is referred to 477 times in 23 *Shopsteward* issues (illustrated by Figures 9 and 10 below). While this does not provide an insight into the specific topics addressed, it suggests that potentially women were a significant focus in the articulated narratives. It also suggests the term 'workers', the second most frequently used word after COSATU, referred primarily to men. The word cloud demonstrates that the central focus of the narrative in the *Shopsteward* was on COSATU itself, the government, the position of

[157] Fraser-Moleketi and Mthintso were both active in MK, the armed wing of the anti-apartheid movement, in exile

workers, the organisation of the union, the tripartite alliance and government policy. COSATU's priority area of emphasis in the *Shopsteward* magazine during the transition period is on the economy and worker's rights. There is considerable discussion on economic policy and the ANC policy shift from the socio-economic Reconstruction and Development Programme to the neoliberal Growth Employment and Redistribution strategy and its' limitations. This is not unsurprising given the overall significant of economic matters to COSATU. The *Shopsteward* also concentrates on proposed legislative changes and democracy. From a gender perspective, COSATU is critiqued for failing to implement resolutions, predominantly in relation to gender quotas both in the literature and throughout the *Shopsteward*.

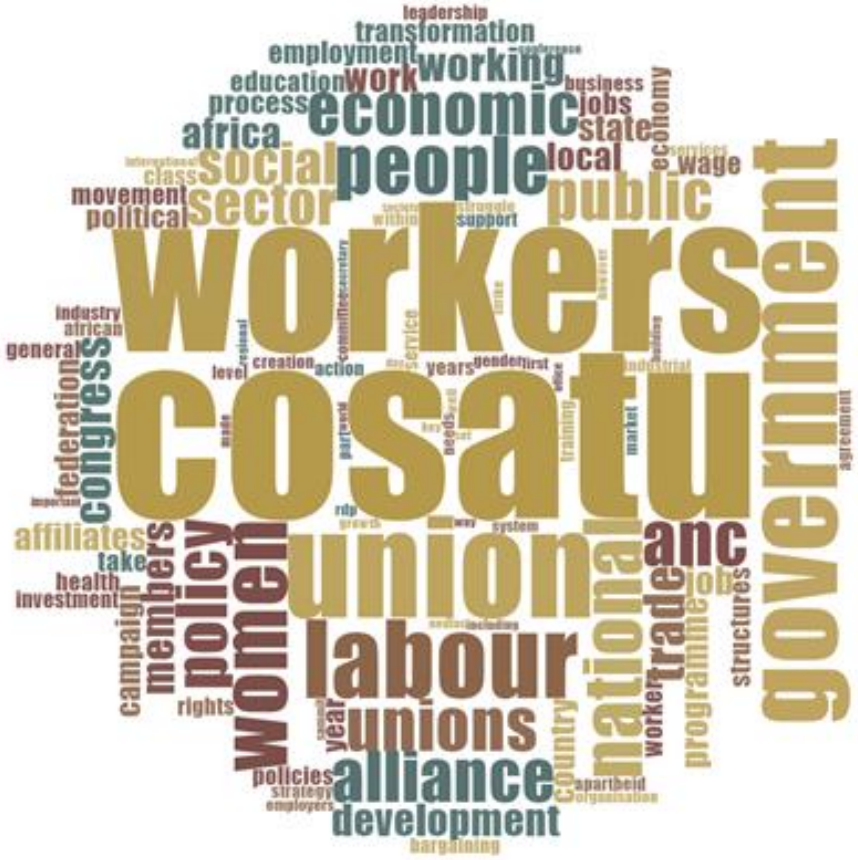

Figure No. 8 COSATU *Shopsteward* 100 most frequent words[158]

[158] These word searches exclude superfluous words.

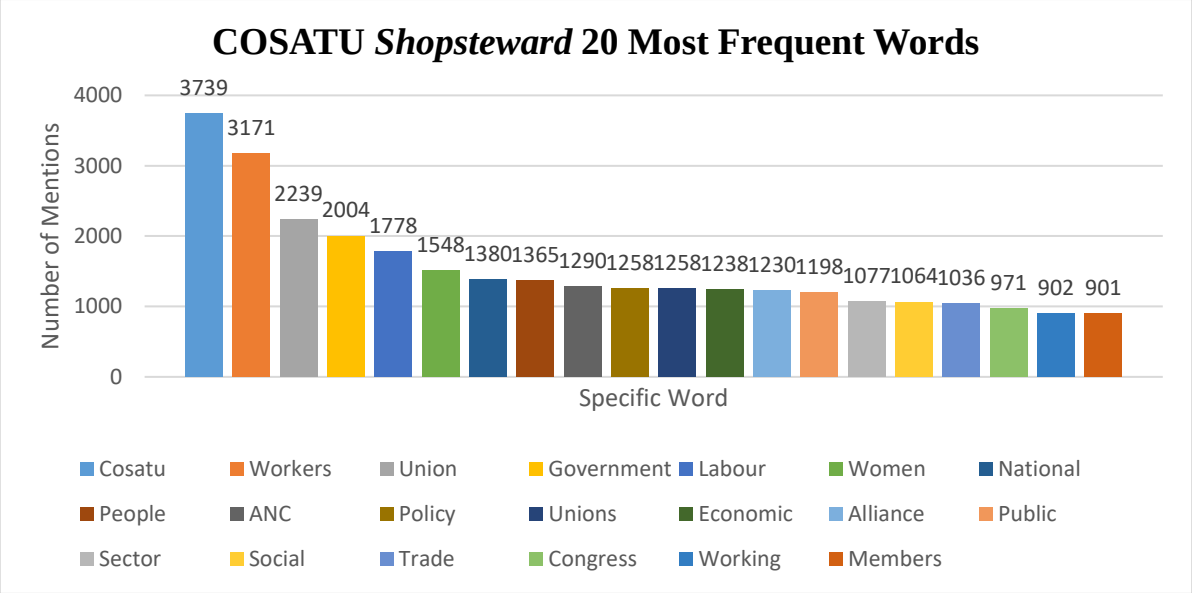

Figure No. 9 COSATU *Shopsteward* 20 most frequent words

The twenty most frequent words listed in Figure No.6 demonstrate in further detail the primary emphasis in the *Shopsteward*. While these word frequencies illustrate some of the priority areas of concern, they do not indicate the substance of these discussions. The following sections discuss the nature of deliberation on gender equality with regard to women's leadership, representation and empowerment; women's rights and practical gender equality issues; gender inequality, economic policy and women's differentiated position and patriarchy, gender relations and critiques of COSATU. Figure 7. below illustrates the profile of references to women between 1992 and 1999, demonstrating that the most references occurred consistently in the 1996 issues, however there is a relative spread of references over the duration of the period examined.

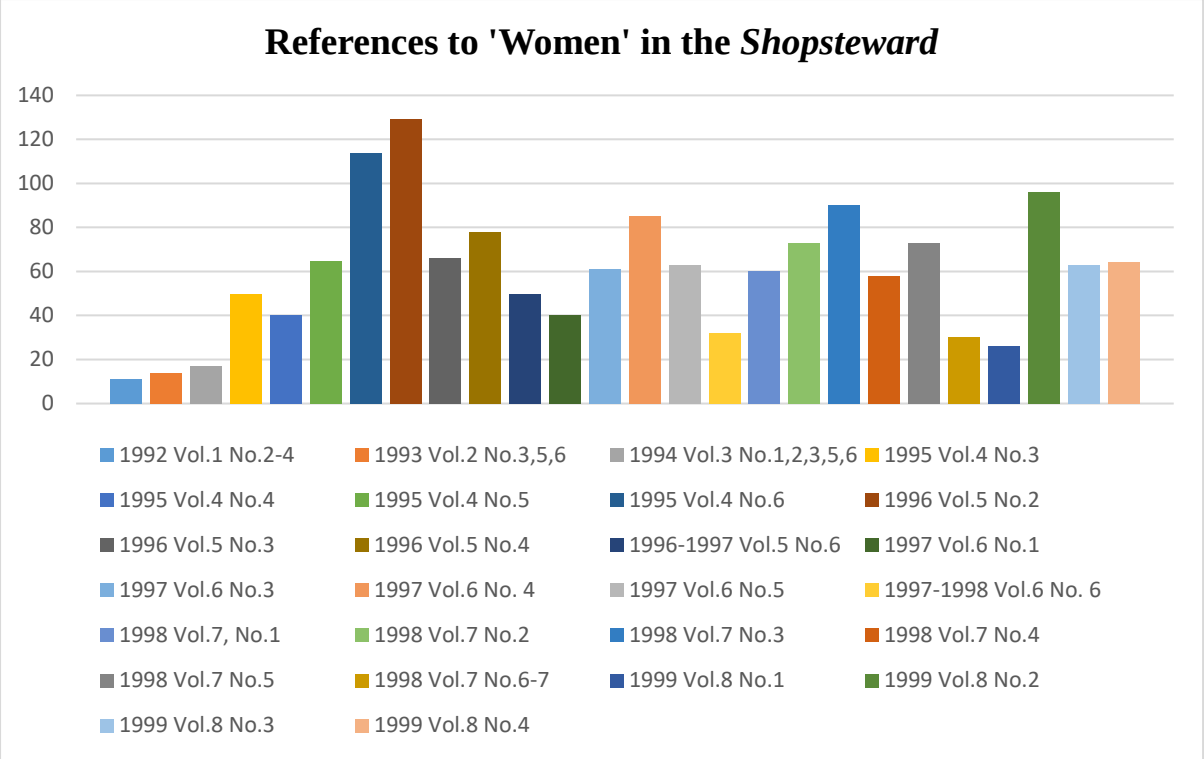

Figure No. 10 Profile of references to Women in the *Shopsteward*

Women's Representation and Leadership

The question of how to organise and engage women in the unions was deliberated at various congresses and conferences from COSATU's establishment in 1985, with the subsequent creation of a National Women's Subcommittee (NWSC) under the auspices of the National Education Committee (NEDCOM) (Shefer, 1991). However, despite considerable discussion among women members and at COSATU congresses, there was limited access to leadership positions for women, a situation that prevailed throughout the transition period. In 1994, it is recorded that 13% of national and regional leaders were women, however if the Domestic workers' union was excluded (all women officials) then only 8% of women were in leadership positions (SPEAK 1994). Three years later, in 1997, the September Commission reported that 7% of National Executive Council, 8% of national office bearers and 15% of the regional leadership were women (COSATU, 1997).

Despite resolutions on gender discrimination and the active engagement of women in COSATU and its' affiliate unions, COSATU has an uneven record in implementing gender equality in practice. The profile of women in leadership positions is testament both to gender

equality gains and the challenges that persisted throughout the transition period. The establishment of separate women's committees at local, regional and national level in COSATU and the various union affiliates was also an agreed objective going back to the latter stages of the 1980s, albeit with uneven progress (Shefer, 1991; Meer, 1998, 2005; Tshoaedi, 2012).

As outlined in Chapter 1, these gender equality objectives were an integral aspect of the international policy framework on gender equality. While there is reference to 'Beijing' and the programme of action in the *Shopsteward*, it is relatively limited. Nonetheless, there were elements of the normative approaches to gender equality that were identified at the Beijing conference and related international positive action measures which are consistently represented in discussions on women and gender in the *Shopsteward*.[159] An article which re-visits a discussion on addressing gender imbalances articulated at a gender workshop in 1994 noted 'the development of women leadership; the advancement of women's issues and sensitising all structures to women's issues; and the integration of women's issues into the mainstream policies of the federation and its affiliates'.[160] These actions encapsulate elite women's high-level strategic emphasis on progressing gender equality in COSATU, and while the leadership frequently endorses them, they are not given a priority focus. In fact, the narrative in the *Shopsteward* demonstrates that there was substantial resistance to achieving these objectives. The following discussion identifies and analyses the emphasis on women's representation, empowerment and leadership; the structures established to progress women's issues and the associated challenges.

Women's Leadership and Empowerment

Women's leadership is a consistent theme in the Shopsteward, referenced as both a strategic and practical gender equality objective. There are a significant number of references to 'leadership' in the magazine, suggesting it has a substantial focus with 515 references in total in 23 separate editions. Although not all of these references relate to women, of the 35 issues of the *Shopsteward* analysed, 57% include reference to the issue of women's leadership either through a dedicated discussion or a more limited inclusion in a wider discussion. Women's leadership is discussed in different contexts from 1994 onwards in single references within

[159] 22 references to Beijing in 5 *Shopsteward* magazines.
[160] *Shopsteward*, 1996, Vol. 5, No.4, 'Gender Agenda: What's in a name?', p.57.

longer articles and speeches with a broad subject content and in a more substantial way in articles that primarily consider gender equality and women's position. References to women's leadership are made by members of the COSATU executive, representatives from affiliate unions, Gender Coordinators at national federation and union level, as well as female MPs, academics and policy analysts, activists in the wider labour movement and ANC leadership and members. The broad range of articles and authors discussing women's leadership is an indication of the fact that this issue was internalised by elites, within and external to the federation, however the evidence in practice is that this objective was not progressed by the males who held the reins of control at the elite level in COSATU.

The focus on women's leadership in the *Shopsteward* is on advancing this as a core objective at national congress level and within unions affiliated to the federation. These views are expressed by officials at regional and national union level, by the leadership of COSATU along with political representatives, policy analysts and activists external to COSATU throughout the period analysed.[161] The substance of the discussion on women and representation concentrates on the necessity of empowering women to become leaders to ensure women's issues are addressed by COSATU and affiliate unions. This includes reference to the introduction of roles such as Gender Coordinators, which offered possibilities for women to take leadership positions, training and education for women to support the development of leadership skills. Progress on addressing women's underrepresentation is acknowledged with attention to how a 'progressive resolution….. paved the way for women members to advance within the federation'.[162] It is recognised that it was a difficult task but it was also noted that COSATU had made progress, having a female Deputy President. Yet, this appointment at senior level is contrary to the resistance to placing women in leadership positions that appears to be the norm regardless of the stated objectives. However, the limitations regarding the lack of progress for women in leadership at national level, within COSATU and union affiliates, was also a key focus. The opposition to women in leadership roles is also evident in the discussions on quotas for women that illustrates that although international norms were adopted by the COSATU leadership, such approaches were problematic in practice.

[161] *Shopsteward*, 1994, Vol. 3, No. 3, 'Dorothy Mokgalo: Woman on the Move'; 1996, Vol. 5, No.2, 'Mainstreaming gender: Interview with Geraldine Fraser-Moleketi'; 1996, Vol. 5, No.4, 'Gender Agenda: What's in a name?'; 1996-1997, Vol.5, No.6., 'NEHAWU women take their rightful place'.
[162] *Shopsteward*, 1995, Vol. 4, No.6, 'Changing with the times', Chris Bonner, p.22.

The overall treatment of women's representation, leadership and empowerment in the *Shopsteward* is very much reflective of the international attention to advancing gender equality and the normative emphasis on representation and related mechanisms to ensure women are enabled to participate such as the adoption of quotas (Dumont, 2002). Throughout the *Shopsteward* articles, the emphasis on women's leadership is often contextualised by reference to quotas, which are discussed as evidence of progress in advancing women's representation at leadership level by union officials from individual affiliates.[163] However, deliberation on the introduction of quotas illustrates that there is not universal support or agreement within COSATU and discussions highlight that it was a particularly contentious issue at national federation level and in some individual union affiliates. A discerning feature is the repeated failure of congress to implement quotas at national level indicating the contradictory nature of support for women's representation in practice.[164]

The narrative on women's leadership in the *Shopsteward* is intertwined with references to women's empowerment to take up these positions. Empowerment is discussed as a mechanism to advance women's leadership, to support women to develop skills and confidence to put themselves forward to participate in both union and government structures.[165] References to empowerment are an evolving focus in 1994, simultaneous to the emerging theme of women's leadership, with discussions noting the relationship between representative structures, education and training, empowerment, confidence building and women's leadership.[166] Empowerment in the context of women's representative structures is also a considered by female union members with responsibility for gender issues and by women political representatives outside of COSATU.[167] A stated objective is 'to empower and develop women so that women themselves can ensure that gender issues are mainstreamed and for women to take up leadership positions'.[168] Congruently, Gender Coordinators in union affiliates, Appolis

[163] *Shopsteward*, 1995, Vol. 4, No.6, 'Changing with the times', Chris Bonner.
[164] *Shopsteward*, 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs (Trade Union Research Project).
[165] 'Empowerment' is mentioned 64 times in 18 *Shopsteward* magazines although including references to worker empowerment and black economic empowerment.
[166] *Shopsteward*, 1994, Vol. 3, No. 3, 'Dorothy Mokgalo: Woman on the Move'; 1996, Vol. 5, No.4, 'Gender Agenda: What's in a name?'; 1996-1997, Vol.5, No.6., 'NEHAWU women take their rightful place', Neal Thobejane.
[167] *Shopsteward*, 1996, Vol. 5, No.4, 'Gender Agenda: What's in a name?'; 1996, Vol. 5, No.2, 'Mainstreaming Gender: Interview with Geraldine Fraser-Moleketi'.
[168] *Shopsteward*, 1996, Vol. 5, No.4, 'Gender Agenda: What's in a name?', Patricia Appolis (Gender Coordinator, South African Commercial Catering and Allied Workers Union) and Louisa Nxumalo (Gender Coordinator, National Union of Metalworkers South Africa), p.57.

and Nxumalo, and ANC MP and SACP member, Fraser-Moleketi identified the importance of conditions and mechanisms that can support empowerment. Their discussion refers to international policy objectives and practical initiatives to address women's issues including preparing for Beijing and the implementation of the Platform for Action.[169] This article also considers the broader legislative context and related structures that support women's empowerment, such as the Gender Equality Bill, Commission for Gender Equality and the Office on the Status of Women (OSW) established in the Deputy President's Office in the context of empowerment. For example, it is noted that the Office on the Status of Women will advance 'the national women's empowerment policy, [and] act as a catalyst for affirmative action'.[170]

The perspectives articulated by these women demonstrates a strong adherence to a state-led feminist approach to advance gender equality. However, it is also acknowledged that women have limited access to decision making within the Congress and the only forum which gives some potential for women's input is the NWSC.[171] This indicates that women felt they had some power in women's structures but not in the federation in general, suggesting that women's position was on the margins, despite the objectives of promoting women's leadership. Although women's empowerment is mentioned by both women and men throughout the *Shopsteward*, the resistance to women's leadership in practice illustrates that the commitment to women's empowerment was superficial.

Representative Structures and Roles

The focus on representative structures for women is articulated in different ways in the *Shopsteward*, referring to gender/women's forums, gender/women's committees, women's structures and Gender Coordinators.[172] Women's structures/committees and gender forums/committees are referred to a total of 47 times in 6 editions of the *Shopsteward* and Gender Coordinators are noted 13 times in 5 issues. These different structures and roles are identified by women as important mechanisms to effectively organise union women, to represent women's issues and support the development of women's leadership capacity. They

[169] *Shopsteward*, 1996, Vol. 5, No.2, 'Mainstreaming gender: Interview with Geraldine Fraser-Moleketi', p.53; 1996, Vol. 5, No.4, 'Gender Agenda: What's in a name?'.
[170] *Shopsteward*, 1996, Vol. 5, No.2, 'Mainstreaming gender: Interview with Geraldine Fraser-Moleketi', p.55.
[171] *Shopsteward*, 1996, Vol. 5, No.4, 'Gender Agenda: What's in a name?', p.57.
[172] These representative structures are referred to using these various different terms.

are primarily discussed by women who occupy leadership roles at some level within the union, in government and by women researchers. These discussions capture the successes and the limitations of these representative structures for women and for advancing gender equality with mixed views on their effectiveness.[173] For example, in the immediate aftermath of the first democratic election in 1994, there is a short article on the electoral success of COSATU women, where it is noted that twelve women elected to the National Assembly and Provincial legislatures were also active in union gender forums affiliated to COSATU.[174] This is an interesting observation as it highlights the correlation between women with specific positions/roles in the union and their progression to electoral representation. In addition, the National Women's Subcommittee and regional women's forums are referred to as the 'driving force' in COSATU, as they 'facilitate the integration of women's issues into the mainstream policies of the federation as they call for the "collective and massive participation of both women and men"'.[175]

The challenges and constraints of representative structures are considered in relation to the increased burden of responsibility for women, as well as the issue that women's forums were often established as subcommittees of education committees were not resourced, participants lacked the appropriate skills, and where men were included, they had little power in their unions:

> …, noted that those who participate are 'not the comrades who are in powerful positions and who are able to mainstream gender issues and impact on the constitutional structures of the union.'[176]
>
> The women's structures were also not taken seriously by many men in the unions. Programmes were not supported, resources were limited and the structures were isolated from mainstream union activities.[177]

These articles summarise the multiple challenges encountered and the ongoing tension and duality of the debates in favour and against these forums. It is apparent that while women saw the value of these structures, there was not widespread support from the leadership for their

[173] *Shopsteward*, 1994, Vol. 3, No.5, 'Samwu parental rights campaign: Women lead the way'; 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU' Shafika Isaacs (Trade Union Research Project); 1996, Vol. 5, No.4, 'Gender Agenda: What's in a name?'.
[174] *Shopsteward*, 1994, Vol. 3, No.3, 'Gender News'.
[175] *Shopsteward*, 1996, Vol. 5, No.4, 'Gender Agenda: What's in a name?', p.55.
[176] *Shopsteward*, 1996, Vol. 5, No.4, 'Gender Agenda: What's in a name?', p.55.
[177] *Shopsteward*, 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU' Shafika Isaacs (Trade Union Research Project), p.89.

establishment. Although such fora were promoted and advocated by the union leadership they didn't follow through on this in a meaningful way in practice. There are similar indications that this was also the case with Gender Coordinators where it is recognised by women that these roles are important in addressing practical issues, building confidence and awareness raising. It is noted that these positions were also under resourced despite being seen as an advancement of the COSATU strategy to promote gender equality.[178] The summary report on the September Commission critiques the lack of impact where Gender Coordinators are not represented on constitutional structures or given access to budgets.[179]

Women's Leadership, Challenges and Contentious Issues

Alongside the recognition of some of the positive gains for women, a key aspect of the deliberation on women's leadership and empowerment is the acknowledgement of the persistent challenges and lack of progress on this objective, despite the affirmation in union policy and rhetoric. The problematic nature of addressing women's leadership is articulated in several articles by union leaders noting for example that 'the union should no longer merely pay lip service to women's participation and empowerment, but should look at creative ways to ensure participation'[180] and that COSATU 'had not adequately integrated women's issues'.[181] One of the most prominent articles on gender equality in the *Shopsteward,* written by Shafika Isaacs from the Trade Union Research Project,[182] offers a broad analysis of women's struggle in COSATU and the struggle for gender equality in the workplace, against the apartheid government and within COSATU itself. Isaacs argued that 'it has been a struggle within COSATU to make women's issues a priority', acknowledging the prevailing challenges that persist.[183] This is consistent with subsequent evaluations of the challenges that women faced in COSATU throughout the period of transition, which concur that addressing women's

[178] *Shopsteward*, 1994, Vol. 3, No.3, 'Woman on the Move'; 1996, Vol. 5, No.4, 'Gender Agenda: What's in a name?'; 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU' Shafika Isaacs (Trade Union Research Project; 1997, Vol. 6, No.4, 'The September Commission Report: A Summary: Building a Women's Movement'

[179] *Shopsteward,* 1997, Vol. 6, No.4, 'The September Commission Report: A Summary: Building a Women's Movement, p.54.

[180] Outgoing General Secretary of the Construction and Allied Workers Union (CAWU), Thembinkosi Oliphant *Shopsteward*,1997, Vol.6, No.3, 'Sector News: CAWU faces the challenges of its second decade'.

[181] COSATU General Secretary Sam Shilowa referenced in *Shopsteward*, 1996, Vol.5, No.3, 'Gender Agenda: A Turning Point for Women – Cosatu's Third National Women's Conference', p.55.

[182] Isaacs was responsible for oversight on research in support of trade unions affiliated to COSATU including education and training of trade union leaders, especially women, and producing publications accessible to workers, shop stewards and trade union leadership.

[183] *Shopsteward*, 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs (Trade Union Research Project), p.88.

leadership, remained extremely problematic (Meer, 1998, 2000, 2005; Orr 1999; Tshoaedi, 1999, 2012a, 2012b; Tshoaedi and Hlela, 2006; Buhlungu, 2010).

The perspectives outlined in the *Shopsteward* articles illustrate that there was a disparity between policy and practice in relation to COSATU's commitment to ensuring that women were represented at leadership level and had access to decision-making. Mokgalo outlines that 'not much has been done at national and regional leadership levels'.[184] She articulates that while there is progress it is too slow and that 'Cosatu is not operating in isolation from the society, which is male dominated. The Exco is still a boys' club, but it is being diluted with women officials'.[185] It appears that women officials did not have equal power with men and were battling from the margins. Despite the strong rhetoric on gender equality that was articulated by the leadership in COSATU congresses, conferences and resolutions throughout the democratic transition, the commitment to women's participation was without substance, demonstrating that leaders adopted a standpoint on gender equality that was not actually internalised.

Conflicting Perspectives on Gender Quotas

Deliberation on the paradigm of women's leadership is frequently located in debate on gender quotas, which is a dominant, and at times fiercely contested, aspect of the *Shopsteward* discourse on women's leadership. 18 *Shopsteward* issues refer to quotas with 110 references in total, making this one of the highest number of references to a gender equality issue in the *Shopsteward*. COSATU General Secretary, Sam Shilowa is referenced as expressing support for quotas and some articles by union officials clearly identify that they have adopted quotas or that they are in favour of quotas as a mechanism for women's voices to be heard.[186] However, although it is mentioned that Shilowa issued an appeal at the congress debate for the membership to support quotas, there is little further evidence of Shilowa's leadership or commitment to the adoption of quotas.[187] Cheryl Carolus, ANC Deputy Secretary General, identified the specific practical challenges facing women, recommending that the rationale for

[184] *Shopsteward*, 1996, Vol.5, Issue No.4, 'Building Organisation: Insights into Organisation', *Shopsteward* interview with Dorothy Mokgalo.
[185] *Shopsteward*, 1996, Vol.5, Issue No.4, 'Building Organisation: Insights into Organisation', *Shopsteward* interview with Dorothy Mokgalo, p.47.
[186] *Shopsteward*, 1995, Vol.4, No.4, 'Let's make it happen', COSATU National organiser Isaac Mahlangu interviews Cheryl Carolus; 1997, Vol.6, No.5, 'Resolutions on Gender: The Quota Debate'; 1998, Vol.7, No.3, 'Women Worker Leaders'; 1998, Vol.7, No.4, 'NEHAWU's 5th National Congress'.
[187] *Shopsteward*, 1997, Vol.6, No.5, 'Resolutions on Gender: The Quota Debate'.

the introduction of quotas was that 'the people who experience the problems must make their voices heard, so that we can deal with the problems'.[188] The debate on the introduction of quotas remained prominent over the duration of the transition period, with women members advocating that:

> We want the congress to rediscuss the quota system, unless affiliates can come up with other mechanisms to deal with women's leadership and participation in decision-making structures. We have women ministers, deputy ministers today and parliamentarians today because of the quota system.[189]

Quotas are also referenced in relation to the continued challenges of women's underrepresentation, and it is argued that while quotas remained a 'crucial issue…..there have been furious debates over ways to deal with the limited number of women in leadership positions' noting that the issue of quotas is unresolved.[190]

Gender quotas were also one of the recommended by objectives of the prominent September Commission report which was published prior to the 1997 congress, and informed the overall focus on the way forward for the congress (COSATU, 1997; Tshoaedi and Hlela, 2006). However, yet again the adoption of quotas resulted in an intensely contested debate at the sixth COSATU congress in 1997, discussed in detail in the accompanying issue of the *Shopsteward*. An article on gender resolutions outlines the nature of the debate and resistance to the proposal drawing attention to the Commission report's critique that 'COSATU's long-standing resolutions on building women in leadership had not been implemented' and that there was:

> "great resistance" to the quota system from a number of men in the federation. "A quota system is a direct threat to male domination" it said. "Those opposing the system should offer alternatives that would bring about the same results".[191]

It was further noted that 'this was despite strong backing for the plan from COSATU's national office bearers, the September Commission and a number of unions'.[192] This points to a failure

[188] *Shopsteward*, 1995, Vol.4, No.4, 'Let's make it happen', COSATU National organiser Isaac Mahlangu interviews Cheryl Carolus, p.20.
[189] *Shopsteward*, 1996, Vol.5, No.4, 'Building Organisation: Insights into Organisation', Shopsteward interview with Dorothy Mokgalo, p.47.
[190] *Shopsteward*, 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs (Trade Union Research Project), p.90.
[191] *Shopsteward*, 1997, Vol.6, No.5, 'Resolutions on Gender: The Quota Debate', p.63-64.
[192] *Shopsteward*, 1997, Vol.6, No.5, 'Resolutions on Gender: The Quota Debate', p.63.

of the leadership to take a meaningful stance and action on this issue, a point supported by September's analysis that the Central Executive Committee must adopt 'a decisive position rather than.…avoidance'.[193] COSATU Vice President, Connie September's critique of the debate at congress outlined that it was 'depressing and disheartening because people have not dealt with the actual issue…..disappointing to see women themselves articulating positions against the quota'.[194] The elaborated discussion in this article captures the complexities of the quota issue for COSATU, including appeals to support a resolution on quotas from both the General Secretary and Deputy General Secretary; ANCWL and SACP; and opposition to quotas from some women trade unionists based on meritocracy.[195] The compromised outcome resulted in an agreement to develop a programme on women's leadership without adopting a quota system.[196]

These debates illustrate the gap between policy and practice in COSATU and affiliate unions and although there are unions that proactively embraced initiatives to support women's leadership, there was considerable resistance to implementing quotas within the trade union movement. For example, even within the National Health and Allied Workers Union (NEHAWU), the biggest public sector union that had adopted a 50% quota, it was noted by female Deputy President Noluthando Sibiya that while:

> Nehawu has made a good start in correcting gender imbalances in the union……it has not been easy to put this into practice, especially in implementing the quota system. "There has been some resistance, even from institutional level, where male comrades felt threatened by women…..In some branches the quota is 50:50, but the higher you go, women's participation decreases". [197]

Therefore, while the focus on women's leadership and the use of quotas as a mechanism to advance gender equality was consistent with corresponding international discourse at the time, it was primarily advocated by a small cohort of women in COSATU, and there wasn't universal support within the congress. Regardless of the contested position on gender quotas among

[193] *Shopsteward*, 1997, Vol.6, No.5, 'Resolutions on Gender: The Quota Debate', p.67.
[194] *Shopsteward*, 1997, Vol.6, No.5, 'Resolutions on Gender: The Quota Debate', p.67.
[195] *Shopsteward*, 1997, Vol.6, No.5, 'Resolutions on Gender: The Quota Debate', p.64-66. The references to women's opposition are further elaborated, noting that this issue was discussed in the media post the congress and that it was more complex than represented. It was reported that women in unions that were in favour of the quota had declined to speak on the basis that it was important to have male voices that were advocating for the quota. At the same time, it was noted that Gender Coordinators in unions that were against the quota declined to speak as it would have appeared that they were anti-quota themselves.
[196] *Shopsteward*, 1997, Vol.6, No.5, 'Resolutions on Gender: The Quota Debate', p.66.
[197] *Shopsteward*, 1998, Vol.7, No.4, 'Women Worker Leaders: NEHAWU second Vice President, Noluthando Sibiya – Breaking through the union glass ceiling', p.55.

male and female union members, it is undeniable that there was a significant female activist base in COSATU, informed by a gender equality perspective that had been developed by women leaders in local communities, in the struggle against apartheid, in the unions themselves, internally in South Africa and through engagement in international discussions (Seidman, 1993; Meer, 1998, 2000, 2005; Orr 1999; Tshoaedi, 1999, 2012a, 2012b; Tshoaedi and Hlela, 2006). Nonetheless, the views on gender equality that were articulated in relation to women's representation, illustrate that despite this activist tradition and experience, there were fundamental and seemingly intractable barriers to progressing gender equality among both elites in the Central Committee and rank and file members of COSATU. The quota debate is symbolic of the disjuncture between adopting international norms, articulated commitments to progressing gender equality, and the embedded barriers that succeeded in keeping women in subordinate positions. Despite the leadership's public stance on women's empowerment and representation, it is evident that there was no value placed on this in practice.

Women's Rights and Practical Gender Equality Issues

A distinguishing feature of the attention to gender equality in COSATU is the prevalence of discussions on women's rights and practical gender equality concerns in the context of sexual harassment and violence against women, maternity and parental rights, childcare and women's right to choose. Much of this focus is on the position, related policies and campaigns adopted by COSATU in supporting the development and implementation, or alternatively lack of progress, on these rights. These discussions are also at times accompanied by a more substantial analysis of the nature of women's inequality and to a lesser extent the impact of power relations. There is extensive discussion in the *Shopsteward* on social security as a mechanism to address inequality, particularly as an anti-poverty measure, extending support for black African households to attain a basic level of security; however, there is minimal consideration of the implications for women or women headed households.[198] Similarly, while healthcare is addressed in several articles and there is evidence of some awareness of the gendered nature of healthcare challenges, there is no substance to these discussions, and one article in the early stages of the transition noted that 'women's health remains a low priority'.[199] HIV and AIDs are discussed in relation to the prevalence of the problem, non-discriminatory treatment, supports, relationship to poverty, affordable and effective treatment. While the explicit

[198] *Shopsteward*, 1996-7, Vol.5, No.6, 'Welfare Policy'.
[199] *Shopsteward*, 1995, Vol.4, No.3, 'Gender Agenda: The Right to Abortion', Maria von Driel, p.65.

relationship to gender equality is absent in these discussions on social security, healthcare, HIV and AIDs these issues were of some importance for COSATU in their commitment to basic security and poverty alleviation, despite the failure to articulate the gender impact. However, such issues are also an indication that COSATU embraced a range of associated international norms.

Sexual Harassment

In the context of women's rights, sexual harassment is frequently mentioned, with 78 references in 13 editions of the *Shopsteward*, although the more substantial engagement is concentrated in 2 articles (one of which is the text of the COSATU Code of Conduct on Sexual Harassment). The emphasis on sexual harassment is on creating awareness through an identification of the different forms and characteristics of sexual harassment, developing legal protection and a code of conduct in companies, changing attitudes and work practices and the seriousness of the issue in COSATU itself.[200] Other articles document the process of raising awareness on sexual harassment at the COSATU Women's Conference in 1988 and the final adoption of the COSATU Sexual Harassment Code of Conduct and Procedure in 1995. The completed Code of Conduct is included in the *Shopsteward* in the aftermath of its' adoption by the Central Executive Committee in 1995 with the opening principle stating that sexual harassment 'reflects the unequal power relations between men and women in society and in most cases entrenches the subordinate position of women'.[201] It further states that 'Cosatu and affiliates commit themselves to the elimination of sexual harassment in the labour movement by taking active measure to prevent sexual harassment'.[202] This Code therefore appears to be solidly grounded in an analysis of gender inequality, however again there were problems in relation to implementation owing to internal resistance.

References to sexual harassment in the *Shopsteward* highlight the prevalence of the issue, progress and limitations in relation to union actions, the impact, and the vulnerability of women who work night shifts. Internal resistance within COSATU and the necessity of women's active engagement to progress action is also recognised. In a discussion on the launch of the Sexual

[200] *Shopsteward*, 1992, Vol. 1, No.4, 'Gender Agenda: Sexual Harassment', Patricia Appolis; 1995, Vol. 4, No.3, 'COSATU Sexual Harassment Code of Conduct and Procedure'; 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs.
[201] *Shopsteward*, 1995, Vol. 4, No.3, 'COSATU Sexual Harassment Code of Conduct and Procedure', p.50.
[202] *Shopsteward*, 1995, Vol. 4, No.3, 'COSATU Sexual Harassment Code of Conduct and Procedure', p.50.

Harassment Education Project (SHEP), Rose Makwane, COSATU's Gender Coordinator outlines that while the code represents a step forward, 'implementing such a code presents a big challenge…women would have to push for the code to be discussed and acted upon because the issue is not on most unions' agendas'.[203] It is further noted that as gender structures are not functioning well it will be even more challenging to implement.[204] The scale of the problem is also acknowledged whereby it is noted that '76% of working women have been subjected to some form of sexual harassment during their working lives'.[205] However, it is also conceded that some progress has been made,[206] that the code of conduct is 'a starting point in making sexual harassment an organisational, and not a private issue'.[207] The attention to sexual harassment in the *Shopsteward* is both practical in relation to the awareness raising and policy aspects as well as analytical in documenting that there is an abuse of power along with the subordination of women. These discussions also indicate that while there was progress in bringing these issues to the fore and related policy responses, it remained a problematic issue for women in the workplace and in the union branches at all levels. This suggests that it was not a priority for the union federation's leadership, and it was yet another gender equality policy that mirrored expectations, internal and external to COSATU, without delivering outcomes.

Violence Against Women

'Violence against women' is referenced 22 times in 8 different *Shopsteward* publications. 'Domestic violence' is also discussed but to a lesser extent, just 7 references in 3 editions and 'rape' is referred to 21 times in 8 of the magazines. Although there are fewer overall references than the total mentions of 'sexual harassment' there is more substance to these discussions, and this was clearly recognised as an important issue by union women. These references are contextualised in discussions on the right to choose, the limitations of the legal definition of rape, the introduction of legislation, the role of the women's movement, campaigns and

[203] *Shopsteward*, 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs quoting Rose Makwane.
[204] *Shopsteward*, 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs.
[205] Popcru National Gender Coordinator, Lungi Mbude in *Shopsteward*, 1998, Vol. 7, No.6-7, 'Gender News: Police Officers Armed to Fight', p.49.
[206] *Shopsteward*, 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs; 1997, Vol. 6, No.2, 'Building a Movement for Women Workers'.
[207] *Shopsteward*, 1997, Vol. 6, No.2, 'The September Commission Report: A Summary', p.6.

activism.[208] There is some analysis of the nature and impact of gender-based violence and the necessity of mobilising around violence against women that affects all women regardless of race or class. In a 1996 *Shopsteward* article, Fraser-Moleketi specifically argues that there is a:

> need to deal with gender relations in the process of dealing with violence against women…[as] violence is being used as a tool to dominate women. It has been one way of keeping women down and preventing them from being able to interact fully.[209]

This analysis is echoed in subsequent articles and discussions where violence against women is acknowledged in both the public and private spheres, recognising 'that women are the victims of violence at work, in the home and in society and that such violence reflects the power relations between men and women'.[210] Specific calls to action to address the increasing incidences of violence against women and domestic violence are noted, including raising awareness, offering support for women, developing policy and appropriate redress, and the necessity of workers taking a stand on this issue.[211] The nature of discussions on violence against women illustrates that this was a serious issue for women in COSATU and that there was analysis of the underlying impact of power and gender relations in the maintenance of gender-based violence. However, despite the obvious awareness of the complexities of violence against women and the proactive legislative approach this was not a dominant feature of the narrative on gender in the *Shopsteward*, and as subsequent events demonstrated, was ignored by the leadership in government.

Maternity and Parental Rights

From a gender perspective, 'maternity' rights are a significant focus, mentioned in 21 *Shopsteward* magazines with 59 individual references. The emphasis throughout is on the right to maternity leave and related aspects such as pay and duration of leave. 'Parental' rights are referred to 31 times in a total of 11 publications of the *Shopsteward*, many of these discussions relate directly to rights for parents as workers and are linked to childcare provision, leave entitlements and the standardisation and implementation of agreements on parental rights. In the early stages of the transition, the emphasis is on the necessity of prioritising women

[208] *Shopsteward*, 1995, Vol.4, No.3, 'Gender Agenda: The Right to Abortion', Maria von Driel; 'Cosatu Sexual Harassment Code of Conduct and Procedure'; 1995, Vol. 4, No.4, 'Women on the March'; 1999, Vol.8, No.4, 'Editorial Comment'
[209] *Shopsteward*, 1996, Vol.4, No.2, 'Gender Agenda: Mainstreaming Gender', Interview with (ANC/SACP) Deputy Welfare Minister Geraldine Fraser Moleketi, p.58.
[210] *Shopsteward*, 1998, Vol.7, No.6-7, 'Gender News: Police Officers Armed to Fight', p.48.
[211] *Shopsteward*, 1999, Vol.8, No.4, 'Violence Against Women'; 'COSATU Special CEC'.

worker's rights including maternity rights.[212] Maternity rights were unproblematic for the male leadership as such demands were based on the recognition of women's traditional role in a situation where poverty forced mothers to work. As the democratic transition progressed, there is some acknowledgement of progress in achieving maternity rights, individual union campaigns and maternity agreements.[213] Discussions also focus on opposition from employers and the relationship between maternity leave and job security.[214] Some opposition is also noted in relation to the ANCWL national congress where a report outlines that some delegates saw six months paid leave as unrealistic and COSATU's intervention was identified as pivotal:

> Some delegates wanted to reject the federation's demand for six months' maternity leave……There was heated discussion in the commission, but interventions from both Cosatu and the Youth League ensured that the demand was eventually supported.[215]

Campaigns, collective bargaining, conferences, resolutions and legislation regarding the implementation of maternity leave remain a clear focus in subsequent articles, and while it is noted that there is broad agreement among the alliance partners on the Basic Conditions of Employment Bill, paid maternity leave was agreed for a four-month period.[216] However, the final reference to maternity leave critiques the failure to implement COSATU's policy of six months, as South African Commercial Catering and Allied Workers Union (SACCAWU) Gender Coordinator Appolis argues that 'very few trade unions have achieved....Cosatu's demand of six months paid maternity leave or negotiated policies to combat sexual harassment'.[217] There evidently remained a gap between policy and practice.

Parental rights are also discussed in relation to campaigns by women workers, including the activism and rallies that have taken place, in the context of labour market policy and the facilitation of women's full participation in the workplace, and that this issue is one where women have made the most progress to date.[218] Saccawu, a union with a majority female

[212] *Shopsteward*, 1993, Vol. 2, No.3, 'Children Cry for Care', Kally Forest; 1994, Vol. 3, No.5, Vol.3, No.6, '1996, Vol.5, No.2
[213] *Shopsteward*, 1995, Vol.4, No.6. 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs; 'A Challenge from the Past'; 'Reconstruction and Development: Summary report'.
[214] *Shopsteward*, 1997, Vol.6., No.1. Worker News: June 2nd Strike is on'.
[215] *Shopsteward*, 1997, Vol.6., No.1. 'Gender Agenda: League Congress touches working women's issues', p.55.
[216] *Shopsteward*, 1997, Vo.6., No.5, 'Alliance Breakthrough on Basic Conditions'.
[217] *Shopsteward*, 1999, Vol.8, No.4, 'Collective Bargaining and the Gender Agenda', Patricia Appolis, SACCAWU National Gender Coordinator, p.47.
[218] *Shopsteward*, 1994, Vol. 3, No.5, 'Samwu parental rights campaign: Women lead the way', p.32; 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs, 1998, Vol. 7, No. 1, Gender Agenda: Bargaining on Parental Rights; Vol. 7, No.4, 'What the CC (Central Committee) will discuss?'.

membership, are referenced specifically in the context of leading the campaign for paternal rights through their focus on the sexual division of labour in the home and the necessity of sharing domestic responsibilities.[219] Arguably, while the focus on both maternity and parental rights is embedded in multiple discussions on the progression of women workers' rights, this was evidently more important in unions where there is a higher membership base of women workers. Despite these issues being noted in discussions pertaining to COSATU's executive leadership, there is no indication that there were of major importance for the leadership. These issues were also normative gender concerns in the workplace internationally, and it was not surprising that they were part of the overall attention to the conditions for women workers as was also the case with childcare.

Childcare

'Childcare' is another practical policy area relevant to women that is given attention in the *Shopsteward*, referenced 42 times in 15 publications, which is more than the references to violence and parental leave. Given that childcare provision is integral to enabling women to work outside of the home it is to be expected that it would be a significant priority for women workers and discussions refer to campaigns and advocacy for state and employer support for childcare as well as acknowledging the burden of responsibility for childcare falls on women.[220] Childcare campaigns, policy and implementation are discussed in reports on congress, conferences and interviews with government ministers. In the early stages of the transition, Von Driel's article in favour of the right to choose draws on the wider context for women noting that 'with no state or social support for childcare, and given that men seldom share parenting, women are solely responsible for parenting. Many Black working women are breadwinners, already struggling to feed and clothe their children'.[221] Attention to childcare also incorporates a more analytical focus on the ideological basis for the lack of childcare facilities, referencing the neoliberal emphasis on individual responsibility, the potential for transferring the responsibility for reproductive labour to society as a whole, and the impact of the government's economic strategy on reproductive labour.[222] Undertaking a gendered

[219] *Shopsteward*, 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs; 1998, Vol. 7, No.1, 'Gender Agenda: Bargaining on Parental Rights'.
[220] *Shopsteward*, 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs, p.89-91. Isaacs also refers to the publication 'Sharing the Load' which promotes awareness of the sexual division of labour.
[221] *Shopsteward*, 1995, Vol.4, No.3, 'Gender Agenda: The Right to Abortion', Maria von Driel, p.65.
[222] *Shopsteward*, 1998, Vol.7, No.1, 'Gender Agenda: Bargaining on Parental Rights'.

critique of the government's macro-economic policy, Liesl Orr (National Economic and Labour Development Institute) stated that 'South Africa's patriarchal capitalist system ensures that childcare and domestic labour remain a private responsibility which is unpaid and unrecognised'.[223] The timing of this criticism is also relevant given that it was four years into the established post-apartheid state, clearly indicating that there were gender insights into the problematic nature of the neoliberal economic trajectory being implemented by the tripartite alliance. Such discussions also illustrate that the attention to practical women's issues was frequently underpinned by a deeper ideological analysis of gender inequality characteristic of both political and activist feminist perspectives. However, this critique was not articulated by men in COSATU, and childcare remained an issue for women, conceptually and practically. At the end of the first term of office of the tripartite alliance, Appolis remarked on the continued inadequacies in terms of the provision of 'proper childcare facilities and social security' noting that this compounded the problems women workers experienced.[224] This insight indicates that there remained challenges in developing an infrastructure to support women workers and that while there was awareness it was not a central focus for the new government.

Reproductive Rights and Abortion

Consistent with international norms, reproductive rights and abortion are also a focus in the *Shopsteward* articles, with 52 mentions in six *Shopsteward* magazines.[225] The majority of references to abortion are concentrated in the year 1995 with some discussion in 1996. This corresponds to the timeframe for the campaign for reproductive rights and the focus on the development of the Constitution in South Africa, therefore the primary emphasis is on the introduction of legislation supporting a woman's right to choose. Articles which refer to women's right to choose are primarily written by women, there is just one reference to the CEC taking a 'pro-choice abortion stance'.[226] Reproductive rights are contextualised in a human rights perspective on the 'absolute right of women to control their own bodies' and that 'the new constitution will much more clearly spell out the right of women to have control over their

[223] *Shopsteward*, 1998, Vol.7, No.5, 'A Gendered Critique of GEAR', Liesl Orr.
[224] *Shopsteward*, 1999, Vol.8, No.4, 'Collective Bargaining and the Gender Agenda', Patricia Appolis, SACCAWU National Gender Coordinator, p.47.
[225] 11 of those references are in a letter that is against abortion.
[226] *Shopsteward*, 1995, Vol.4, No.5, 'From COSATU's Central Executive Committee', p.44.

reproductive health'.[227] The most substantial emphasis is in a single article by South African Municipal Workers Union (SAMWU) regional organiser Maria von Driel which focuses on this argument, the challenge this presents for some women and the necessity of COSATU playing a leading role in the campaign.[228] She notes that the right to choose 'is controversial as it raises sharply the rights of women, particularly Black working-class women' and is 'an important step in the liberation of women, but also of the working class as a class'.[229] The inequitable position of Black women is also noted in terms of the disadvantage they experience 'because they don't have access to doctors or hospitals, or resources, particularly in rural areas'.[230] This discussion also refers to the challenge/prevalence of illegal and unsafe abortions, as well as limited access to contraception, and argues for the introduction of counselling supports.[231] It is apparent therefore that the lack of legislation adversely impacts on Black women and that while COSATU are noted as having taken a pro-choice stance there is little evidence that it was important for the leadership given that it is notably absent from any of their statements/discussions.

Gender Inequality, Economic Policy and Women's Differentiated Position

Economic issues are a dominant aspect of the narrative throughout the *Shopsteward*, a factor that is also not unexpected given the close links between trade unionism, economic policy, employment and income. There are multiple discussions on the alliance's macro-economic strategy and programme throughout the period reviewed, an issue identified in the literature as a particular challenge in the relationship between COSATU, the SACP and the ANC (Webster, 1998; Lodge, 2003). While economic concerns are prevalent in the *Shopsteward* and there is evident consideration of women and gender equality matters from an economic standpoint, although this is clearly of lesser importance. Gender perspectives provide insights into the impact of macroeconomic strategy, the gendered nature of poverty, equal pay for women, burdens for working women and the recognition of women's unpaid labour in the home, collective bargaining, job creation and globalisation but these remain marginal to the wider economic focus at leadership level.

[227] *Shopsteward*, 1994, Vol.3, No.2, 'Gender Agenda: The Women's Charter' by Zolile Mtshelwane, p.35; 1996, Vol.4, No.2, 'Gender Agenda: Mainstreaming Gender', Interview with (ANC/SACP) Deputy Welfare Minister Geraldine Fraser Moleketi, p.56.
[228] *Shopsteward*, 1995, Vol.4, No.3, 'Gender Agenda: The Right to Abortion', Maria von Driel, p.63.
[229] *Shopsteward*, 1995, Vol.4, No.3, 'Gender Agenda: The Right to Abortion', Maria von Driel, p.63.
[230] *Shopsteward*, 1995, Vol.4, No.3, 'Gender Agenda: The Right to Abortion', Maria von Driel, p.64.
[231] *Shopsteward*, 1995, Vol.4, No.3, 'Gender Agenda: The Right to Abortion', Maria von Driel, p.63-65.

Gender and Macroeconomic Policy

The Reconstruction and Development Programme (RDP)[232], is referenced 468 times in 23 *Shopsteward* magazines and the Growth Employment and Redistribution (GEAR) strategy, is referenced 342 times in 17 *Shopsteward* issues. Articles on the RDP illustrate that COSATU were significantly invested in this policy framework and saw it as the basis of the tripartite alliance's programme for government with consistent discussion on the necessity of implementing the RDP objectives throughout the period to 1999.[233] Discussions on the RDP are broad reaching, encompassing links to social equity and job creation; agreement on the RDP as the main platform for government prior to the first democratic election; COSATU's implementation role; worker's rights; infrastructure; failures to deliver; and tension with ANC perspective.[234] The most dominant narratives on the RDP relate to the replacement of the RDP with GEAR and the tensions regarding this change in policy position within the alliance, with extensive discussion on the different perspectives held by COSATU and the ANC.[235] While economic transformation has a central focus in the *Shopsteward*, the gender implications of these policy frameworks was given minimal consideration by the leadership.

The alliance partners position that the RDP is a means of addressing the inequitable legacies of apartheid is a consistent theme in *Shopsteward* discussions which include reference to women, albeit without further analysis of what this might mean for women. For example, Mbhazima Shilowa refers to the RDP as having the potential to 'improve the economic position of women and youth', noting that in areas where the ANC received an overwhelming majority, women and youth voted for the ANC due to its role in ending apartheid as well as the programme for reconstruction and development.[236] In a summary of the ANC's economic resolutions at their 50th national conference, it is stated that the ANC support the RDP and the objective to 'integrate all components of the economy: urban/rural, women/ youth and families into sustainable and meaningful economic activity' as well as identifying a national

[232] The RDP aimed to address the legacy of apartheid inequalities and included a commitment to address racial or gender discrimination in hiring, promotion or training situations.
[233] *Shopsteward*, 1995, Vol.4, No.3, 'Worker News: COSATU's submission to the CA', (Constituent Assembly); 'Old friends in Parliament', Kerry Cullinan interview with Godfrey Oliphant, Chris Dlamini and Susan Shabangu; 1998, Vol.7, No.4, '1999 Election Platform'.
[234] *Shopsteward*, 1995, Vol.4, No.3, 'Old friends in Parliament', Kerry Cullinan interview with Godfrey Oliphant, Chris Dlamini and Susan Shabangu, p.47; COSATU, *Shopsteward*, 1998, Vol.7, No.4, '1999 Election Platform'.
[235] *Shopsteward*, 1997, Vol.6, No.5, 'Resolution on the Economy: Declaration on GEAR'; 1998, Vol.7, No.6-7, 'SACP: Tilting the balance of forces to the working classes'; 1999, Vol.8, No.3, 'Alliance and Macroeconomic battle in South Africa', Alfred Stipple.
[236] *Shopsteward*, 1997, Vol.6, No.3, 'Missed Opportunities for Job Creation', p.36.

empowerment strategy to support those who have been disadvantaged historically, Black people, women, youth.[237] A discussion on the SACP's economic policy position equally articulates their support for the RDP, emphasising empowerment, basic needs and job creation to support the most marginalised which includes rural Black women.[238] The commonality within these discussions is that the overall emphasis is on the party position with minimal reference to women and no analysis of what such policies might mean for women. Women are included, as are youth, but the norm is that economic policy is the domain of men without attention to the differentiated experiences of women. This is also evocative of the broader narrative that the alliance is committed to non-racialism, non-sexism and addressing the legacy of apartheid inequalities without evidence of internalised commitment at leadership level.

Women's analysis of economic policy and conditions in the *Shopsteward* focuses on the relationship between the RDP, women's development and access to education, employment, position in the economy, the right to choose, progress for women and children and weaknesses in implementation at the grassroots.[239] The RDP is commented on by Von Driel in relation to supporting women's emancipation, where she states that:

> meaningful reconstruction and development can only occur if it allows for democratic participation in all sectors of society, especially by women, and it addresses development strategies aimed at freeing women from their specific oppression and exploitation.[240]

A separate discussion acknowledged that the formation of gender policy under the auspices of the RDP office was influenced by international norms, stating that it was 'a much lobbied document, arising from consultation with women' on foot of the Beijing Platform for Action.[241] However, there is also an extensive critique of the changes to macroeconomic policy by researcher at the National Labour and Economic Development Institute (NALEDI), Liesl Orr, who argues that GEAR entrenches women's disadvantaged position in the economy,

[237] *Shopsteward*, 1998, Vol.7, No.4, 'African National Congress: A better life for all through economic transformation', p.35 -39.
[238] *Shopsteward*, 1998, Vol.7, No.4, 'SACP Economic Policy', p.45. There is only one limited reference to women but a wider focus on services, basic needs and employment which is also relevant.
[239] *Shopsteward*, 1995, Vol.4, No.3, 'Gender Agenda: The Right to Abortion', Maria von Driel; 1995, Vol.4, No.4, 'Let's make it happen', Isaac Mahlangu interview with ANC Deputy Secretary General Cheryl Carolus; 1995, Vol.4, No.6, 'Reconstruction and Development'; 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs; 1996, Vol.5, No.3, 'Interview: Focus on Monetary Policy', Interview with Cyril Ramaphosa as he leaves politics to go into the private sector.
[240] *Shopsteward*, 1995, Vol.4, No.3, 'Gender Agenda: The Right to Abortion', Maria von Driel, p.64.
[241] *Shopsteward*, 1996, Vol.5, No.2, 'Mainstreaming gender: Interview with Geraldine Fraser-Moleketi', p.53.

reinforcing structural inequality and the gendered division of labour.[242] She proposes that the 'GEAR framework is not only class-biased but is also gender-blind'.[243] The article highlights women's unpaid labour in the home, noting that Black women undertake the bulk of reproductive labour. In the context of GEAR, Orr argues that the emphasis on rolling back public sector services and the privatisation of infrastructure places an extra demand on women whereby 'additional social costs and responsibilities are transferred from the state to women' resulting in an increase in unpaid labour.[244] Orr also draws attention to women's experiences in the workplace in both the formal and informal sectors, noting that women workers in the formal sector experience wage discrimination, low paid and insecure jobs, higher rates of unemployment with a disproportionate impact on African women and that 70% of informal workers are women who are not referenced in GEAR.[245]

Other more succinct discussions on the gender dimensions of GEAR noted that 'there were unequal levels of access to information, since there were some women who had never heard of GEAR'.[246] The extent to which GEAR addresses gender relations and women's interests is also questioned, with the argument that it should 'be assessed in terms of its impact on women's lives, especially poor and working class women'.[247] These discussions illustrate that while gender perspectives on the alliance's macroeconomic framework were not to the fore in the *Shopsteward*, there were women at the elite level who had articulated a clearly established critique of the limitations of these policies for women. Such critiques were not simply oppositional but also demonstrated there were a range of positive measures that could have supported women's economic position including gender sensitive macro-economic and industrial policies, targeted employment creation for women, deepening and extending state services and socialising reproductive labour.[248] These voices were marginal in the overall narrative, dominated by both union and party gender blind ideological considerations, controlled by male elites.

[242] *Shopsteward*, 1998, Vol.7, No.5, 'Gender Agenda: A Gendered Critique of GEAR', Liesl Orr, p.70-71.
[243] *Shopsteward*, 1998, Vol.7, No.5, 'Gender Agenda: A Gendered Critique of GEAR', Liesl Orr, p.70.
[244] *Shopsteward*, 1998, Vol.7, No.4, 'Gender Agenda: A Gendered Critique of GEAR', Liesl Orr.
[245] *Shopsteward*, 1998, Vol.7, No.4, 'Gender Agenda: A Gendered Critique of GEAR', Liesl Orr.
[246] *Shopsteward*, 1998, Vol.7, No.2, 'Gender Agenda: Women's Summit tries to cross the barriers', p.38.
[247] *Shopsteward*, 1998, Vol.7, No.3, 'Gender Agenda: Alliance plans to build a national women's movement', p.45.
[248] *Shopsteward*, 1998, Vol.7, No.4, 'Gender Agenda: A Gendered Critique of GEAR', Liesl Orr, p.72.

Gender, Employment, Equal Pay and Unemployment

Employment and related issues such as job creation and unemployment feature substantially and consistently in the *Shopsteward*, 'employment' is referenced 667 times in 23 magazines, 'job creation' is referenced 342 times in 23 editions, 'unemployment' is referenced 235 times, also in 23 *Shopsteward* editions. Around 10% of the references to employment specifically relate to women and gender equality. These discussions consider several relevant issues including the constraints that women experience in terms of equal opportunities and access to employment; deterioration of employment conditions and standards; targeted job creation and management positions for women; CEDAW; policy and strategy; public sector employment; domestic workers; rural employment; policy and legislative change; discrimination; informal sector and the need for affirmative action.[249] A key consideration in the *Shopsteward* is the introduction of the Basic Conditions of Employment Bill and the subsequent Act, with extensive discussion of the Bill's content including COSATU's position on protecting conditions for unorganised and women workers, paid maternity leave and critiques of the potential outcome for women as a result of business attempts to dilute the focus.[250]

Gender perspectives specifically focus on the inequitable nature of employment highlighting the constraints and challenges for women, including household responsibilities and gender stereotypes, noting that women:

> face discrimination and disadvantage. They are employed in lower paid, less secure jobs and have limited access to economic resources, including land, capital, credit and technology. Their contribution to the economy through unpaid labour remains unrecognised and undervalued.[251]

This article proposed the development of an integrated job creation strategy for women while also acknowledging the challenges stemming from the entrenchment of patriarchy in society, arguing that unless the source of women's oppression is addressed, strategies will fail.[252] The

[249] Shopsteward', 1995, Vol.4, No.6, 'SADWU - South African Domestic Workers Union'; 1996, Vol.5, No.4, 'Worker News: Striving for Employment Equity'; 1996, Vol.5, No.2, 'Gender Agenda: What is CEDAW'; 1997, Vol.6, No.3, 'Worker News: COSATU calls for further action on Employment Bill'; 1997, Vol.6, No.1, 'Worker News: June 2 strike is on'; 1997, Vol.6, No.4, 'The September Commission Report – A Summary'; 1998, Vol.7, No.3, 'Women and Job Creation'.

[250] *Shopsteward*, 1996, Vol.5, No.4, 'Worker News: Striving for Employment Equity';1997, Vol.6, No.3, 'Worker News: COSATU calls for further action on Employment Bill'.

[251] *Shopsteward*, 1998, Vol.7, No.3, 'Women and Job Creation', p.38-39. This article is presented as an extract from a larger document on key issues and strategies for job creation prepared by COSATU in advance of the Jobs Summit.

[252] *Shopsteward*, 1998, Vol.7, No.3, 'Women and Job Creation', p.39-40.

awareness of the gendered nature of employment and associated obstacles is evident in this analysis whereas other discussions identify aspects of these challenges in individual articles but less comprehensively. Income inequality and the gender pay gap is also consistently noted, albeit without extensive discussion, analysis or a tangible programme of action to tackle this.[253] It is notable that Appolis outlined at the latter stages of the first democratic term that few unions included the 'demand for equal pay for equal work on the Collective Bargaining agenda'.[254] This is again indicative of the fact that while women were aware of this, and included it on the agenda, it was not a priority focus for unions in the federation.

There is specific attention given to the differentiated position of black women as the most discriminated against and disadvantaged in employment although again there is limited in-depth analysis or discussion of their position, as references are primarily a singular acknowledgment in a wider discussion on unemployment.[255] However, the issue of unemployment for black women and rural communities was clearly understood as problematic, consequent of the legacy of apartheid and international economic policy on trade leading to 'marginalisation stemming from inferior employment opportunities, economically and socially imposed dependency on males and barriers to land access and security of tenure'.[256] The impact of neoliberalism and globalisation is also a factor in discussions on women's employment with consideration of the differential impact on women, poor working conditions and low pay, the consequences of moving from a development to trade emphasis on both women and children, and regional solidarity.[257] It is recognised that a significant proportion of the affected workers who undertake casual, part-time, sub-contracted, temporary and seasonal work are women and are black, and that these workers are particularly vulnerable as they are not supported by legislation or collective bargaining agreements and there is an emphasis on the necessity of protection for women workers in the informal sector.[258] Domestic workers are

[253] There are 11 references in total between 1995 and 1999. *Shopsteward*, 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs; 1997, Vol.6, No.4, 'The September Commission Report – A Summary'.
[254] *Shopsteward*, 1999, Vol.8, No.4, 'Collective Bargaining and the Gender Agenda', Patricia Appolis, SACCAWU National Gender Coordinator, p.47.
[255] *Shopsteward*, 1998, Vol.7, No.2, 'Exco tackles job creation framework', p.13.
[256] *Shopsteward*, 1998, Vol.7, No.3, 'Agriculture and Employment: Policy Proposals', p.40.
[257] *Shopsteward*, 1996, Vol.5, No.2, 'Southern Africa: Women's Workers seek regional solidarity'; 1996, Vol.5, No.3, 'Gender Agenda: Cosatu National Women's Conference – A Turning point for working women'; 1996-7, Vol.5, No.6, 'Trade Policy: Face to face with globalisation'; 1999, Vol.8, No.4, 'Socialism: Imperialism and Globalisation - Gender and Globalisation'.
[258] *Shopsteward*, 1995, Vol.4, No.4, 'Homeworkers a new trend in the world of work', by Connie September; 1996-7, Vol.5, No.6, 'Elements of an Accord'; 1998, Vol.7, No.3, 'A framework for job creation'; 1997, Vol.6,

in this category, and their exclusion from labour laws forms part of a dedicated discussion on the campaigns and protests waged to ensure that their rights became enshrined in legislation.[259] These issues were relevant to all women workers and were both practical and ideologically considered, yet these discussions serve to highlight the lack of engagement from the leadership on these issues despite the obvious awareness of the extensive economic challenges for black women in particular.

The Gender Dimensions of Poverty

Poverty is a significant concern in the *Shopsteward*, with 253 mentions in 22 magazines. As with the previous discussions on economic matters, this does not capture the extent to which poverty is discussed from a gender perspective as it is broadly deliberated in relation to the legacy of apartheid; employment and inequality; economic development; and the recognition of wealth disparities. Articles which considered the gendered nature of poverty to the relationship between poverty, women and civil society; impact on children; burden on women, particularly female headed households, connection between poverty and unemployment, and the link between poverty, violence and abuse as well as vulnerability to HIV.[260] Discussions on women and poverty again give attention to the high proportion of rural black women who are in this position, and the differentiated impacts on men and women.[261] Poverty is also mentioned in relation to 'the lack of mass mobilisation of women around concrete campaigns for the elimination of women's oppression and poverty' suggesting that it is women's responsibility.[262] However, the most in-depth discussion on the gendered nature of poverty is outlined in an article reporting on a series of public hearings on poverty organised by the South African Human Rights Commission, the Commission on Gender Equality and the South African NGO Coalition in 1998.[263] This article argues that the poverty hearings demonstrated

No.4, 'The September Commission Report – A Summary'; Vol.6, No.3, 'A Government View', by Sipho Pityana, Department of Labour Director General; 'Job Creation: Missed Opportunities for Job Creation'; 1998, Vol.7, No.4, 'Gender Agenda: A Gendered Critique of GEAR', Liesl Orr.

[259] *Shopsteward*, 1995, Vol.4, No.6, 'SADWU - South African Domestic Workers Union', p.77.

[260] *Shopsteward*, 1996, Vol.5, No.2, 'Mainstreaming gender: Interview with Geraldine Fraser-Moleketi';1997, Vol.6, No.1, 'Parliamentary Watch: Outcry over reduced child support'; 1998, Vol.7, No.1, 'Gender Agenda: Bargaining on Parental Rights'; 1998, Vol.7, No.2, 'Gender Agenda: Women's Summit tries to cross the barriers'; 1998, Vol.7, No.3, 'Women and Job Creation'; 1998, Vol.7, No.4, 'Poverty Hearings: The human face of poverty'; 1999, Vol.8, No.1, 'Gender, Poverty and HIV'.

[261] *Shopsteward*, 1997, Vol.6, No.1, 'Parliamentary Watch: Outcry over reduced child support', p.20.

[262] *Shopsteward*, 1998, Vol.7, No.2, 'Gender Agenda: Women's Summit tries to cross the barriers', p.38.

[263] *Shopsteward*, 1998, Vol.7, No.4, 'Poverty Hearings: The human face of poverty'. The poverty hearings took place in the aftermath of the Truth and Reconciliation Commission. Ten hearings were held between March and June 1998, almost 600 people presented oral evidence on poverty in their communities.

the gender bias in terms of poverty as 'women are more likely than men to suffer from poverty' noting that even in 'households where men bring in the income, women often do not see this money' and therefore 'still face inequality and live in poverty'.[264]

A dominant area of discussion in the *Shopsteward* magazine, economic matters are also integral to COSATU's role in the post-apartheid state and in the alliance. There is enough substance in the overall economic narrative to indicate that there was a high level of awareness of the gender implications of poverty and unemployment, of the prevalence of insecure work and disadvantage experienced by black women. While there is less attention to the impact of macroeconomic policy on women's economic status, some women were critical of the gender-blind nature of the economic framework. A particularly salient emphasis is the attention to the burden of reproductive labour on women, illustrating the integration of Marxist Feminist analysis which at the time was ideologically relevant to the intellectual basis of the gender perspectives articulated by trade union women in South Africa and internationally. The position taken by some women writing in the *Shopsteward* shows that there were different aspects of international gender equality ideation that were of relevance to women who consequently adopted a more systemic analysis, incorporating a framework encompassing both the public and private spheres. This strand of feminism is also notable as it considers the structural nature of gender inequality and the stereotypical gender roles that women are expected to conform to.[265] Male leaders were exposed to this gender analysis and incorporated some of the rhetoric in their references to women but there is no indication that such perspectives were supported by any depth of conviction, it remained a useful political reference point to be used at opportune times.

Patriarchy, Gender Relations and Critiques of COSATU

While many of the articles analysed discuss women or gender equality in the context of policy, advocacy and practical issues to address gender inequalities; there are some exceptions, most evident in the references to power, patriarchy and gender relations. While this type of analysis does not occur frequently, it is intertwined with the more extensive examination of women's position outlined in the previous sections above. References to 'patriarchy/patriarchal' are

[264] *Shopsteward*, 1998, Vol.7, No.4, 'Poverty Hearings: The human face of poverty', p.32-33.
[265] *Shopsteward*, 1995, Vol.4, No.3, 'Gender Agenda: The Right to Abortion', Maria von Driel; Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs; 1998, Vol.7, No.4, 'Gender Agenda: A Gendered Critique of GEAR', Liesl Orr.

mentioned 13 times in 7 of the *Shopsteward* magazines; 'gender relations' are referred to 15 times in 8 editions of the *Shopsteward* and 'power relations' in the context of gender is referenced 7 times in 6 magazines. Patriarchal values, ideologies, attitudes and practices are noted in discussions on abortion, male domination in the domestic sphere, childcare and domestic labour, the civil service, challenges facing the women's movement, quotas, job creation and capitalism.[266] Practical challenges for women participating in unions are noted to include being 'prevented from active participation in union work because of patriarchal domination in their homes…..where husbands or boyfriends stopped women from attending meetings or even dragged women out of meetings.[267] These challenges are also reminiscent of women's experiences when they mobilised in union structures and at community level during apartheid, as discussed by women's groups in Speak magazine (Lacom, 1992).

Gender relations and power relations are discussed in accordance with their impact on women's position and economic status, the necessity of transformation, relationship between women's oppression and emancipation, sexual harassment and violence against women.[268] It is argued that it is critical to understand gender relations in identifying 'the inequalities between women and men through the different roles that society assigns to them. It is women that are in a subordinate position, and it is women that need to be empowered'.[269] In addition, it is proposed that unequal power relations and the structural nature of women's oppression necessitate a response such as the implementation of quotas, with representation seen as 'a structural problem arising from patriarchy.[270] From an economic perspective, discussions refer to the need to consider the 'nature of gender relations and the particular interests of women'.[271]

[266] *Shopsteward*, 1995, Vol.4, No.3, 'Gender Agenda: The Right to Abortion', Maria von Driel: 1996, Vol. 5, No.2, 'Mainstreaming gender: Interview with Geraldine Fraser-Moleketi'; 1998, Vol. 7, No.3, 'Gender Agenda: Alliance plans to build a national women's movement; 'Policy Proposals: Women and Job Creation'.
[267] *Shopsteward*, 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU' Shafika Isaacs (Trade Union Research Project (TURP), p.89.
[268] *Shopsteward*, 1996, Vol. 5, No.2, 'Mainstreaming gender: Interview with Geraldine Fraser-Moleketi'; Vol.5, No.3, 'Gender Agenda: A turning point for working women - Cosatu's Third National Women's Conference'; 1996, Vol.5, No.4, 'Gender Agenda: What's in a name'; 1999, Vol.8, No.2, 'What is Feminism?', Jenny Schreiner ;1999, Vol.8, No.4, 'Worker News: Our path to Socialism', Extract from a speech by Blade Nzimande, General Secretary, to SACP National Strategy Conference.
[269] *Shopsteward*, 1996, Vol.5, No.4, 'Gender Agenda: What's in a name?', Patricia Appolis, p.56.
[270] *Shopsteward*, 1997 Vol.6, No.5, 'Resolutions on Gender: The Quota Debate', p.65.
[271] *Shopsteward*, 1998, Vol.7, No.3, 'Gender Agenda: Alliance plans to build a national women's movement', p.45.

Within the *Shopsteward*, there are a small number of critiques from these same women which demonstrate the shortcomings of COSATU's commitment and approach to addressing gender inequality. Challenges that were persistently identified refer to the failure to take women's structures seriously and to implement COSATU resolutions throughout the period; conflicting positions regarding quotas and sexual harassment; tension in relation to the development of a cohesive women's movement and the substantial limitations of GEAR as an economic policy framework. Writing in the Shopsteward, trade union researcher Isaacs, noted that 'issues and campaigns have been taken up, primarily with short-term focusses, in a piecemeal fashion. Developing a strategy to transform existing power structures that lie at the root of women's subordination is crucial'.[272] Deliberation on ensuring that quotas were adhered to critiques the fragmented and contradictory approach, noting that 'we shouldn't pay lip service to gender equality and the need to correct gender imbalances when in practice we are doing the opposite'.[273] An article on the objective of rebuilding the women's movement argued that the federation 'generally fails to take up gender struggles of working class women beyond the workplace…[and lacks] an integrated approach to gender in Cosatu's policies and programmes'.[274] Gender analysis of the potential to develop a collective movement also refers to critiques of the limitations of both the ANCWL and the SACP. It was acknowledged that although the Women's League have a membership and resource base they focus more on the ANC and not gender issues and have failed to offer a critical voice on women's issues.[275] Regarding the SACP, it was noted that although the party's gender desk has a strong ideological emphasis on class, there are few women workers in the SACP and there is a tendency to dismiss the party's communist position.[276]

The critical narrative on COSATU also concurs with gender research on the union movement's role during the transition which contends that women were marginalised in the congress at this crucial period in the establishment of the new state (Tshoaedi and Hlela, 2006; Buhlungu, 2010; Tshoaedi, 2012). Existing research contends that 'although COSATU and its' affiliates have committed themselves to addressing gender inequality within the labour movement….not much has been achieved in this field since 1985' (Tshoaedi and Hlela, 2006:111). The

[272] *Shopsteward*, 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs (Trade Union Research Project), p.92.
[273] *Shopsteward*, 1998, Vol.7, No.4, 'NEHAWU's 5th National Congress', p.24.
[274] *Shopsteward*, 1998, Vol. 7, No.3, 'Gender Agenda: Alliance plans to build a national women's movement', p.46.
[275] *Shopsteward*, 1998, Vol. 7, No.3, 'Gender Agenda: Alliance plans to build a National Women's movement'.
[276] *Shopsteward*, 1998, Vol. 7, No.3, 'Gender Agenda: Alliance plans to build a National Women's movement'.

predominant discourse on gender equality in the *Shopsteward* articulates a commitment to women's rights and representation but does not address the need for substantive equality or the transformation of gender/power relations. Despite elite awareness of this type of transformation, it was not a dominant concept that permeated throughout COSATU. The persistent challenges for women in COSATU are captured by Isaac's analysis in the *Shopsteward* that women in COSATU have struggled to make their issues a priority, and that the 'struggle to map out a strategic plan to fight gender discrimination and empower women in the unions continues'.[277]

Conclusion

At end of the first term of office of the tripartite alliance, there was an evident disjuncture and contradiction between policy and practice, rhetoric and commitment, in accordance with the gender equality positions adopted by COSATU's leadership. The narrative on gender equality in the *Shopsteward* illustrates that the trade union congress made progress in identifying specific gender issues, supporting the implementation of social and economic policies and legislation, and adopting some of the normative features of international gender equality objectives. However, the challenges faced by women were in many ways reflective of the anti-apartheid movement where women remained on the margins, and there is a reproduction and replication of the same tensions that existed between the emphasis on women's rights and the national question. The gendered nature of structural inequality is not challenged even though during the transition period COSATU's focus is more acutely on economic matters.

Women's inclusion in leadership positions was a key challenge in the *Shopsteward*, and had clear implications for women's access to leadership in the alliance partnership. The failure to support the progression of women at leadership level directly impacted on the capacity for highly experienced trade union activists to gain access to the power and influence of the tripartite alliance leadership. The *Shopsteward* publications demonstrate that there is no evidence that the COSATU leadership were committed to ensuring that gender equality concerns were embedded in the alliance. The dominant discourse symbolises the disparity in praxis where leaders argue in favour of women's representation and failed to provide support for mechanisms to engage more women such as quotas. Critiques of COSATU by its members

[277] *Shopsteward*, 1995, Vol. 4, No.6, 'No Woman, No Cry, Zabalaza: The women's struggle in COSATU', Shafika Isaacs (Trade Union Research Project), p.88.

and representatives, illustrate that, in their failure to include women at leadership level, the congress are reproducing gender hierarchies and prevailing inequalities of the apartheid state. The analysis of economic issues and their impact on women demonstrates the gap between awareness and implementation, as these issues are noted but are not to be acted on in any substantive manner. Deliberation on social relations considers the intersection of gender, race and class and the inequitable position of women, however, these observations are primarily made by feminist women and are not incorporated into the discussions in the *Shopsteward* which refer to women but are not substantially focused on gender issues. The result is that meaningful engagement with gender equality is the domain of a small number of elite women, and while this discourse is at times represented by the male leadership there is nothing to suggest that this was anything more than strategic opportunism. The following chapter analyses the narrative on gender equality that is discernible in the ANC's *Mayibuye* journal.

CHAPTER 7: THE AFRICAN NATIONAL CONGRESS AND THE SUBSTANCE OF THE POSITION ON GENDER EQUALITY ARTICULATED IN *MAYIBUYE*

Introduction

This chapter reviews the gender equality narrative articulated in the African National Congress's *Mayibuye* publication, one of the primary journals of the party published throughout the transition period. The chapter is based on a qualitative interpretation and analysis of the ideas on gender that were identified in the iterative research process. The chapter focuses on analysing the specific characteristics and discerning features of the discussion on women and gender equality in the ANC journal in addition to considering the notable gender equality omissions. The features of the publication, relevant authors on gender issues and frequent words are also discussed. The analysis builds on some of the key issues pertaining to rhetorical commitments that are evident in both the SACP and COSATU publications, illustrating some of the fundamental limitations that were evident in the position on gender equality held by elite political actors from the outset of the establishment of the post-apartheid state.

Overview of *Mayibuye* journal

As discussed in the Methodology chapter, the ANC *Mayibuye* journal was a central pillar in the organisation's strategy of communication with rank-and-file membership. The journal provides a space for dialogue and debate with the frequent inclusion of leadership speeches, conference addresses, articles on policy positions and priorities as well as discussions on issues of contention. The journal was sanctioned by the leadership and regularly features pieces written by ANC political leaders, parliamentary members, elite activists, researchers and the leadership of the other tripartite alliance organisations. Although there was a gap in publication in 1994, when publishing recommenced at the start of 1995 it was stated that:

> Like many other organisational components of the ANC, *Mayibuye* fell by the wayside as the democratic movement struggled to adjust to the challenges of being in government…..the success of our new democracy - and the implementation of the RDP - rests on the ANC's capacity to build strong and active branches; to develop a cadre of activists who can provide leadership at a community level; and to strengthen lines of

> communication and accountability between all structures of the organisation. That is why *Mayibuye* is back.[278]

This reference gives an insight into the purpose and expectations that Mayibuye would fulfil as a medium for engaging party members and disseminating party positions and perspectives.

The editors of the *Mayibuye* journal are not identified and there is no information available on how many copies of the journal were issued for each print run or how it was circulated. There is a small pool of writers who published articles on gender equality and women's issues, but only two who publish significantly, Steyn Speed and Khensani Makhubela, both of whom write extensively in *Mayibuye*. There are also articles written by elite feminist activists in the SACP such as Jenny Schreiner[279], Mavivi Manzini, leader of ANCWL and MP, and Duncan Harford an ANC member who played a central role in ANC public communications and founded their website in 1995. In addition, there are articles on gender equality and women's issues with no authors cited, articles attributed to correspondents or to *Mayibuye*.

'Women' is among the top twenty most frequent words in the ANC 'Mayibuye' journal being placed at number eleven in a word frequency search using NVivo (see Figure No.12).[280] Therefore, initial observations of the *Mayibuye* journal based on the frequency of references seem to indicate that there is a substantial focus on women's issues. However, it is notable that there is a significant difference in the actual number of words between the words categorised in the first five most frequent words and the next five words in the top ten. For example, 'ANC' is the most frequent word with 3,229 instances whereas 'women' has 795 instances. These figures are symbolic of the major emphasis on the ANC itself as the primary and dominant focus within the *Mayibuye* journal. Both the tripartite alliance partners are also noted in *Mayibuye* with 'COSATU' referenced 308 times in 30 issues and the 'SACP' referenced 142 times in 27 issues. Similarly, these mentions of the alliance partners are also significant in that they are substantially lower than the mentions of the ANC in both the *Shopsteward* and *African Communist* illustrating the dominance of the ANC in the alliance. There are only 24 references to 'gender equality' in total which from an initial reading may indicate a very low level of attention to gender equality as a specific objective, however there are 138 references to 'gender' across 27 issues of the journal. The figures below provide a visual word cloud representation

[278] *Mayibuye,* 1995, Vol.6, No.1, 'Mayibuye returns', no author cited.
[279] Schreiner was a member of the ANC and SACP, and was imprisoned for membership of MK during apartheid. She became an MP in the first democratic government and also wrote about gender issues in the 'Shopsteward'.
[280] Superfluous words were excluded from the word frequency search in NVivo.

of the 100 most frequent words in *Mayibuye* and a graphic outline of the position of 'women' as one of the top 20 words:

Figure No. 11 ANC *Mayibuye* 100 most frequent words

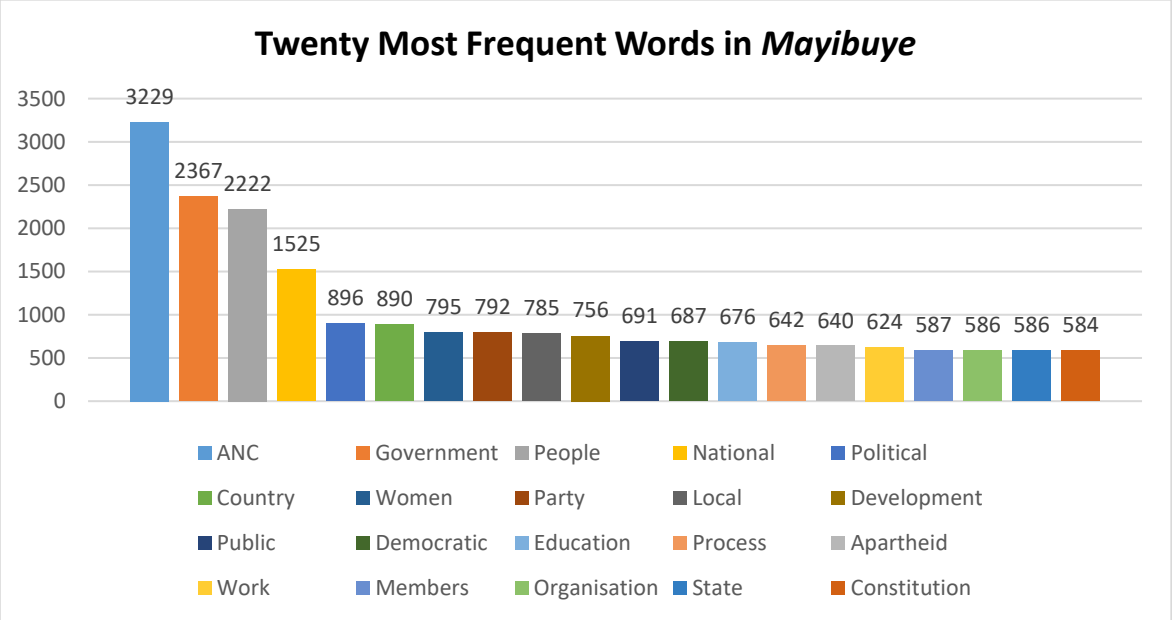

Figure No. 12 ANC *Mayibuye* 20 most frequent words

Despite the inclusion of women in the top ten most frequent words in *Mayibuye*, the attention to gender equality concerns is marginal in relation to the overall emphasis in the ANC journal, which is primarily focused on building and maintaining support for the party. The primary focus for the ANC is party political, elections, economic strategy and policy, the alliance and the programme of government in a manner that is gender blind. This is particularly illustrated by the fact that the most substantial references to 'women' (130 mentions, see Figure No.13 below) and 'gender' (38 mentions) are in a single edition of *Mayibuye* published in 1995 (Vol.6, No.4) where there is considerable focus on Beijing conference, Platform for Action and the women's movement.

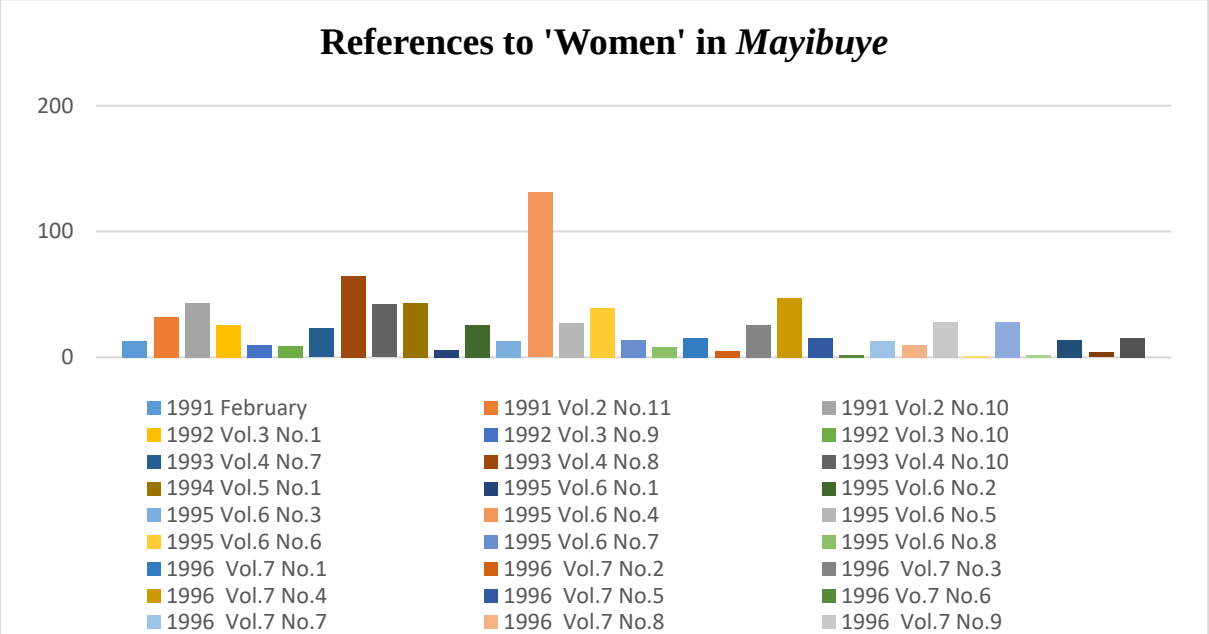

Figure No. 13 Profile of references to Women in *Mayibuye*

The strong emphasis on women and gender equality in *Mayibuye* at the time of the Beijing conference is also reflective of the relative importance that was afforded to adopting international gender norms, however it does not illustrate the purpose of the leadership's reference to these gender objectives. Although, there are critical insights into the position of women and key challenges articulated by women writers and some of the regular feature writers in *Mayibuye*, there is limited analysis and in-depth exploration in the gender equality discussions articulated by the leadership.

Articles on women in specific positions in the ANC are a regular feature in *Mayibuye*, profiling how women undertake these roles in the context of their traditional duties as women in the

domestic sphere. Engagement with the ANCWL is minimal in the journal in the aftermath of the establishment of the new state. From a practical women's rights perspective, the most prevalent issues that are addressed relate to reproductive rights, in addition to a minor focus on the relationship between women's rights and customary law. Although abortion is the most discussed reference and is one of the dominant gender issues in *Mayibuye*, this is not in any way as significant as issues that are not gender focused. There is also some minor criticism of the ANC's failures in addressing gender equality in the post-apartheid state. The following discussions draw on the articles, speeches and policy positions in *Mayibuye* to present a more detailed interpretive analysis of the gender equality perspectives views expressed in the ANC's journal while also noting the frequency of occurrence of the terms being discussed.

Political Negotiations, Constitutional Provision and International Norms

The dominant narrative on gender equality from the early to mid-1990s emphasises the objective of ensuring women's representation in the process of negotiations and the necessity of engendering the transition. Women's exclusion from the negotiations is a central consideration for women in the ANC as is the process of ensuring that the drafting of the constitution is inclusive of women's equality demands. The substance of the discussions on gender equality illustrates the normative influence of external factors such as international state feminist approaches, gender equality concepts, mechanisms and objectives.

Women's Place in the Political Negotiations

The negotiations to agree a political settlement to end apartheid and transform the South African state is discussed by ANC women in the *Mayibuye* journal in the early stages of the democratic transition. This limited narrative is constructed by women writers who are focused on women's mobilisation and engagement to ensure representation in the negotiations, including reference to the Women's National Coalition, ANCWL and specific successes.[281] Within these discussions, attention is also given to the ANC's process of engaging with the introduction of gender quotas, constitutional provision, the development of the Women's

[281] *Mayibuye*, February 1991, 'Steady but Sure'; 1992, Vol.3, No1, 'The Women's Charter Campaign', attributed to an ANCWL correspondent; 1992, Vol.3, No.1, 'The Women's Charter Campaign', ANCWL correspondent; 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile; 1993, Vol.4, No.10, 'Women and Customary Law: A Sweet Victory', Lindiwe Zulu.

Charter, establishment of Commission for Gender Equality, all features that illustrate the influence of international gender equality norms in the early stages of the transition.[282]

As the transition commenced, ANC women leaders writing in *Mayibuye* noted that a key objective for the Women's League was 'overcoming the glaring absence of women in the structures/working groups and processes of the negotiations'.[283] In the same article, a member of the ANCWL task force critiqued the ANC consultative conference on the basis that the programme for action for the transfer of power and the transition to democracy had so few female delegates in attendance, noting 'it is a sad indictment on a movement committed to non-sexism that only 15% of delegates to the ANC's National Consultative were women' of the 1,647 delegates, 15.52% were women.[284] A year later, a discussion on the Women's Charter identified the concern expressed by Albertina Sisulu, Deputy President of the Women's League, about the 'small number of women involved in the negotiations process'.[285] These are striking observations given the strong support for women's emancipation outlined by the ANC in policy positions such as their 'Statement on the Emancipation of Women' (ANC NEC, 1990). These insights support the analysis that women's leadership and access to decision making was problematic (Beall, 1990; Hassim, 2006). It also demonstrates that from the outset of the political negotiations there was an inconsistent approach to progressing gender equality and a disparity between the articulated commitments promoted by the ANC and their implementation in practice. However, the narrative on gender equality written by women in Mayibuye also indicates that women felt that they were making progress on several fronts. Discussions in *Mayibuye* support the contention that women succeeded in embedding gender concerns in the negotiation process, including the drafting of the Constitution and Bill of Rights as well ensuring as the primacy of women's rights over customary law.[286]

[282] *Mayibuye*, February 1991, 'Steady but Sure'; 1992, Vol.3, No1, 'The Women's Charter Campaign', attributed to an ANCWL correspondent; 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile; 1995, Vol.6, No.4, 'Editorial: No Freedom without Women'; 1995, Vol.6, No.4, 'Searching for a Women's Movement', Steyn Speed.
[283] *Mayibuye*, February 1991, 'Steady but Sure', p.31.
[284] *Mayibuye*, February 1991, 'Steady but Sure', p.31; February 1991, 'National Conference: Who was at the conference', p.22.
[285] *Mayibuye*, 1992, Vol.3, No1, 'The Women's Charter Campaign', attributed to an ANCWL correspondent, p.32.
[286] *Mayibuye*, 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile; 'Women and Customary Law: A Sweet Victory', Lindiwe Zulu.

By 1993, an article on the outgoing leadership of the ANCWL noted that women's demonstration in April of that year was one of the highlights of the league's struggle for women's inclusion in the negotiations.[287] Kgositsile stated that:

> experience had left no doubt that, without women's direct participation at the talks, non-sexism would be light years away. Our victories here by no means indicate that this struggle is over. But a lot of work has been done as some of the agreements prove.[288]

Kgositsile outlined that the Women's League policy division were successful in integrating gender considerations at the ANC Policy conference.[289] These gains are further reinforced in an article on women's victory over customary law in the same issue of *Mayibuye* where it was also stated that:

> women have won substantial victories during the negotiations. Not only will the constitution empower women, the first South African democratic parliament will certainly contain one of the highest proportions of women of any parliament.[290]

As this discussion indicates, it was expected that these signs of progress would translate into meaningful change for women. This analysis includes reference to the Women's Charter that features in discussions on embedding gender concerns in the context of the ANCWL and the Charter campaign. This emphasis illustrated the belief by women in the ANC of the anticipated importance of the Charter in securing constitutional provision for women's rights.[291]

The role of the Charter is considered in the context of the small number of women involved in the Convention for a Democratic South Africa (CODESA), alongside the challenges of the apartheid legacy that reduced women's participation to limited roles.[292] The capacity of the Charter to address women's issues is summed up in the statement that it will 'embody the aspirations of society for an end to male domination while protecting and promoting the rights of women….and its' provisions should be entrenched in the new constitution'.[293] The Charter is therefore envisaged by women in the ANCWL as a core mechanism to influence the negotiations and to challenge male domination.[294] This view is not unlike the ANC's statement

[287] *Mayibuye*, 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile, p.19.
[288] *Mayibuye*, 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile, p.19.
[289] *Mayibuye*, 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile, p.19.
[290] *Mayibuye*, 1993, Vol.4, No.10, 'Women and Customary Law: A Sweet Victory', Lindiwe Zulu, p.34.
[291] *Mayibuye*, 1992, Vol.3, No.1, 'The Women's Charter Campaign', ANCWL correspondent, p.32.
[292] *Mayibuye*, 1992, Vol.3, No.1, 'The Women's Charter Campaign', ANCWL correspondent, p.32.
[293] *Mayibuye*, 1992, Vol.3, No.1, 'The Women's Charter Campaign', ANCWL correspondent, p.32.
[294] *Mayibuye*, 1992, Vol.3, No.1, 'The Women's Charter Campaign', ANCWL correspondent, p.32.

on women's emancipation, and not dissimilar to this policy statement, however the substantive nature and influence of the Charter was not assured. Criticisms were expressed in this article regarding the campaign's lack of progress owing to 'some women's organisations reluctance to join a campaign with the ANC-linked term 'Charter', difficulty in mobilising women, the League's poor relationship with the Tripartite Alliance on the campaign'.[295] Aspects of these criticisms are supported by research that illustrated the dominance of ANC women in the Women's National Coalition, the organising network tasked with developing the Charter (Meer, 2000; Hassim, 2002, 2006). However, the observation that the league had a poor relationship with the alliance in the *Mayibuye* discussion is notable as it also contradicts with the assertion in the opening section of the article where it is argued that the league was influential in ANC policy development. These criticisms illustrate that, despite expectations, the Charter was not supported, by either the ANC, or the alliance as a whole, and failed to influence the core of their thinking.

Gender Equality, International Norms and the South African Constitution

From a gender perspective there is a correlation between the substance of discussions on the Constitution, Bill of Rights, national gender infrastructure and international norms. The 'Constitution' is a major theme of deliberation in *Mayibuye*, with 558 references in 31 editions of the journal and there are 52 references to the Bill of Rights in 15 editions. However, while less than 10% of these overall references relate to women and the gendered aspects of the Constitution, these discussions illustrate the issues that women were focusing on and the challenge of being heard, particularly at the early stage of the transition. Deliberation on women's demands in relation to the Constitution outlined that the Constitutional principles should be based on non-racism and non-sexism.[296] The gender aspects of the narrative on the Constitution are representative of international gender equality norms with discussion referring to the Beijing conference, establishment of the Commission for Gender Equality and gender machineries, inclusion of an equality clause, and reproductive rights.[297] Some of this analysis also refers to the gender sensitive nature of the Constitution, women workers, the Women's Charter and constitutional proposals.[298] These discussions span the period before and after the

[295] *Mayibuye*, 1992, Vol.3, No.1, 'The Women's Charter Campaign', ANCWL correspondent, p.32.
[296] *Mayibuye*, 1993, Vol.4, No.10, 'Women and Customary Law: A Sweet Victory', Lindiwe Zulu, p.35.
[297] *Mayibuye*, 1993, Vol.4, No.10, 'Women and Customary Law: A Sweet Victory', Lindiwe Zulu;
[298] *Mayibuye*, 1992, Vol.3, No.1, 'The Women's Charter Campaign', ANCWL correspondent; 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile; 1993, Vol.4, No.10, 'Women and Customary Law: A Sweet Victory', Lindiwe Zulu; 1995, Vol.6, No.4, 'How government can help end women's oppression', Steyn Speed.

first democratic elections relating to the interim and final Constitution and Bill of Rights. For the interim constitution, a key area of emphasis is on customary law, which is examined in more detail in the next section.

Gender literature on the transition accepts that the high-level reforms associated with state-led feminist approaches discussed at Beijing, were adopted in the South African transition (Gouws, 1996; Fester, 2007; Mbete, 2003). There are 49 mentions of 'Beijing' in 8 different issues of *Mayibuye* with the majority in a single issue in 1995 (33 references). An editorial on women, set against the backdrop of Beijing, notes that a key objective 'is the establishment and implementation of a set of institutional arrangements which will improve the status of women through, and within, the machinery of government'.[299] This editorial points to features such as gender forums at provincial government level, gender desks in each government department and gender budgets indicating the normative impact of these international gender equality objectives.[300] In the aftermath of the establishment of the new state, attention to the Beijing conference argued that the preparations brought a critical mass of women together and reinvigorated the WNC enabling its 'contribution to the constitution-making process'.[301] This analysis is representative of the ANC's official position and it demonstrates that the approach to gender equality was reflective of the expectations of international stakeholders. In practice, there was little engagement with the WNC at this time.

In a separate article in the same 1995 edition of *Mayibuye*, the emphasis on theme six of the Constitutional Assembly refers to 'specialised structures of government' and the publication of a draft bill to establish the Commission for Gender Equity.[302] This discussion also mentions the ratification of the Convention on the Elimination of Discrimination against Women as well as exploration of a range of mechanisms to 'promote the advancement of women'.[303] Beijing is specifically discussed in relation to the establishment of the national gender machineries with some of the key points in the Platform for Action being referenced around mandates, authority, policy analysis, monitoring and implementation as well as 'adequate resources, ability and

[299] *Mayibuye*, 1995, Vol.6, No.4, 'Editorial: No Freedom without Women', p.24.
[300] *Mayibuye*, 1995, Vol.6, No.4, 'Editorial: No Freedom without Women'
[301] *Mayibuye*, 1995, Vol.6, No.4, 'Searching for a Women's Movement', Steyn Speed, p.3.
[302] *Mayibuye*, 1995, Vol.6, No.4, 'How government can help end women's oppression', Steyn Speed, p.4.
[303] *Mayibuye*, 1995, Vol.6, No.4, 'How government can help end women's oppression', Steyn Speed, p.4.

competence to influence policy and formulate and review legislation'.[304] Further discussion cites Kgositsile's perspective of the necessity of having a cabinet structure to ensure that in terms of policy and budgets, departments pay more than lip service [to women's advancement]'.[305] According to Colleen Lowe Morna[306] 'lessons from other countries have taught South African women "to be wary of structures that end up marginalising gender issues"'.[307] Although there is a clear link drawn between Beijing, related international gender equality objectives and the South African constitutional provision and gender machinery infrastructure, it is already evident that some women were aware of the potential limitations of such gender norms and mechanisms. More importantly, both the mechanisms of state feminism and the Beijing Platform for Action were marginal in the overall narrative in *Mayibuye*, which is revealing in itself. These formal institutional arrangements were normalised by international actors and were adopted by the new state, there was a momentum around these at the time of the Beijing conference, but they were not rooted in any serious commitment. These specific gender equality provisions could be adopted in the context of the establishment of the post-apartheid state because they were expected to have limited impact.

The emphasis on high-level constitutional reform, enabling women's participation, and the promise of parliamentary representation, were consistent with the characteristics and tactics for addressing women's rights internationally at the time (Kardam, 2004; Handrahan, 2004; Zuckerman and Greenberg, 2004; Manchanda, 2005; Waylen, 2000, 2007a; Anderlini, 2007; Viterna and Fallon, 2008; Sow, 2012; Fallon, Swiss and Viterna, 2012; Castillejo, 2012; Tripp, 2012; True 2020). These discussions concur with the accepted analysis that South African women's engagement in the negotiations for political settlement was a struggle waged by women and is unlikely to have materialised without women's mobilisation (Albertyn, 1994; Meintjes 1996; Gouws 1998; Seidman 1999; Hassim and Gouws 1998; Meer, 2000; Hassim, 2003a, 2006 Bazilli, 2010). These *Mayibuye* articles provide additional insight into the expectation that women's inclusion and representation would be a key factor in delivering progressive gender equality outcomes for South African women. This position is also reflective

[304] Beijing Platform for Action cited in *Mayibuye*, 1995, Vol.6, No.4, 'How government can help end women's oppression', Steyn Speed, p.4.
[305] *Mayibuye*, 1995, Vol.6, No.4, 'How government can help end women's oppression', Steyn Speed, p.4.
[306] Lowe Morna was a gender and development advisor and was appointed first CEO of the Commission for Gender Equality in South Africa in 1998.
[307] *Mayibuye*, 1995, Vol.6, No.4, Colleen Lowe Morna referenced in 'How government can help end women's oppression', Steyn Speed, p.4.

of international norms where the emphasis on women's participation is a critical factor in progressing gender equality in transitioning states (True, 2020). However, despite the editorial reference to ensuring 'that increasing the number of women representatives in parliament can be utilised effectively to strengthen women's organisation',[308] in general, these *Mayibuye* articles don't address the nature of women's engagement once they were included or the profile of women who were well positioned to participate. Despite the lack of attention to the gendered nature of the political context and ingrained patriarchal conditions, this was a critical factor in the progression of gender equality objectives in the new state and ultimately shaped women's engagement and gender outcomes. The conditions upon which women were given access to participate are not overtly stated, however, they became more apparent as the new state developed where it is evident that women were reliant on political patronage that required conforming to the status quo. Therefore, the emphasis on representation and inclusion which was assumed to secure women's place in the new state, was curtailed by deeply gendered power relations in practice.

Customary Law and the Equality Clause

Women's campaign to uphold the primacy of human rights over customary law is discussed briefly in *Mayibuye* in the context of the negotiations, the development of the Constitution and Bill of Rights and the establishment of the rural women's movement. There are 18 references to customary law in 4 separate editions of *Mayibuye*. While this could not be considered a substantial engagement with the issue, customary law is included in this analysis of the ANC's journal as it was an important focus in the constitutional negotiations from a gender perspective and the associated references in the journal refer to this aspect, albeit marginally. Lindiwe Zulu articulates a strong emphasis on the progressive outcomes for women in opposition to the conservatism of customary law in a dedicated article[309] on the victory over customary law in the political negotiations in the early stages of the transition. Zulu notes that women's demands for Constitutional principles based on non-racism and non-sexism, and for human rights to supersede customary law, was an issue that created considerable opposition from traditional leaders.[310] It was reported that addressing the gender implications of customary law was more

[308] *Mayibuye*, 1995, Vol.6, No.4, 'Editorial: No Freedom without Women', p.24.
[309] Lindiwe Zulu was an activist in exile in Angola, Zambia and Uganda, a member of MK and subsequently Head of Communications for the ANCWL in 1991. She became spokesperson for the elections in 1993.eventually becoming a member of the ANC National Executive Committee and Minister in the post-apartheid state.
[310] *Mayibuye*, 1993, Vol.4, No.10, 'Women and Customary Law: A Sweet Victory', Lindiwe Zulu, p.35.

challenging than securing women delegates in the political settlement negotiations.[311] Zulu remarks on these challenges, articulating that the proposed Bill of Rights:

> weighed spectacularly in favour of men. And the final decision not to include it in the Bill of Rights did not only take an after-midnight fight between all the women negotiators and traditional leaders represented at the forum but a threat from rural women to boycott the first democratic elections.

Zulu suggests therefore that rural women were instrumental in achieving that positive outcome having also protested outside of the building where the political negotiations were taking place.[312] This article refers to, and quotes extensively from, Mavivi Manzini, a female ANC delegate to the multi-party talks, noting that she was likewise central to the victory for women. Mavivi is referenced as stating that 'we managed to get the constitutional principles on customary law and culture to be subject to equality, non-sexism and the abolition of racial and gender discrimination'.[313] This analysis suggests that women secured a victory over the traditional leadership in the context of the constitutional provisions for customary law, however it was reportedly more complex than it appears in this discussion (Albertyn, 1994).

In a later edition of *Mayibuye*, as the constitutional assembly negotiations were reaching their conclusion, a further article referenced some of the outstanding challenges that were overcome, including the Equality Clause.[314] The reference to the inclusion of the Equality clause noted that the ANC had 'strongly argued for the inclusion of this clause which will allow affirmative action measures to be implemented'.[315] These perspectives are contrary to a view in the gender literature, which expressed that notwithstanding the extensive pressure that women exerted, in the end it was a victory by default and the success of including the equality clause was in fact due to the time pressures of the negotiations (Albertyn, 1994). Therefore, the interpretation of the success of the Equality Clause was dependent on who was discussing this and what constituency was served by such an analysis, it is considered to be progressive when the gender dimensions of the argument are prevalent, but it was more ambiguous than suggested. Despite the appearance of a progressive outcome, it was to some extent a paper victory as those traditional views continued to have a major influence in *Mayibuye*, indicating how little of the thinking and values at the heart of the ANC had actually been won at this point.

[311] *Mayibuye*, 1993, Vol.4, No.10, 'Women and Customary Law: A Sweet Victory', Lindiwe Zulu, p.34.
[312] *Mayibuye*, 1993, Vol.4, No.10, 'Women and Customary Law: A Sweet Victory', Lindiwe Zulu.
[313] *Mayibuye*, 1993, Vol.4, No.10, 'Women and Customary Law: A Sweet Victory', Lindiwe Zulu
[314] *Mayibuye*, 1996, Vol.7, No.2, 'Much work still to be done', Kate Savage, p.23.
[315] *Mayibuye*, 1996, Vol.7, No.2, 'Much work still to be done', Kate Savage, p.23.

Elections, Political Representation and the Establishment of the New State

Unsurprisingly, elections are a priority area of focus in *Mayibuye*, given that the unfolding democratic transition and the first democratic elections were taking place. There are 475 references to 'elections' in 31 issues of *Mayibuye*. Elections are discussed in the context of both local and national government; electoral campaigns and mobilisation; democracy, free and fair elections; voter registration; shared vision, transformation, and historic change. Similarly, there is substantial focus on leadership issues in *Mayibuye* in general with 321 references in 31 issues. However, there are minimal considerations of the gender equality aspects of either elections or leadership in relation with less than 30 specific references in total to 'women' and 'gender equality' in these extensive discussions. This marginal emphasis on women in the substantial narrative on elections is critical to explaining that the inclusion of women was not a central objective to support women's empowerment or equality. Although the ANC implemented a party quota for women's inclusion in electoral candidate lists at the early stages of the transition period this receives no attention in *Mayibuye* at the time. This omission could be considered surprising given the struggle to agree this initially within the ANC. For example, when the ANC conference in 1990 opposed women's demands for a 25% quota on the National Executive Committee, comments from Kgositsile at the time indicated that women felt marginalised by the NEC (Hassim, 2006:127). Although Kgositsile writes a number of articles in the early stages of the transition there is no mention of the problematic engagement with quotas and the sense that women felt abandoned by the ANC leadership. The lack of consideration of quotas demonstrates that it was not of relevance to the leadership, it was not on the agenda for discussion. This suggests that the adoption was not seen as a policy response to women's demands but it was more likely a strategy to bolster party support and enhance the legitimacy of the ANC in the context of international actors.

The first national democratic elections are referenced briefly in the context of the women's movement slowing down in the aftermath of the election, as well as losing key personnel and funding.[316] Gender advisor, Lowe Morna is also quoted as stating that 'the experience in the year since South Africa's first democratic elections is that unless there are mechanisms to drive this awareness, gender concerns will end up everywhere and nowhere'.[317] These insights are noted in deliberation on the women's movement, illustrating that elite women's observations

[316] *Mayibuye*, 1995, Vol.6, No.4, Dilky Bogatsu referenced in 'How government can help end women's oppression', Steyn Speed.

[317] *Mayibuye*, 1995, Vol.6, No.4, Dilky Bogatsu referenced in 'How government can help end women's oppression', Steyn Speed, p.4

of the limitations in other countries was to the fore. In the run up to the first local government elections, there is brief consideration of women candidates in a series of *Mayibuye* articles, including an interview with Nelson Mandela where he articulates that the ANC:

> ..have a larger proportion of women among our candidates than any other party because we recognise the importance of women in our communities. The ANC was the only party in last year's elections to specify that at least a third of its candidates needed to be women. We are encouraged by the impact that this has had on politics in this country and on the role of women as leaders and decision makers. We believe that our position will have a profound impact on the status of women in our communities.[318]

Mandela's statement could be read as fulfilling a particular expectation in highlighting that women were included but the lack of substance to this discussion weakens the underlying commitment and support for women's meaningful engagement. Separate articles in the same edition of *Mayibuye* refer to women candidates' activism on women's issues.[319] Both Mandela's statement and these subsequent discussions show that the focus on women's engagement in elections in the ANC journal is on the basis that they are representative of the ANC's mandate at community level and that they are equally accountable for addressing their own inequalities. For example, there is minimal concern about the specific barriers that women face, the required supports and resources, and/or the responsibilities of male representatives for tackling gender inequality. This indicates that women's participation was not enabled in a manner that had the capacity to address the legacy of male dominance in parliament and the overtly masculine culture that prevailed.

The lack of a strong emphasis on the substance of women's engagement and access to leadership illustrates that this was not central to the ANC's agenda despite women's inclusion on electoral candidate lists. It is also notable that the references to women and leadership in *Mayibuye* are primarily in articles that refer to the question of leadership in COSATU. In addition, while there are 50 references to affirmative action in 18 issues of *Mayibuye,* only two articles focus attention on women, and these relate to COSATU's male dominated national leadership and necessity of ensuring women are integrated into the leadership.[320] This narrative

[318] *Mayibuye*, 1995, Vol.6, No.6, 'You must take control over your own lives', Mayibuye interview with ANC President Nelson Mandela, p.10.
[319] *Mayibuye,* 1995, Vol.6, No.6, 'Hard at work in Ga-Rankuwa', Phil Nzimande followed ANC candidate Joyce Masilo as she campaigned; 1995, Vol.6, no.6, 'Committed candidates with a history of struggle', attributed to correspondents.
[320] *Mayibuye*, 1991, Vol.2, No.10. 'Affirmative Action: How COSATU does it', Rahmat Omar, COSATU Education Researcher, p.29; 1995, Vol.6, No.8, 'COSATU celebrates ten years – extract from speech by Sam Shilowa'.

further indicates that the emphasis on women's leadership was not focused internally on the hierarchical structures in the ANC, instead it was more acceptable that women's access to leadership should be enabled in the trade union movement, signalling that there was no consideration of the internal dynamics in the ANC itself.

Addressing Gender Equality Through Women's Mobilisation

The tendency to emphasise women's responsibility for addressing the specific nature of gender inequality is also evident in the narrative on women's mobilisation articulated in several discussions in *Mayibuye*. There are discussions on women's representative women's organisations referred to in the journal, primary examples include references to the ANCWL and the rural women's movement, in addition to the women's movement in general. There are a total of 38 references to the 'ANCWL' or 'women's league' in 17 separate issues of *Mayibuye*. Given that the league is the primary organisation within the ANC for women's representation and advancing issues of concern to women, it might be expected that there would be more substantial references to the ANCWL and the work it is undertaking in this regard. In fact, while there are 17 issues that include articles that refer to the women's movement, the highest number of mentions of the Women's League in a single article is 6, and this article is a tribute to outgoing South African President Nelson Mandela. A further key point is there is limited attention given to, or engagement with the ANCWL in the journal, once Winne Madikizela-Mandela became leader of the ANCWL. The 'women's movement' is referenced just 23 times in 5 issues of *Mayibuye*, including references to the rural women's movement. Significantly, these references contrast with 122 references to the 'Youth League'. There are 29 references to 'rural women' threaded throughout 9 issues of *Mayibuye,* commencing with a discussion on the rural women's movement at the start of the transition period in 1991.[321] This numerical data gives a picture of the focus on women's representative organisations, indicating that there was limited engagement with the ANCWL and that the league was peripheral to the political agenda during the transition period. In the early stages of the transition there appeared to be expectations that the league could deliver for women, however the narrative shows that the league was established in a manner that was subservient to the ANC and that they became increasingly marginal as the transition progressed. This was also symbolic of how little concern

[321] *Mayibuye*, 1991, Vol.2, No.11, 'Rural Women's Movement: Facing the future with hope', no author cited. For discussion on this article see section below on women's movements in *Mayibuye*. Of the 29 references to rural women, not all relate to the women's movement but focus more on this constituency of women.

was given to women's demands despite the expected role of the league, which was re-established with the purpose of progressing women's position in the new state.

African National Congress Women's League: Progress and Limitations

The key issues addressed in relation to the women's league include the re-establishment of ANCWL, the role of the ANCWL in ensuring women were included in the political negotiations, the representation of women on electoral lists, Beijing and internal and external challenges for the league. References to the women's movement focus on rural women, the revitalisation of the movement in the context of the Beijing preparations, the necessity of a collective voice for women and the role of the ANCWL in building the broader women's movement. Notably, references to the Women's National Coalition are negligible with just 7 specific mentions in total in one article on the women's movement.[322] The minimal attention to the WNC is also notable on the basis that women in the ANC had substantial engagement and leadership roles in the WNC. Similarly, this omission is striking given the acknowledgement in the literature of the central role that the WNC played in the process of securing women's representation in the settlement negotiations as well as the Coalition's role in embedding gender equality objectives in legislative and constitutional reforms (Albertyn, 1994; Meintjes, 1996; Seidman, 1999; Meer, 2000; Hassim, 2002, 2006). Attention to the WNC might have distracted from the perspective that the ANCWL were considered to be the representative body and rightful leaders of the women's movement with the dual purpose of harnessing support for the ANC. In addition, the marginal consideration of the WNC also suggests that in reality there was little interest in the contribution that this coalition made, reinforcing the peripheral status of women's issues in the transition process. The fact that the WNC was ignored also indicates a fundamental lack of political influence in the ANC and suggests that the position they occupied was due to external influence.

The 17 articles that refer to the ANCWL in *Mayibuye,* discuss the re-establishment of the league, related challenges, positive achievements, subsequent tensions and internal problems as well as lack of resources.[323] Discussions also refer to the engagement of representatives from the women's league in the Beijing conference and to the issue of adhering to party loyalty. In the early stages of the transition, an article on the ANCWL task force outlines some of the

[322] *M Mayibuye*, 1995, Vol.6, No.4, 'Searching for a Women's Movement', Steyn Speed, p.2.
[323] *Mayibuye*, February 1991, 'Steady but Sure'.

challenges with regard to re-launching the league, including the lack of full-time organisers, finance and transport particularly in rural areas; absence of support from some ANC regional bodies and the need for more political education about women's struggle; legacy issues resulting from the apartheid era; the merger of some of the united democratic front affiliated women's organisations into the ANCWL.[324] A significant factor in discussions on the ANCWL refers to the recruitment campaign and the need to increase efforts to build the league.[325] This discussion indicates that the ANCWL envisaged a reinstated role based on a comprehensive and wide-reaching programme of action that addressed women's issues. As the transition progressed, the articles in *Mayibuye* illustrate that this was not the same as the perspective that was held by the ANC leadership who saw the league's primary duty as supporting and building the capacity of the ANC itself. This suggests that both the re-establishment of the league and the publication of a policy statement on women's emancipation at the outset of the transition period was not founded on a meaningful commitment to gender equality but was instead intended to mobilise women into the ANC through the ANCWL. Despite the iterations of support for the Women's League from the ANC leadership, critical insights from women in the league demonstrate that in practice there was limited support for the ANCWL within the ANC.

Although the accomplishments of the ANCWL in progressing gender equality are not a strong feature in *Mayibuye*, there is one in-depth discussion of the league in 1993 pertaining to the outgoing President Gertrude Shope and Deputy President Albertina Sisulu, which highlights the positive achievements given the enormity of the tasks and the limited human resources.[326] The superficial nature of engagement with the ANCWL is indicative of the auxiliary nature of the league. For example, although this one article identifies the areas of work in terms of 'putting women on the agenda; building a network with other women's formations; influencing ANC policy evolution and realisation of a non-sexist culture within the ANC while building and strengthening the Women's League on the ground'.[327] It is notable that the article was written by Baleka Kgositsile who remained a stalwart member of the ANC in the new state.[328]

[324] *Mayibuye*, February 1991, 'Steady but Sure'.
[325] *Mayibuye*, February 1991, 'Steady but Sure'.
[326] *Mayibuye*, 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile, p.19.
[327] *Mayibuye*, 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile, p.19.
[328] Kgositsile was an activist in the Women's Section in exile and became Secretary-General of the re-established Women's League (1990-1993), subsequently becoming an ANC MP in 1994 and later Deputy Speaker of Parliament and Deputy President of the ANC.

In her discussion, Kgositsile celebrates the league's role in convening a series of meetings that culminated in the establishment of the WNC, and the League's Policy Division which is credited with ensuring that there was a gender sensitivity incorporated into ANC Policy Guidelines.[329] A later article documents the contribution and development of the league in terms of funding, organisational structure and strategy noting the league's engagement with the 'transformation of civil society and institutions of governance; and developing programmes that will mobilise and organise women beyond racial boundaries or levels of education'.[330] While such issues could be considered to be positive, it served to give the impression that the ANC were paying attention to these issues. At the same time, the limited support for the ANCWL expressed in *Mayibuye* indicates that the ANC were not seriously focusing on these specific gender concerns.

Issues of party loyalty and the ANC's engagement with the league are an integral part of the debate in *Mayibuye* with articles drawing attention to the relationship between both organisations. Although the literature on the gendered nature of the South African transition discussed in Chapter 2 identifies the dominance of party loyalty (Hassim, 2006, 2014b), the observations and perspectives articulated by Kgositsile on the ANCWL in *Mayibuye* clearly support this analysis. The question of autonomy and independence is part of Kgositsile's deliberation on the potential long-term constraints of achieving 'women's emancipation' when the ANC are in government and implications where the league may 'find it difficult not to be over-protective of the ruling party'.[331] The importance of ANC 'loyalty and true cadreship' as well as prioritising delivering 'women's vote to the ANC' is also identified.[332] Kgositsile posed a fundamental question as to 'when will it be right for the League to strive for independence as opposed to autonomy?' arguing that the ANCWL could 'betray its constituency' if they do not achieve independence.[333] While demonstrating some awareness of the potential challenges that this might pose for the league, allegiance to the ANC appeared to be a conflicted but accepted reality.

[329] *Mayibuye*, 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile p.20.
[330] *Mayibuye*, 1996, Vol.7, No.4, 'Provincial Briefs: Gauteng', p.5.
[331] *Mayibuye*, 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile p.20.
[332] *Mayibuye*, 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile p.20.
[333] *Mayibuye*, 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile p.20.

Discussions on the internal challenges that the league faced pertaining to finances and lack of discipline also consider the necessity of party loyalty. For example, one article discusses the regional executive committee's suspension of one of its' branches over a plan to 'mobilise innocent women to demonstrate against the ANC'.[334] A tribute from the Women's League to Nelson Mandela published in an issue of *Mayibuye* in 1997 outlines that while the League had some disagreements, they were aware that he had a duty as President of the ANC to ensure that the league operated in accordance with ANC principles.[335] The tribute is attributed to the League, as opposed to a single author, and states:

> we have been able to look back and correct ourselves [and that Mandela had] been in the forefront of ensuring that the Women's League functions as a united and effective structure based on ANC policies…..through your efforts and contribution we are emerging as a better organisation.[336]

This reference, combined with previous discussions, suggests that the women's league remained dominated by the larger ANC organisation and did not achieve the objective of becoming an independent body despite the consistent emphasis on the role of the ANCWL in addressing women's issues and leading the women's movement. It also indicates that there was an acceptance of the position of the Women's League in progressing ANC policy. As outlined, there were critical perspectives of the ANC at the start of the transition that were an indicator of the auxiliary status of the Women's League, and the narrative in *Mayibuye* demonstrates that the League was marginal to the core of ANC power and influence.

The weakness of the ANCWL in the structures of the ANC was therefore all the more problematic for women given that the ANC emphasised the necessity of the league being the dominant organisation in advancing gender equality while also failing to support the league. An article on ANC strategy and tactics highlights that the 'ANCWL…..should continue to broaden its base…improve its organisational strength and be at the centre of the struggle for gender emancipation'.[337] In the same issue of *Mayibuye*, the ANC Youth League drew attention to the need to reaffirm the place of the Women's League in the ANC and in society, further

[334] *Mayibuye*, 1993, Vol.4, No.7, 'The PWV Women's League Saga', discussion with Gertrude Shope and Baleka Kgositsile (President and Secretary General of the ANCWL) p.38. The article references Winnie Mandela as head of the committee and at the centre of the controversy and critiques the branch for mismanaging financial resources and lack of discipline.
[335] *Mayibuye*, 1997, December, 'ANC Women's League message to Madiba', article is attributed to the league as opposed to a specific author.
[336] *Mayibuye*, 1997, December, 'ANC Women's League message to Madiba', p.23.
[337] *Mayibuye*, 1997, December, 'All Power to the People: An introduction to the ANC's strategy and tactics', no author cited, p.31.

indicating the lack of power of the ANCWL.[338] Less than two years after the Beijing conference, an article in *Mayibuye* focused on the ANC and the national democratic revolution, argued that the ANC should admit that due to internal problems in the ANCWL there has been a failure to support the women's movement and the objective of creating a non-sexist society. The article affirmed the need to 'settle these problems and ensure that the League emerges…to occupy its rightful place at the head of a progressive women's movement'.[339] However, the narrative in *Mayibuye* was already illustrating the marginality of the Women's League, a situation reinforced by the literature, which outlined that the ANCWL's role in addressing women's issues declined as the transition progressed (Hassim, 2014b).

Although deliberation on the ANCWL proposes that both men and women have a role in addressing patriarchy, the ANC located the failures within the league itself. Instead of recognising that there was a responsibility for the ANC leadership and membership, it is devolved to women to self-emancipate stating:

> We call on women to assume your full role within our movement. We know that, still today, there are many impediments to that…..We all, men and women, have a duty to overcome sexism and patriarchy, but, as with so many other areas of obstruction, it is the drive to self-emancipation that will be the motive force in this struggle. We call on you to set an example to millions of unorganised women. We call on you to help build an ANC that is more gender representative and we call on you to help rebuild the ANC Women's League.[340]

These references are significant as they emphasise that whatever structure represents women in civil society the ANC perspective was that it should be led by the Women's League, therefore it would be an extension of, and dominated by the ANC, while remaining women's responsibility. The perspective on gender evident in this discussion indicates some of the limitations that were present in the ANC's position on addressing women's status at the time of the transition. While it could be argued that this was formulated as a progressive response to women's oppression, the dominant narrative suggests that the ANC saw women's issues as a problem for women, to be solved by women and particularly by ANC women who were expected to be loyal to the ANC.

[338] *Mayibuye*, 1997, December, 'Building of a strong ANC essential', ANC Youth League President Malusi Gigaba.
[339] *Mayibuye*, 1997, Vol.8, No.1, 'Our 85th Anniversary: A year of reaffirming the ANC cadre', p.20.
[340] *Mayibuye*, 1997, Vo.8, No.1, 'Our 85th Anniversary A Year of Reaffirming the ANC Cadre', p.20.

The narrative on women's agency and the broader women's movement was particularly prevalent around the time of the Beijing conference, with an editorial in *Mayibuye* highlighting that 'preparations for Beijing have rekindled the notion of a nation-wide movement of women, and have placed women's issues back in the media spotlight'.[341] Steyn Speed's article in the same issue of *Mayibuye*, 'Searching for a Women's Movement' similarly places substantial importance on the Beijing conference, stating that it is 'seen as the spark which could rekindle the South African women's movement'.[342] These statements suggest that by 1995, there was a lack of momentum on women's issues; the women's movement had become significantly weakened. As this timeframe coincided with the first year of the alliance in government and the finalisation of the Constitution, it is revealing that there was limited attention to women's issues in the public domain. Although Beijing was identified as a potential catalyst in revitalising the women's movement, there was a continuity in terms of the expectation that women were responsible for addressing this. For example, the editorial emphasises that 'without a women's movement which is vocal, broad-based, active and has a clear vision, the patriarchal nature of society will remain largely in place' and that this movement would 'eradicate the attitudes, myths and prejudices in society which enable sexism and gender oppression to thrive'.[343] However, the editorial discussion also identifies a possible constraint:

> that the ANC decision that at least one-third of its MPs and MPLs are women has probably done more to weaken women's organisations than it has done to strengthen them, because of the removal of skilled and experienced personnel.[344]

This illustrates that there was evident awareness of the drain of women from civil society, but it also exposes the weakness in terms of the expectation that ANC women would rightfully lead the women's movement.

The editorial also notes that the preparations for Beijing are revitalising the Women's National Coalition, which had significant challenges post the first elections due to loss of personnel, funding and resource issues.[345] However, there are no subsequent discussions on the WNC in *Mayibuye*, which indicates the lack of importance, despite the substantial role that ANC women played in this coalition prior to the establishment of the new state. These articles demonstrate the awareness of the importance of the women's movement but the limitations in terms of

[341] *Mayibuye*, 1995, Vol.6, No.4, 'Editorial: No Freedom without Women', p.24.
[342] *Mayibuye*, 1995, Vol.6, No.4, 'Searching for a Women's Movement', Steyn Speed, p.2.
[343] *Mayibuye*, 1995, Vol.6, No.4, 'Editorial: No Freedom without Women', p.24-25.
[344] *Mayibuye*, 1995, Vol.6, No.4, 'Editorial: No Freedom without Women', p.25
[345] *Mayibuye*, 1995, Vol.6, No.4.

placing the responsibility for gender equality primarily on women. Furthermore, this perspective illustrates that the awareness of the potential outcome of the lack of experienced women in civil society organisations was already understood as a weakness in being able to leverage women's increased parliamentary representation.

Mobilising Rural Women: A Key ANC Constituency

Despite having just 29 references to rural women threaded throughout 9 issues of *Mayibuye*, the substance of the narrative on rural women is still notable in the context of the overall emphasis on women and gender equality issues and the importance of this constituency for the ANC in terms of voting power. The mobilisation of rural women is considered in relation to their role in communities, participation in elections, challenges they face due to lack of services and income, battles with traditional practices and customary law and ongoing support for the ANC. The establishment of the rural women's movement in 1991 was discussed in a related article which pointed out the aim of the movement was to unite women against oppression and give them a voice in political matters.[346] This article identified the key practical concerns for rural women as relating to 'water, access to land, education, child labour and traditional limitations on women's status'.[347] This article also highlighted the constitutional aim to:

> create forums for rural women to unite against oppression, to demand that women have equal rights to land, to encourage women to be self-reliant, independent and creative, to get resources to develop their areas which would improve their daily lives and to work for the abolition of child labour'.[348]

The article reinforces women's commitment to challenge discrimination and to ensure their needs are represented in the future South African parliament.[349] Again, these discussions on rural women reinforce the expectation that women will deliver on address the multiple oppressions they experience and deliver on equal rights. A reference to rural women in the context of the Beijing conference by ANC MP and Parliamentary Counsellor, Mavivi Myakayaka-Manzini identified that the 'Beijing was a landmark for women….. concentrating on the poorest of the poorest women…..who have never been given a voice to talk for themselves'.[350] However, there is little indication that *Mayibuye* actually gave voice to these women; instead it was some of the female leadership who sought to represent these issues. This

[346] *Mayibuye*, 1991, Vol.2, No.11, 'Rural Women: Facing the future with hope', no author cited.
[347] *Mayibuye*, 1991, Vol.2, No.11, 'Rural Women: Facing the future with hope', no author cited, p.40.
[348] *Mayibuye*, 1991, Vol.2, No.11, 'Rural Women: Facing the future with hope', no author cited, p.40.
[349] *Mayibuye*, 1991, Vol.2, No.11, 'Rural Women: Facing the future with hope', no author cited.
[350] *Mayibuye*, 1996, Vol.7, No.9, 'A counsellor serving many constituencies', Mavivi Myakayaka-Manzini interviewed by Khensani Makhubela, p.15.

is supported by the fact that although there are discussions on issues of importance to rural women and reports on their engagement in workshops there is no space given to rural women to articulate their own concerns.

An interview with Mmatshilo Motsei, the RDP gender co-ordinator, makes several references to the position and experiences of rural women, legal constraints, challenges and related activism.[351] Motsei questions how many women in rural communities have a say in the land redistribution process, as they still do not have the right to own land.[352] She particularly draws attention to professional women's assumptions about rural women's issues, adding that rural women continue to speak out about injustice and that 'we should not pretend that rural women have always been silent. They have been vocal, and the question is 'have they been heard?''.[353] Motsei, in her role as RDP Gender Co-ordinator, could clearly see the disparities between how rural women were engaged with by other South African women, particularly women who had access to elite political actors. Motsei also outlines that professionals engage with rural women 'with prescriptions of what to do or what not to do, we do not go in there to engage with them and let them teach us what their life experiences are and what the solutions should be'.[354] Similarly, an interview with Bongi Mkhabela[355] outlines the difference in terms of women's engagement in the 1980s, stating that 'what was exciting for me at that period was we didn't have the distinction of elite women who will sit together over tea and coffee and decide what poverty is and what rural development is and almost know it all'.[356] Therefore, while the widening gap between elite women and women in rural communities is not a prevalent concern in *Mayibuye*, it is beginning to attract attention from some women who identified the emerging problem whereby professional or elite women are positioned to represent the wide spectrum of women's issues.

[351] *Mayibuye*, 1995, Vol.6, No.4, 'Behind this reluctant nurse is a great woman', Mmatshilo Motsei interviewed by Khensani Makhubela.
[352] *Mayibuye*, 1995, Vol.6, No.4, 'Behind this reluctant nurse is a great woman', Mmatshilo Motsei interviewed by Khensani Makhubela.
[353] *Mayibuye*, 1995, Vol.6, No.4, 'Behind this reluctant nurse is a great woman', Mmatshilo Motsei interviewed by Khensani Makhubela, p.22.
[354] *Mayibuye*, 1995, Vol.6, No.4, 'Behind this reluctant nurse is a great woman', Mmatshilo Motsei interviewed by Khensani Makhubela, p.22.
[355] Mkhabela was an activist and organiser in support of women's issues during apartheid. In the new state, she was national director of NGO liaison in the Office of the Deputy President.
[356] *Mayibuye*, 1996, Vol.7, No.5, 'A community in search of opportunities', Bongi Mkhabela interviewed by Khensani Makhubela p.16.

Discussions in *Mayibuye* also indicate that it was expected that rural women would lead their communities and participate in local government elections despite the level of disadvantage they faced on a daily basis. An article on local government outlines that the ANC has more women candidates due to their recognition that women have a significant role in creating better communities.[357] It is proposed that rural women, ''silent workers for decades and the back-bone of their communities', would for the first time gain the rightful place as local government representatives'.[358] A subsequent discussion on a rural women's workshop on quality of life also refers to the constituency of rural women stating that the 'women who attended the workshop came out in support of the government of national unity although many were still suffering from unemployment and lack of facilities'.[359] This article also noted the difficulties that women faced including unemployment, husbands not working and limited opportunities for their children stemming from a lack of education.[360] Yet notwithstanding these daily gendered challenges, it was still expected that the support of rural women was central to progressing the ANC agenda in rural communities.

These discussions also strongly suggest that, despite the acknowledgement of the importance of women's mobilisation among the leadership and the substantial references to various facets of the women's movement, there was minimal support for the development of this movement in practice. Furthermore, the recognition of the role of the ANCWL and the wider constituency of rural women in addressing women's issues is very much understood as interrelated to the maintenance of ANC loyalty and support. In addition, the emphasis throughout is that although men have a role to play in addressing patriarchy, gender equality is ultimately an issue for women. While women's movements are acknowledged as important, there is no consideration of how to engage or support women in civil society. The narrative on women's agency in *Mayibuye* also indicates that there was a divide between women at the grassroots and those in government. Accordingly, even at this early stage in the transition process, some women were aware of the potential silencing or marginalisation of women who were operating at the grassroots and the disjuncture between high-level reforms and women's experiences on the ground.

[357] *Mayibuye*, 1995, Vo.6, No.5, 'Let's make it happen where we live', Steyn Speed.
[358] *Mayibuye*, 1995, Vo.6, No.5, 'Let's make it happen where we live', Steyn Speed, p.20.
[359] *Mayibuye*, 1996, Vol.7, No.4, 'Rural Women Speak', p.3.
[360] *Mayibuye,* 1996, Vol.7, No.4, 'Rural Women Speak', p.3.

Women's Rights Issues

The narrative on gender equality in *Mayibuye* focuses on specific aspects of women's rights such as reproductive rights and support for women's right to choose, as well as to a significantly lesser extent, gender-based violence and social security. The attention to reproductive rights is the most dominant gender equality issue in the ANC journal with 107 references to 'abortion' in 11 editions of *Mayibuye* make it the largest single reference that was specific to women's issues and demands. While this was contentious among ANC supporters, women were given space in the journal to advocate for the introduction of legislation and this was supported by leadership references. Arguably, reproductive rights are in many ways the 'litmus test' for an outwardly progressive commitment to gender equality and it was essential for women constituencies that the ANC backed this. The focus on reproductive rights was also a feature of women's activism in the latter stages of apartheid, concurrent with international gender equality policy objectives. Although treated as a related issue in the ANC's journal, violence against women is a minimal concern in *Mayibuye*, despite increasing international attention, and being identified by South African women as a significant challenge.

Abortion and Women's Right to Choose

Articles on abortion are published between 1995 and 1997, a key period of deliberation on the introduction of legislation on the termination of pregnancy. These discussions concentrate on the heated arguments for and against the legislation, referring to the dangers of illegal abortions and the conditions under which abortion might be permitted. The articles in *Mayibuye* trace the development and implementation of the consultation process on abortion, and the position adopted by the ANC. Research on the adoption of legislation on abortion in the transition period acknowledges that feminist arguments on abortion, while limited to a small group in the ANC and civil society under the Reproductive Rights Alliance, were nonetheless a strong counter argument to the pro-life white male narratives (Albertyn, 1999, 2015). The first discussion on abortion is a report highlighting some of the submissions made to public hearings initiated by the Parliament's Ad hoc Committee on Abortion and Sterilization to determine societal opinion on changes to the current laws on abortion and sterilisation.[361] The article outlines the scope of the committee and states that it was 'established at a time when the ANC was coming under increasing criticism over perceptions that it was dragging its feet on

[361] *Mayibuye*, 1995, Vol.6, No.2, 'Spotlight on Abortion', Duncan Harford, p.6.

abortion' which had been part of the ANC's election manifesto.[362] This report clearly responds to this criticism with the emphasis on pro-choice perspectives noting flaws in existing legislation and the dangers of illegal abortions.[363]

The ANC's Bill of Rights (1993) is quoted in relation to the necessity of 'sensitive debate with extensive participation by all interested parties and a respect for differing views' as well as the ANC's perspective that abortion is 'of great importance' which should 'receive high priority as soon as democratic institutions are in place'.[364] The pro-choice argument is reinforced by the argument for women's right 'to make decisions about their lives and bodies'.[365] This report appears to be unequivocal regarding the ANC's stance in adopting a proactive and supportive position pertaining to the reform of legislative provision on the termination of pregnancy. It must be acknowledged that this debate was taking place against the backdrop of a global movement in support of women's reproductive rights, the exposure of South African women in exile to these debates and indeed to countries where such rights were already normative, and that this influence was already being brought to bear on the ANC leadership as is evidenced by their election manifesto. However, as discussions in *Mayibuye* illustrate, this was indeed a divisive issue, which required careful strategising on the part of the ANC in satisfying internal and external constituencies.

Deliberation on abortion in *Mayibuye* is attuned to the sensitivities of the debate, and while the dominant emphasis within these discussions is on women's democratic right to choose, there is also some space given to the counter argument with reference to views that abortion is wrong and is a criminal offence, akin to murder, adoption is a potential solution, and that abortion should only be considered in cases of rape or psychological illness.[366] While these perspectives are acknowledged, they do not hold the same value or importance as the pro-choice position. An article on the organisational support for women's right to choose leads with the opening statement that 'the ANC, COSATU, SACP and four other organisations spoke out last month in support of a woman's right to choose an abortion….[giving] '"unqualified support" to the recommendations of parliament's ad hoc select committee on abortion and sterilisation'. The

[362] *Mayibuye*, 1995, Vol.6, No.2, 'Spotlight on Abortion', Duncan Harford, p.6.
[363] *Mayibuye*, 1995, Vol.6, No.2, 'Spotlight on Abortion', Duncan Harford, p.6.
[364] 'ANC Bill of Rights' (1993), *Mayibuye*, 1995, Vol.6, No.2, 'Spotlight on Abortion', Duncan Harford, p.6.
[365] *Mayibuye*, 1995, Vol.6, No.2, 'Spotlight on Abortion', Duncan Harford, p.6.
[366] *Mayibuye*, 1996, Vol.7, No.7, 'People should not impose their views on other people's bodies', Khensani Makhubela.

perspective of ANC Deputy Secretary General Cheryl Carolus is also elaborated in this article, which locates the argument in the ANC's adherence to the principles of democracy.[367] Carolus criticised those opposed to the right to choose and stated that 'the ANC has decided that it is the right of all people to make their own decisions and to live with their own conscience'.[368] A strong advocate for women's rights in the ANC and in a position of authority, it was clearly acceptable for Carolus to be able to articulate this unambiguous standpoint.

Further discussions outlined the draft content of the legislation and the separation of sterilisation from abortion, the need for training, counselling and accessible services and preparation in hospitals.[369] After the cabinet approval of the Choice on the Termination of Pregnancy Bill in 1996, an article by Khensani Makhubela canvassed public opinion on abortion illustrating the spectrum of opinions in favour and against the legislation.[370] A subsequent article on the Bill stated it is an important and welcome development in supporting women to make decisions about their bodies and that the ANC 'should count this as a step towards victory'.[371] This article again referenced that more than 400 women die from illegal abortions each year and that the legislation is also necessary in the context of the unacceptably high number of rape and incest cases.[372] The overview of discussions on abortion illustrate that the ANC were determined to progress with the implementation of their commitment to introduce legislation. However, this deliberation also highlights the potential challenges in implementing the legislation and the required supports and infrastructure to ensure accessibility. The emphasis on reproductive rights is also consistent with international norms, which provided an enabling and influential context for South African women's advocacy as well as for harnessing ANC support (Albertyn, 2015).

Gender-based Violence

While gender-based violence was identified as a major problem for women at the time of the South African transition, and indeed remains pervasive, it is primarily noted in the context of discussions on wider gender concerns such as the Beijing conference and the introduction of

[367] Cheryl Carolus in *Mayibuye*, 1995, Vol.6, No.5, 'Democratic right to choose', Steyn Speed, p.10.
[368] Cheryl Carolus in *Mayibuye*, 1995, Vol.6, No.5, 'Democratic right to choose', Steyn Speed, p.10
[369] *Mayibuye*, 1995, Vol.6, No.5, 'Democratic right to choose', Steyn Speed; *Mayibuye*, 1995, Vol.6, No.5, 'New Abortion Act', no author cited; *Mayibuye*, 1996, Vol.7, No.10, 'Choice on the Termination of Pregnancy Bill 1996', no author cited.
[370] *Mayibuye,* 1996, Vol.7, No.7, 'People should not impose their views on other people's bodies', Khensani Makhubela.
[371] *Mayibuye*, 1996, Vol.7, No.10, 'Choice on the Termination of Pregnancy Bill 1996', p.14, no author cited.
[372] *Mayibuye*, 1996, Vol.7, No.10, 'Choice on the Termination of Pregnancy Bill 1996', p.14, no author cited.

abortion legislation. When combining relevant terms or references which related to gender-based violence there are just 34 total references including 'domestic violence', 'violence against women' and 'rape' in *Mayibuye*. The majority of these references relevant to the issue of gender-based violence are on the topic of 'rape' with 27 references in 10 editions. In addition to the marginal references to rape in the context of the abortion legislation and the Beijing discussions, it is also referred to in relation to the establishment of units in police stations and discussions at the Youth League congress.[373] Reflections on the Beijing conference briefly note that the right to protection from rape and sexual abuse was a key issue for women from developing countries.[374] 'Violence against women' is referenced in the statement on issues of critical concern from the delegation that attended the Beijing conference and Cheryl Carolus also addressed this in her argument on the right to choose.[375] However, it is notable that there are substantially less references to 'domestic violence' and 'violence against women' with just 7 mentions in 3 issues of *Mayibuye*. Domestic violence is noted in the context of the launch of the Human Rights Commission and the intended establishment of the Commission for Gender Equality and is also referenced by Sam Shilowa of COSATU in an article on the tripartite alliance's campaign against crime.[376] Sexual harassment is practically ignored with just 2 references in the *Mayibuye* issues reviewed.

Despite the 34 mentions to aspects of gender-based violence, there is no substance to these discussions to indicate that this was considered a serious and important issue for the leadership of the ANC or for the ANCWL. The discussion remains very limited in terms of the overall focus, with the most attention to justification for the introduction of abortion legislation that is primarily concentrated in articles written by one person.[377] Gender-based violence was evidently not a concern within *Mayibuye*, an omission which is significant to this study given the prevalence of gender-based violence in the decades that followed, and the substantial attention to this in the literature on the gender equality failures in the post-apartheid state (Jewkes et al., 2003; Moffett, 2006; Britton, 2006; Dunkle and Jewkes, 2007; Sigsworth, 2009;

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[374] *Mayibuye*, 1995, Vol.6, No.6, 'Beijing conference worthwhile say South African women', Khensani Makhubela.
[375] Cheryl Carolus in *Mayibuye*, 1995, Vol.6, No.5, 'Democratic right to choose', Steyn Speed; *Mayibuye*, 1995, Vol.6, No.6, 'Beijing conference worthwhile say South African women', Khensani Makhubela.
[376] Mayibuye', 1996, Vol.7, No.3, 'Commission to protect human rights launched', Khensani Makhubela; *Mayibuye*, 1997, Vol.8, No.1, 'Alliance announces anti-crime plans', no author cited.
[377] *Mayibuye*, 1996, Vol.7, No.7, 'People should not impose their views on other people's bodies', Khensani Makhubela; 1996, Vo.7, No.9, 'What the proposed Abortion law says', Khensani Makhubela.

Jewkes, 2010). It is also notable that the neglect of this fundamental aspect of gender equality in attention to women's issues in *Mayibuye* was contrary to the increasing international human rights emphasis on violence against women and the extension of these rights to the private sphere. This omission therefore illustrates that there were aspects of international gender equality norms and objectives that were not integrated into elite actor perspectives on gender and women's position in South Africa.

Economic Strategy and Policy

Economic matters are a prevalent focus and one of the most significant areas of emphasis in the *Mayibuye*, mentioned in every edition of the journal reviewed.[378] There is extensive discussion on the Reconstruction and Development Programme (RDP) and Growth Employment and Redistribution strategy (GEAR), however, there are glaring omissions from a gender equality perspective and there is no dominant economic issue discussed primarily in the context of the impact for women. A particular characteristic of these *Mayibuye* discussions is the input from elite leaders and actors within the ANC, SACP and COSATU.[379] While women's unemployment and poverty are given some minimal attention, including analysis of the poverty profile of African women, this is superficial in relation to the importance of economic concerns. In a single critique of the lack of attention to gender in the RDP, it is noted that there is a failure to take women's issues seriously, however apart from this discussion there is no consideration of the gendered implications of the macroeconomic strategy.[380] South African research has clearly identified the tensions within the alliance partners resulting from macroeconomic strategy, particularly noting the dominance of the ANC in shaping this policy framework (Marais, 1998; Webster, 1998; Meer, 2000; Bond, 2000; Buhlungu, 2010; Friedman, 2011). This analysis of the hegemonic position that the ANC held within the tripartite alliance raises further questions about the importance of perspectives on gender equality espoused by elite actors in the ANC, given their power and influence. Arguably, if gender equality mattered to the ANC, then this consideration should have been embedded in and integral to their attention to economic factors. The following discussion demonstrates the problematic nature of the attention to gender concerns in the context of deliberation on economic matters in *Mayibuye*.

[378] There are 560 references in the journal to 'economic'.
[379] Mayibuye', 1995, Vol.6, No.3, 'In the line of fire', Minister Jay Naidoo interviewed by Sam Shilowa; 1995, Vol.6, No.6, 'You must take control of your own lives', interview with President Nelson Mandela;
[380] *Mayibuye*, 1995, Vol.6, No.4, 'Behind this reluctant nurse is a great woman', Mmatshilo Motsei interviewed by Khensani Makhubela.

Gender Equality and Macroeconomic Strategy

The 'RDP' and 'Reconstruction and Development Programme' are collectively referenced 354 times in 23 issues of *Mayibuye* demonstrating that it was an area of high priority for the ANC leadership. 'GEAR' and the 'Growth, Employment and Redistribution' strategy have a combined total of 81 references in 9 journal issues, with no mention of women or gender equality in relation to GEAR. Articles on the RDP concentrate on the delivery of the programme as a partnership with business and civil society, related challenges and achievements regarding infrastructural projects, meeting basic needs and increased education provision.[381] Challenges identified include the restructuring and reorganisation of government departments, public perception of the programme as a charitable approach and the time-consuming nature of the programme. Criticisms of the lack of implementation and strategic coherence of the RDP are also articulated.[382] There are singular references to women in the context of their gendered maternal role relating to the provision of free health care for pregnant women and for children under 6 which was one of the Presidential lead projects.[383] It is also noted that an objective of the RDP is to reorganise the civil service so that it is more representative in terms of race and gender, which is arguably consistent with the high-level gender equality measures that are reflective of the approach to gender equality in the transitioning state.[384]

The only dedicated discussion on women and macroeconomic strategy is an interview with the RDP Gender Coordinator, Mmatshilo Motsei where the focus is primarily on consulting and engaging women as opposed to the overall content of the RDP.[385] The reflections on rural women's input and voices in this article have also been considered earlier in this chapter, and these women are a key consideration for Motsei. In the interview, Motsei outlined the process of consulting with women's organisations throughout South Africa to inform a policy document for the RDP on women's empowerment and her office's intention to organise a

[381] *Mayibuye,* 1995, Vol.6, No.1, No.3.
[382] *Mayibuye*, 1995, Vol.6, No.3, 'In the line of fire', Minister Jay Naidoo interviewed by Sam Shilowa.
[383] *Mayibuye*, 1995, Vol.6, No.1, 'A measure of success', 'A Guide to the Presidential lead projects', no authors cited.
[384] *Mayibuye*, 1995, Vol.6, No.3, 'In the line of fire', Minister Jay Naidoo interviewed by Sam Shilowa; 1995, Vol.6, No.6, 'You must take control of your own lives', interview with President Nelson Mandela; 1996, Vo.7, No.3, 'A look inside the building block budget', Duncan Harford.
[385] *Mayibuye*, 1995, Vol.6, No.4, 'Behind this reluctant nurse is a great woman', Mmatshilo Motsei interviewed by Khensani Makhubela. This article is also discussed in relation to rural women.

conference to examine national machinery for the advancement of women.[386] She also referenced that 'South African women have opted for a package of structures at all levels of government that address gender issues'.[387] Apart from the failures to engage rural women, Motsei also notes the specific challenges in the RDP gender office:

> There are many challenges in the RDP gender office.....People do not take gender issues seriously and they are not ready to listen. There is a reluctance to find a way to deal with women issues and this makes it difficult for the office.[388]

According to Motsei, women must lobby to ensure that government acknowledges their demands, highlighting the need for government workers to be gender sensitive and accept women.[389] This critique illustrates that even at the heart of the implementation process for the RDP there was no commitment to progressing gender equality or addressing women's inequitable status. The fact that there is not a single reference to women or gender in deliberation on the GEAR is further testament to the failure to include gender considerations in the economic domain. Despite these high-level failures, there is some evidence of awareness of the impoverished economic position of Black African women in rural areas.

Gendered Nature of Poverty

There is substantial discussion on 'poverty' in *Mayibuye* being referenced 91 times in 29 of the 33 issues reviewed, demonstrating that it was consistently referred to throughout the transition period with discussions on the scale and impact of poverty on South Africans; disparities of wealth and poverty; inequality and measures and programmes to promote poverty alleviation and development. From a gender perspective, approximately 15% of these references refer to women's experience in the context of the Beijing Platform for Action, the Human Rights Commission, an RDP report on poverty and the ANCWL. Although briefly discussed in relation to poverty, Beijing is again used to refer to the importance placed on tackling 'the increasing burden of poverty on women'. This discussion refers to the preparatory work by African women in order to be able to represent these issues and to 'speak with one voice'.[390]

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[386] *Mayibuye*, 1995, Vol.6, No.4, 'Behind this reluctant nurse is a great woman', Mmatshilo Motsei interviewed by Khensani Makhubela.
[387] *Mayibuye*, 1995, Vol.6, No.4, 'Behind this reluctant nurse is a great woman', Mmatshilo Motsei interviewed by Khensani Makhubela, p.23. This is relevant to the RDP objective of restructuring the civil service.
[388] *Mayibuye*, 1995, Vol.6, No.4, 'Behind this reluctant nurse is a great woman', Mmatshilo Motsei interviewed by Khensani Makhubela, p.23.
[389] *Mayibuye*, 1995, Vol.6, No.4, 'Behind this reluctant nurse is a great woman', Mmatshilo Motsei interviewed by Khensani Makhubela.
[390] *Mayibuye*, 1995, Vol.6, No.6, 'Beijing conference was worthwhile say SA women', Khensani Makhubela, p.19.

This statement demonstrates the significance of Beijing in terms of how it was used by African women to articulate their experiences and that gender analysis of women's economic status was integral to their understanding of progressing gender equality. Nonetheless, it appears that international policy perspectives and women's awareness of the centrality of economic conditions were insufficient to integrate these perspectives into the core of ANC thinking or to harness support.

The gendered nature of poverty is noted in an article on an RDP poverty report examining the figures and poverty indicators among different constituencies in South Africa provides evidence that black South Africans in rural communities experience extremely high levels of poverty.[391] These indicators are in fact relatively consistent for the lifespan of the post-apartheid state with poverty indicators presenting a highly unequal gendered profile with substantial disparities for rural Black women (Everatt, 2005; CSVR report, 2011; Gouws, 2012b; UNDP, 2017). The discussion on the RDP poverty report in *Mayibuye* outlines that within this context women are the worst off in every category including female-headed households, working-age and older women.[392] It is noted that in these communities 'female-headed households have a 50 percent higher poverty rate than male-headed households' and that 'women experience 'substantially higher unemployment rates than men and – 35 percent among women against 25 percent among men – and suffer particularly from lack of access to services in rural areas'.[393] The impact of the apartheid legacy of poverty and inequality is referenced in terms of access to employment, services and resources, substandard housing, lack of education and health care. The article contends that the combination of these challenges makes it very difficult to escape poverty 'especially since apartheid also resulted in the separation and disintegration of families and communities'.[394] While the summary discussion of the RDP report outlines that the government must address these challenges in 'the design and implementation of poverty reduction programmes' there is no indication of the ANC's analysis of the situation or of how these specific gender challenges would be addressed by the government. Again, these limited discussions further illustrate that while there was awareness of the gendered nature of poverty as well as the importance of economic strategy and policy in

[391] *Mayibuye*, 1996, Vol.7, No.1, 'Poverty report gives sobering figures', attributed to a correspondent.
[392] *Mayibuye*, 1996, Vol.7, No.1, 'Poverty report gives sobering figures', attributed to a correspondent.
[393] *Mayibuye*, 1996, Vol.7, No.1, 'Poverty report gives sobering figures', attributed to a correspondent, p.29.
[394] *Mayibuye*, 1996, Vol.7, No.1, 'Poverty report gives sobering figures', attributed to a correspondent, p.30.

addressing this, the gender implications were marginal to the wider mainstream ANC discussion and there was no meaningful commitment.

Gender Critiques, Rhetoric and Practice

Some of the *Mayibuye* articles that refer to gender equality issues and the position of women also articulate a critical perspective on the already evident limitations of the ANC and the post-apartheid government in progressing gender equality. A number of these points have been integrated into discussions on the various thematic areas already considered in this chapter, for example in the context of the ANC's exclusion of women at leadership level, failures to take gender seriously in the Reconstruction and Development Programme. Although relatively minimal, critiques of the gender equality failures refer to lip service, lack of commitment to taking gender issues seriously, bureaucracy, and limited resources to support gender equality. While these critiques are not elaborated, they indicate that at the time of transition the subsequent failures were already being identified. These critiques could have acted as a catalyst for meaningful interrogation of gender equality issues in *Mayibuye* but in practice this is not the case. There is also evident awareness of the marginalisation of gender equality in other transitions, the shortcomings in establishing national gender machineries, which are not effectively led and resourced, and the necessity of a strong women's movement.

While the oppression of women is highlighted as problematic, there is only generalised acknowledgement of the need to address this and no engagement with the structural and ideological basis of women's inequitable position. There is no substantive discussion on patriarchy and feminist perspectives, even though such analysis was articulated by ANC women, prior to and during the democratic transition, and in ANC policy documents including their 'Statement on the Emancipation of Women' (1990) and their discussion paper on 'The Need for a Gendered Perspective from the ANC and its Cadres' (1997), to name some. Despite the reference to the National Democratic Revolution in affirming the principle of gender equality, there is limited evidence that there was a long-term strategic commitment to addressing gender inequality among the elite leadership.[395] In addition, the lack of in-depth analysis of women's position shows that the articulated commitment to gender equality was not internalised by the leadership, was not core to the ANC, the democratic revolution or the

[395] *Mayibuye*, 1997, December, 'All Power to the People: An introduction to the ANC's strategy and tactics', no author cited, p.30.

establishment of the post-apartheid state. Gender issues are confined to the periphery in most discussions, while women are often referenced, in many cases, this is in tandem with youth, people with disabilities and other identity groups, leading to a failure to identify targeted measures to progress gender equality substantively. The high-level gender equality reforms introduced in the early stages of the transition were strategically adopted as an indicator of the ANC's allegiance to gender equality.

Conclusion

The examination and analysis of the substance of the narrative on women and gender equality in the ANC journal illustrates that while there is a relatively high level of mentions of women numerically, there is evidence to suggest that the future limitations in progressing gender equality could already be perceived. Although the ANC had become relatively adept at articulating support for women's equality and emancipation prior to the establishment of the new state, it is notable that there is no dedicated discussion on the necessity of addressing the fundamental characteristics of women's subordinate status and differentiated access to power in *Mayibuye*. In addition, while there are references to both gender equality and non-sexism, there is no analysis of the structural nature of gender inequality, power dynamics and gender relations that maintain the seriously inequitable gendered status quo. Similarly, despite some minor references to patriarchy there is no consideration of the implications of patriarchal dominance within the ANC and in the context of the construction of the democratic state. These observations raise questions about the substantive nature of the ANC position on gender equality. The primary focus on gender issues in the journal is particularly representative of the international gender equality norms that were prevalent at the time of the democratic transition. However, the dominant gender narrative in *Mayibuye* illustrates the fundamental disparity between rhetoric, practice, and commitment to gender equality. Despite brief references to the problem of gender inequality as a societal challenge that requires a response from all genders, this is consistently seen as a women's problem.

The gender equality narrative in *Mayibuye* has some similarities with both the SACP journal and COSATU magazine in relation to the disjuncture between the rhetoric on gender equality issues and the marginal and superficial emphasis on achieving progressive outcomes for women. The ANC journal deliberations include some attention to practical women's rights issues which is comparative to the gender equality focus in COSATU's 'Shopsteward';

although not in any way as prolific as there are significantly more practical issues discussed in the trade union magazine. The narrative on women's rights in both the social and economic domain is narrowly focused, and there is a failure to embed gender consciousness on either social or economic issues. The similarities with the SACP narrative on gender equality are in the assumptions that underlie the perspective that gender equality will be addressed in the context of the national question and the establishment of the democratic state. While the SACP are much more overtly ideological in the treatment of gender issues, there are some comparative characteristics with the ANC's position in that the emphasis on the national democratic revolution is paramount. Although from the ANC's perspective, they assume leadership in the alliance and in government. The subservience of gender equality to the primary objective of ANC dominance and consolidation is a notable narrative which demonstrates that the contested positions on gender equality in the anti-apartheid movement are also evident in the period of transition, although less explicit. More importantly, it is apparent that the perspectives on gender equality articulated by the ANC were in no way threatening to, or limiting of, a potentially more progressive position adopted by their alliance partners. The gender equality narrative in each of the journals demonstrates that there was relative consistency between the ANC, SACP and COSATU whereby gender equality ideation was part of the deliberation and high-level articulation by each of the alliance partners in a manner that was not matched by practical commitment.

The analysis of the ANC's *Mayibuye* journal clarifies existing ambiguity in relation to the ANC's contribution and commitment to gender equality in the gender analysis of the South African transition to democracy. The ANC adopted accepted features of international gender equality norms such as quotas, high-level constitutional and legislative reforms accompanied by party position papers that articulated the need for an emancipatory approach to gender equality. This gave the appearance that there was a high-level commitment to ensuring that there would be progressive, meaningful and substantive gender equality outcomes that would not only be sustained but would continue to evolve. However, prior to the first democratic election a critique proffered by an ANCWL activist noted that it was apparent that non-sexism was far removed from the ANC agenda and would not have been considered were it not for women's participation in the political negotiations.[396] The disparity between the policy

[396] *Mayibuye*, 1993, Vol.4, No.10, 'Women's League: Holding the Bull by its horns', Baleka Kgositsile p.19.

positions that were articulated by the ANC, the institution of high-level reforms, and the actual internalised commitment by elite political actors, is acutely evident in the gender equality deliberations in *Mayibuye*. The overwhelming sense in the journal is that gender equality was not a core concern for the ANC; it was understood to be an auxiliary issue and women's responsibility. Although women are deemed responsible for self-emancipation and challenging the multiple oppressions experienced, they are also expected to adhere to the priority objective of ANC dominance in the new state that in turn compromises their feminist position to gain a seat at the table. This is acutely evident in both the attention to the need for a collective women's movement and the treatment of the ANCWL throughout the journal. The key contention in this chapter is there is clear evidence of the ANC's limited commitment to gender equality throughout the transition process, an argument that contrasts with the more positive evaluations in the gender literature on the South African transition. This critique illustrates that the ANC's policy articulation on the emancipation of women was primarily rhetorical, remained contested among the leadership and rank and file party membership and amounts to overall indifference to gender equality. The dominant narrative in *Mayibuye* demonstrates that gender equality demands were a marginal concern in the political agenda at the time.

CHAPTER 8: THE TRIPARTITE ALLIANCE AND THE PERSISTENCE OF GENDER INEQUALITY IN POST-APARTHEID SOUTH AFRICA

Using a close reading of the publications of the ANC, COSATU and the SACP, this thesis demonstrates that the weak commitment to gender equality that was manifest in the new democratic state was a key aspect of the dominant narrative on gender in the tripartite alliance. The details of the way in which these organisations constructed their narrative and policies on gender equality is debated and described in the pages of *Mayibuye*, the *Shopsteward* and the *African Communist*. These narratives illuminate the later failures of the state to fulfil the expected improvements in women's status and welfare through documenting critical perspectives on the limitations of the commitment to gender equality throughout the democratic transition, in addition to tracing the manner in which patriarchal norms were embedded in the establishment of the post-apartheid state. In doing this, the thesis contributes to the literature that has analysed the gender equality failures of the South African state. It deepens the understanding of the gendered nature of the tripartite alliance organisations and contributes to the international literature on how state transitions, processes of democratisation and state reconstruction are gendered.

Explanations for the Persistence of Gender Inequality in South Africa

The literature that analyses the reasons for the persistence of gender inequality in post-apartheid South Africa has concentrated substantially on women's agency, arguing that the failure to develop a strong women's movement, and the weakness of feminist positions in the new state, are key factors that resulted in the dilution of the gender equality outcomes (Beall, Hassim and Toades, 2011; Hassim, 2001; 2005a, 2005b, 2009b, 2014b, 2016; Britton, 2006; Gregg, 2014). It is also recognised that there was awareness among South African activists of the potential for the marginalisation of gender equality objectives in the transition process (Steyn, 1998; Modise and Curnow, 2000; Britton, 2002a; Hassim, 2000; 2004, 2006). This thesis demonstrates that even during the transition period although women's collective mobilisation is advocated in each of the alliance publications, there were already limitations placed on the expectations of the development of a women's movement. For example, although women writers in the journals refer to the necessity of developing a strong and coherent women's movement with the intention of advancing gender equality, the dominant narrative sees the

primary task of a women's movement as furthering the objectives of the party or union organisations.

In the journals during the transition period, women activists, political representatives and researchers were already critical of the gender equality stance of the alliance organisations. Although the literature on women's agency and the process of engendering the transition illustrates that there were radical feminist perspectives in the anti-apartheid movement (McEwan, 2005; Britton, 2006; Britton and Fish, 2009; Meintjes, 2011; Meyiwa, 2011; Gouws and Hassim, 2014; Hassim, 2014b, 2016; Fester, 2014; Gregg, 2014), it is not sufficiently acknowledged that women were already aware of the gender limitations as the transition unfolded. The narratives in *Mayibuye*, the *Shopsteward* and the *African Communist* show that there were South African feminists who had a radical structural analysis informed by either Marxist, postcolonial and third world feminist theoretical perspectives and therefore the tripartite alliance had a strong gender analysis available to them from within their own organisations. This thesis demonstrates that the alliance chose to engage with this feminist analysis in a superficial manner, indicating its marginality to existing power dynamics.

The existing literature also deals with the role of state-led feminism, legislative reform and the impact of the strategic emphasis on women's political representation as explaining the limited outcomes for women in the South African state (Albertyn, 1995; Hassim and Gouws, 1998; Geisler, 2004; Bazilli, 2010; Makhunga, 2014; Hassim, 2003c, 2005b, 2014b; Gouws, 2014, 2016). A similar analysis in the international gender literature suggests that it is not these policy approaches but a lack of resources and implementation failures that have diluted gender equality outcomes in transitioning states (Kandiyoti, 2008; Greenberg and Zuckerman, 2009; Sørensen, 2009; Ní Aoláin, Haynes and Cahn, 2011; Krook and True, 2012; Gregg, 2014; Singh, 2017; Kindervater and Meintjes, 2018; Ní Aoláin et al., 2018; Bhattacharya and Burns, 2019; True, 2020). Constraints on women's capacity to be effective political actors in the South African parliament have also been identified, which has highlighted the challenges of male dominance, patriarchal norms and the burdens on women (Britton, 2002b; Hassim, 2003c; Fester, 2014). The new parliament included many more women than the previous regime but the narrative in *Mayibuye* illustrates that these women owed their position to the ANC leadership and were expected to follow party lines. This thesis shows that it was not primarily the weak position of women MPs, or the inadequacies of the reliance on 'femocrat' approaches,

that prevented the achievement of progressive outcomes for women. The dominant narrative in the journals illustrates that the alliance did not see gender equality objectives as central to the national democratic revolution and the construction of the new state. The fragility of support for state feminism is also evidenced in narratives on quotas that existed among representatives and members of the alliance organisations, gender quotas were irrelevant to the SACP, resisted by COSATU, and although introduced by the ANC, this was in response to key stakeholder demands.

The dominant gender narrative expressed in the ANC *Mayibuye* journal incorporates a state feminist approach underpinned by national gender machineries, legislative and constitutional mechanisms, with most of this discussion concentrated around the time of the Beijing conference indicating that it was not a mainstream focus, but was shaped by external events. This stance aligns the ANC with the normative discourse and practice adhered to by international policy makers, multilateral and bilateral funding agencies, and was also reflective of the international gender equality debates which women in the ANC participated in through various UN and international women's conferences during apartheid and in the early stages of the transition. The literature on South Africa has also identified the loss of women leaders in civil society through the integration of women into parliament as a negative outcome of the strategy of focusing feminist attention on parliamentary representation (Britton, 2002b; Hassim, 2003; Giesler, Mokgope and Svanemyr, 2009; Gregg, 2014; Gouws and Hassim, 2014). This literature considered the increase in women's parliamentary representation to be a direct correlation to the weaknesses of the women's movement, a factor that has also been noted in the wider international literature on gender and democratisation (Alvarez, 1990; Waylen, 2007a; Jaquette, 2014). However, this thesis demonstrates that the dominant narrative on women's agency in the alliance publications shows that the support for establishing a women's movement was premised on its potential role in building and sustaining the alliance organisations. Accordingly, even if there was strong representation of women in civil society, they would have been expected to adhere to ANC priorities and would have lacked independent political power and resources.

These aspects of the debate on the weakness of the women's movement in the literature are highlighted by the narrative on the Women's National Coalition in the alliance publications. Although the Women's National Coalition declined following the establishment of the new state, even at the early stages of the transition, there was marginal consideration of the WNC

in the three alliance publications. This indicates its marginality and that a women's movement outside of the confines of the alliance partners would not be supported by the leadership and rank and file membership and would therefore not have the capacity to achieve the desired policy outcomes. The narrative in each of the alliance partner publications further demonstrates that the male leadership actively promoted women's participation in their organisations while simultaneously restricting the nature of that engagement. References to empowerment, leadership and representation are notable among the leaders' perspectives in the *Mayibuye* and *Shopsteward* journals, but it is also evident that this was a rhetorical narrative, which concealed the deep-rooted opposition to meaningful participation and engagement. The dominant narrative demonstrates that women were excluded from leadership positions and access to decision making, and there are several examples in the journals that contradict the stated support for women's leadership. Arguably, women who were afforded political capital at the upper echelons of the alliance were initially included to either silence their opposition, paying lip service to gender equality, or as the new state developed, to maintain ANC legitimacy and to supress dissenting voices on gender issues.

In terms of the impact of the weakness of the women's movement, the literature is particularly critical of the ANCWL's record on gender equality. The literature highlights the problematic nature of the league's subservient relationship to the ANC and the league's role in diluting the feminist agenda (Hassim, 2005b, 2006, 2014b, 2016; Beall, Hassim and Toades, 2011; Fester, 2014; Makhunga, 2014; Gouws, 2016). In the *Mayibuye* journal, the ANCWL appeared to be marginal to the construction of the new state, and to have a subservient relationship with the ANC. The narrative in *Mayibuye* primarily pays attention to the ANCWL in the early stages of the transition period in the context of the re-establishment of the Women's League, written from the perspective of ANC women leaders. This narrative pays tribute to the work of the ANC, and while ANC leaders refer to the Women's League sporadically during the transition period, it was in the context of the contribution of the league to the ANC agenda. It is notable that once Winnie Madikizela-Mandela became leader of the ANCWL, and the first elections were held, there is less attention given to the Women's League in *Mayibuye*. This narrative indicates that even if the party were supportive of the ANCWL, it would have been expected that the League would operate as an auxiliary under the auspices of the ANC.

Another aspect of the critique of 'state feminist' approaches in the literature concentrates on the limitations of a liberal inclusionary framework, arguing that the reliance on liberal equality

failed to bring about the substantive changes that were required to address deep rooted gender inequalities in South Africa (Salo, 2005; Walsh, 2006; Britton, Fish and Meintjes, 2009; Hassim, 2003c, 2005a; Meintjes, 2011; Gouws and Hassim, 2014). This argument in the literature has two weaknesses, firstly it does not sufficiently explain the level of gender inequalities that persist for women in the post-apartheid state. Secondly, the analysis of the dominant gender narrative in the alliance publications show that there was limited engagement with a liberal equality agenda, suggesting that even liberal feminist objectives were marginal to these organisations. If the post-apartheid government had actively and effectively pursued the implementation of a liberal rights framework for women, it is likely that there would have been more substantial improvements for women. The extensive gender inequalities in contemporary South Africa illustrate that even those liberal rights were not adequately supported or resourced.

International literature on gender, democratisation and post-conflict reconstruction deals with the political opportunities that transitions present for women and the progression of gender equality and the way in which patriarchal norms re-emerge post-transition (Pankhurst, 2008; Tripp, 2012; Domingo et al., 2013; True, 2020). Following this analysis, it is argued in the literature that patriarchal culture persisted in the South African state and prevented the realisation of gender equality in practice (Albertyn, 2009; Meyiwa 2011; Gregg, 2014; Fester, 2014; Hassim, 2006, 2014b, 2016; Devenish, 2016; Gouws, 2014, 2016, 2019). Literature that is critical of the ANC argues that deeply patriarchal views predominated in the ANC in the aftermath of the South African democratic transition (Andrews, 2007; Hassim, 2016; Gouws, 2016, 2019; Suttner, 2021). This literature places the leadership of the alliance under scrutiny, particularly President Jacob Zuma. However, it does not adequately consider that patriarchal norms that were prevalent during the apartheid era were also embedded in the politics of the transition and that during the transition the leadership were not interested in addressing the pervasiveness of these norms in the alliance structures. The widespread support for Zuma when he became President also suggests that his values were acceptable to the leadership and rank and file members, indicating that these were existing norms which were publicly legitimised under Zuma's leadership.

Patriarchy was discussed in all three publications analysed, and elite actors, both male and female were aware of the prevalence of patriarchy in their organisations. Although, the alliance leadership made references to the necessity of tackling patriarchy in the *Mayibuye*,

Shopsteward and *African Communist* journals, there was no practical engagement on how this might be addressed. The seemingly radical narrative on patriarchy that is sometimes present obfuscates how dominant patriarchal ideology was and how it informed perspectives on gender equality in a manner that remained undiluted throughout the period of transition. This ambiguous standpoint adopted by the leadership, helped to legitimise their position as gender equality advocates while simultaneously enabling the establishment of a new elite political regime that remained dominated by gender inequality. As a result, the literature has not given sufficient attention to the depth of patriarchal norms in the tripartite alliance during both the struggle against apartheid and the transition period. The analysis of the journals for this thesis looks in depth at the dynamics of the narrative on gender in each organisation of the tripartite alliance.

Tripartite Alliance and the Gendered nature of the South African transition to democracy

South African literature has emphasised in different ways the hegemonic position of the ANC in the alliance-led government and that both COSATU and the SACP compromised on their economic positions in order to maintain power, despite this being core to their ideological perspectives (Adams, 1997; Webster 1998; Lodge, 2003; Buhlungu, 2010; Friedman, 2011). Given the dominant role of the ANC in the post-apartheid state, the gender position of the ANC becomes even more relevant in understanding the persistence of gender inequality. This thesis agrees with the wider analysis of the tripartite alliance which positions ANC dominance as a determining factor in the dynamics and decision-making within the alliance. Unlike the debates on the economic framework that comment on the divergent views in the tripartite alliance, this thesis demonstrates that from a gender perspective, the dominant narratives in the alliance publications are disappointingly similar in terms of the shared lack of concern for gender equality. As a result, there is a unity of purpose in the alliance in maintaining the existing male dominated social, political, cultural and economic infrastructure and gendered ideologies. This had a direct impact on the implementation failures and the lack of support for gender equality policies and legislation. In addition, this thesis demonstrates that many of the specific gender inequality issues, which South African women had identified in the Women's Charter for Effective Equality (1994), were marginal to the male dominated debates in the political journals and union magazines from the outset of the establishment of the new state.

The Women's Charter set out a programme for equality focused on the public and private spheres, emphasising 'law and the administration of justice; the economy; education and training; development infrastructure and the environment; social services; political and civic life; family life and partnerships: custom, culture and religion; violence against women; health; and the media' (1994:2). The gender emphasis within the publications contains serious omissions in the context of the gender demands and priorities advocated by women in the Women's Charter. The failure to focus in any meaningful way on issues such as gender based violence, family status, culture and custom illustrates that there was a lack of engagement with some of the most substantial challenges facing women. While there was a programme of legislative reform sensitive to women's issues and a commitment to increasing women's political representation, the substance of the gender narrative in the alliance publications demonstrates that even at the time of the transition there were indicators that elite political actors did not embrace the policy changes and practical application of gender equality machineries. In addition, the adoption of GEAR, and pursuit of policies that advantaged traditional leaders and disadvantaged women, also illustrates the process whereby the ANC were able to hold conflicting perspectives on gender equality and ultimately did not prioritise gender demands in many of their policy choices.

The disparity between the positions on gender equality adopted in the Charter and the substance of the gender narrative in the alliance organisations illustrates that women's concerns were marginal to the wider political and economic agenda deliberated in these publications. For example, although there is substantial attention to the strategic macroeconomic programmes, the RDP and GEAR within the alliance publications, the primary gender dimensions within these discussions are women's critiques of the limited consideration of the gender aspects of the economy in the context of the RDP. Yet the RDP envisaged a significant social programme that could potentially alleviate the challenges experienced by some of the most disadvantaged women. There was no gender analysis within the publications in the context of the shift to the adoption of the neoliberal economic programme GEAR, clearly demonstrating that women's status and particularly inequitable position had not been a concern among the senior members of the alliance. This highly gendered policy shift was a major signal that gender issues remained entirely subservient in the confines of the national democratic revolution throughout the period of transition.

The conservative economic policy shift is an example of the dominance of the ANC within the alliance partnership, an issue examined in existing research in relation to both ANC hegemony and the elite characteristics of the South African transition (Bond, 2000; Marais, 2001; McKinley, 2001; Wood, 2002; Lodge, 2003; Thomas, 2012). This policy shift also illustrates the process whereby the ANC were able to maintain the support of key constituencies even when there were clearly oppositional perspectives. This is further evident in the support for traditional leadership and land control, which was contrary to the women's rights agenda. While the alliance publications do not pay significant attention to customary law, the issues raised illustrate the difficulties that women experienced under traditional leadership. The debate on customary law in the *African Communist* offers a clear critique of the limitations and contradictory position adopted by the ANC where it is argued that the ANC supports and enables the patriarchal and undemocratic system of traditional leadership while also proposing to establish democratic structures in rural communities. While this analysis is marginal within the SACP journal, there is awareness that land ownership enables men to exercise control over women in rural communities and that increasing the power and influence of traditional authorities will add to gender oppression. Furthermore, it is identified that the process of democratic transformation holds the possibility of restructuring land tenure systems in a manner that supports gender equality for rural African women.

Gender analysis of customary law in *Mayibuye* is distinctively different with the emphasis on the gains that the ANCWL and rural women made in securing the inclusion of the equality clause, which takes precedence over customary rights in the constitutional negotiations. While this may be considered an apparent policy victory, it was not matched by ANC commitment to either lessen the authority of traditional leadership or address the inequitable status of women in terms of land rights in rural communities. Accordingly, the gender implications of this policy disjuncture were accurately critiqued in the *African Communist* during the period of transition. In the aftermath of the democratic transition, it was argued that it was unforeseen that the ANC would have appeased traditional leadership in this manner (Beall, Mkhize and Vawda, 2004). However, it was already apparent at the time of the transition that the ANC were able to hold positions that supported traditional leaders while seeming to commit to progressing gender equality simultaneously. The detrimental impact of this acquiescence to traditional leadership was clearly signalled at the time of the democratic transition illustrating that the commitment to gender equality among elite political actors was not as deeply rooted as might have been indicated by the high-level legislative reforms.

The gender dimensions of the South African transition highlight the complexities of women's leadership and agency, the manner in which it is both enabled and curtailed, and in so doing illustrates the incompatibility between the type of agency that is acceptable to male elites on the one hand, and desired and expected by feminists on the other. The dominant narrative in the alliance publications demonstrates that loyalty to both party and congress was central in terms of the expectations of women's role, and that there was an overarching expectation of loyalty to the ANC among all constituencies. As a core constituency of the ANC membership base some women had access to relatively powerful positions in the party, however, the inclusion of women was to strengthen the ANC in the transition from the apartheid to a democratic South Africa. In the pages of the *Mayibuye* journal, the ANC leadership viewed gender demands as women's responsibility and that women should mobilise on these issues, but they should do so under the auspices of the ANC and their priority in these campaigns should be to support ANC directives. As the transition progressed, the gender equality narrative in *Mayibuye* supports the fact that the objective of maintaining ANC power and dominance became the primary emphasis for the party in all actions. In this context, elite actors embraced positions that were normative internationally, supported the expansion of their female membership base, and leveraged the support of elite women. However as seen from the narrative in *Mayibuye*, it was never intended that the process and mechanisms for engendering the new state would destabilise the dominance of male elites in the new political regime.

The narrative on gender equality and women's issues in the *Shopsteward* is different from that of the ANC's *Mayibuye* in that the core emphasis is on practical women's issues, related primarily to employment but also widening to include reproductive rights. There is however a similarity in relation to the contradictions between the articulated support for women's equality and the failure to address this in practice. The dominant narrative in the *Shopsteward* sharply illustrates the disconnection between the relatively frequent and explicit argument for advancing women's leadership and representation, and the failures to implement this in practice. This is consistent with the key findings in the literature that discusses the position of women in COSATU, which found that women were increasingly marginalised in the union congress (Meer, 1998, 2005; Tshoaedi and Hela, 2006; Tshoaedi, 2012). As with the ANC, there was a cohort of elite women who were afforded the space to argue the analytical and ideological basis for progressing gender equality. In this context, their specific emphasis was on highlighting male dominance and the gendered dimensions of social relations in addition to the intersectional nature of gender inequality in conjunction with race and class. This narrative

demonstrates the acute awareness of the structural and systemic basis of gender inequality and the argument for societal transformation advanced by some high-level women activists. While male elites also reference this narrative at times there is no elaboration or substance to their engagement with this debate, indicating that this superficial support serves to position COSATU as forward looking and progressive in the context of the new state and in the eyes of international stakeholders.

A further similarity with the narrative in the ANC's *Mayibuye* is that elite actors in COSATU also adopted many of the gender equality norms that were characteristic of international strategic objectives and policy frameworks on workers' rights including practical concerns for working class women. Some of the normative features adopted include the appointment of Gender Coordinators and the establishment of women's structures. It can be discerned from the narrative in the *Shopsteward* that these mechanisms were proposed and implemented by women, and as they had very little power, they failed to secure appropriate resources and support from the union leadership. Therefore, while there are some exceptions within individual unions, the argument that these types of structures would bring gender equality into the mainstream of union deliberation gave the appearance that women's issues were taken seriously, when in fact gender equality was marginal in the union congress. Despite the repeated emphasis on the necessity of women's empowerment by the leadership, there was a lack of substance to the rhetoric of gender equality, and a serious failure to address the power dynamics that advantaged male elites.

The analysis of gender equality perspectives in the *Shopsteward* demonstrates that although there was progress in developing practical campaigns and highlighting issues such as sexual harassment; gender-based violence; maternity, reproductive rights, and childcare; these remained peripheral in the overall context of the primary emphasis on non-gendered labour issues and economic policies. Furthermore, there are limited progressive outcomes for women despite this practical emphasis in the rhetoric. While there is a recognition of the differentiated and highly unequal economic status of working class and rural Black women, there is a complete failure to include a coherent gender perspective in terms of COSATU's position on the alliance's macroeconomic strategy, which was a key priority for the Congress in the construction of the new state. Accordingly, COSATU adopted a gender-blind stance on the issues that were most significant to their overall objectives, indicating there was a fundamental

disparity between the high-level statements on gender equality articulated by elite actors in the unions and their commitment to addressing this in practice.

The narrative on gender equality in the SACP journal was the weakest in relation to practical women's issues as its primary emphasis was ideological. The SACP sought to position themselves as the intellectual vanguard of the anti-apartheid movement, and therefore concentrated on theoretical analysis. While there is significantly less focus on practical women's issues, the similarity between the treatment of gender issues by the ANC and COSATU is again evident with regard to the place of international gender equality norms in their worldview. The debates on high-level gender equality policy in the *African Communist* are distinctive in that they are premised on the arguments in international Marxism on what constituted the adoption of a Marxist Feminist position. Within the journal, this theoretical debate is shaped by elite women who were exposed to these issues through their international engagement in exile, and while some of this analysis is incorporated into the ideas on gender articulated by elite male actors, it is superficial. From the early stages of the transition period, the argument advanced by women point to the complexities and potential dangers of accepting that women's emancipation is inevitably a by-product of both national liberation and democratisation.

This understanding of the potential limitations of Marxist Feminism is consistent with international literature on processes of national liberation, and the literature on South Africa, which argued that women were acutely aware of the possible marginalisation of gender demands given their knowledge of other transitioned states (Molyneux, 1986; Seidman, 1993; McFadden, 1997; Meintjes, 1998; Geisler, 2004). Despite this awareness, the *African Communist* illustrates that the substantive position on gender equality adopted by the leadership of SACP and largely accepted by the membership, is that the national democratic revolution will inevitably result in the transformation of women's status, ending women's oppression and exploitation. For the SACP leadership, the 'woman question' is subsumed under the national struggle for socialism, and to the wider socialist agenda. The Party leadership's embedded ideas on how to address gender equality are fundamentally flawed, neither capable or committed to transforming women's position in the new state. This is not surprising as a programme of policy reforms to achieve gender equality was not part of the political agenda of the leadership of the party.

The substance of discussions on gender equality in the alliance publications illustrates that there are serious omissions in terms of the practical issues that activist women were focusing on at the time of the transition, issues of race and class are substantially more visible in the alliance publications. The failure to address serious concerns such as gender-based violence in any meaningful way in *Mayibuye*, the *Shopsteward* and the *African Communist* is indicative of the limited manner in which these issues were on the agenda of political elites. While issues such as the high incidences of poverty among Black African women are noted, there is no consideration of how this links to macroeconomic strategy and policy. The failure to consider the gendered nature of economic conditions further limited women's position in the post-apartheid state. These are significant omissions in the context of the prevailing inequalities that women experience in contemporary South Africa. The marginal concern with women's reproductive health is also relevant to the persistent challenges for women in the post-apartheid state, again impacting disproportionately more on Black women. The introduction of legislation on the termination of pregnancy was seen as critical to presenting a progressive stance on gender issues to activist women and had been included in the election agenda of the ANC, seen by feminists as a litmus test to demonstrate that the ANC were supportive of women's issues at a policy level. While abortion was discussed and supported in both the *Shopsteward* and *Mayibuye*, it is apparent that in practice there is only minimal consideration given to resourcing services so they can be accessed by all women. The evident disparity between the strategic approach which concentrated on high-level reforms and the practical needs of women at the grassroots is a minor concern in the literature on South Africa, considered in a relatively few studies, for example Meintjes (2003), Hassim (2003c) and Meer (2005).

The critical narrative on gender equality by women writing in the alliance publications provides significant insight regarding the limitations within the gender equality framework that were already evident at the time of the transition. This is recorded in the perspectives that were articulated by women who were involved in the political negotiations, elected representatives and in the policy and research sections of the alliance partners. These commentaries by elite women in each of the journals on the inherent difficulties and the problematic nature of progress on gender equality demonstrates that some of the subsequent failures to address women's demands were already evident during the transition. Women writing in the alliance publications documented and critiqued the litany of failures in addressing gender equality issues during the transition. Although the gender narratives show explicit support for gender

equality from party and union leaders, these views are neither internalised, nor actualised, by the leadership. In the three publications, feminist critiques argued that the leadership and alliance partners were paying lip service to women's issues, demonstrated by the lack of adequate resources to support equality and the dismissal of feminist perspectives. The high-level reforms were symbolic of a progressive stance on gender equality that according to these insights did not exist among the elite leadership. Expressing support for gender equality was a useful way in which to engage women and to enhance political legitimacy.

These critiques by female members of the tripartite alliance expose the sharp contrast between the perspectives on gender equality articulated by some of the alliance leaders and the substance of their position in practice, whereby references to empowerment and supporting women's emancipation are unsubstantiated and there is no detailed policy response to some of the most fundamental issues affecting women. The analysis of the alliance publications shows the disparity that existed between the normative positions and high-level discourse on gender equality and the lack of commitment to achieving real change. This disjuncture between policy and practice is a dominant aspect of the narrative on gender equality observed in the analysis of the three journals. The detailed analysis undertaken in this thesis indicates that this disparity was present throughout the transition, evidenced from the outset by the exclusion of women from the process of political negotiations, many of whom who had played key roles in the anti-apartheid movement in exile and internally in South Africa. This shows that the gender equality gains that were achieved during the period of transition were not based on a commitment to women's issues, they were achieved because of the political expediency of adopting international gender equality norms and the necessity of harnessing women's political support.

Within the tripartite alliance, women's issues were compartmentalised as the responsibility of women and auxiliary to national strategic objectives. This is substantiated by weak references to 'women' in multiple narratives without any promise of substantive action. The subordination of gender equality in all three of the alliance publications demonstrates that although there was space for women's agency, even so far as placing women in relatively high positions vis-à-vis the male elites within the alliance organisations, it did little to advance gender equality. In addition, the alliance publications demonstrate that the leadership tended to focus outwards on societal inequalities and did not scrutinise their own organisational structures and policies. Women's activism and their critical perspectives on gender equality did not undermine the elite structures in the movement and were perceived to be non-threatening to elite power dynamics.

Feminist perspectives are tolerated in the alliance on the basis that they did not conflict with dominant objectives.

For the SACP, gender equality was subsumed under the overarching ideological emphasis on class and the national democratic revolution; therefore it was never more than a marginal auxiliary objective. While there is substantially more attention to gender equality in the *Shopsteward*, the narrative illustrates there are significant tensions in COSATU demonstrating that although there was articulated support for gender equality in principle, there was a fundamental resistance to what this meant in practice for the majority male membership. Although the gender literature is ambiguous on the ANC, this thesis clarifies the ANC's position on gender equality throughout the period of political negotiations and the establishment of the new democratic state through demonstrating that while there appeared to be support for women's demands; it was primarily rhetorical in nature. The marginalisation of gender equality demands in South Africa was a consistent trajectory throughout the anti-apartheid struggle, carried forward throughout the democratic transition and embedded in the construction of the patriarchal post-apartheid state. There were some concessions to female elites as long as they operated within the boundaries of gendered power relations.

This study demonstrates that the weak commitment to gender equality that was manifest in the post-apartheid state was already evident within the gender equality narratives in the alliance organisation publications during the transition to democracy. The detailed analysis of the alliance partners' deliberation on gender equality, the critiques offered by elite women at the time of transition and the significant omissions from these publications are central to understanding the subsequent failures of the post-apartheid state. This study documents the manner in which patriarchal norms shaped elite political actors' positionality on gender issues. In addition, this research contributes to scholarship that has analysed the failures of the South African process of democratisation and transformation for women, particularly black South African women, through deepening understanding of gendered nature of the alliance organisations during the period of transition. This study has acknowledged that the attention to economic strategy and policy in the alliance publications was primarily gender blind, and that the failure to consider the gendered nature of economic conditions further limited women's position in the post-apartheid state. A closer analysis of the gender implications of the South African macroeconomic strategy and policy at the time of the transition is warranted, particularly as this was critical in the formation of the new state.

This study explains the disjuncture between policy and practice that is prevalent in the post-apartheid state, and illustrates that support for gender equality, both strategically and practically, was marginal among the political leadership during the South African transition. As the end of the third decade since the establishment of the democratic South African state approaches, the position of women remains deeply unequal. This is seriously compounded for black African women through the intersection of gender, race and class and the cumulative impact of multiple policy failures. There are no signs that this is improving despite the increasing presence of women's activist groups in civil society and changes to the tripartite alliance leadership. The failure to embed a stronger gender equality framework during the transition and the lack of commitment to gender equality by the political elite in the new state meant that the state was from the beginning structured by strongly patriarchal norms that proved resistant to change. Progressive gender equality outcomes could have been sustained in the post-apartheid state if the high-level policy reforms were supported by a meaningful transformation of the gendered nature of social relations and a dismantling of the patriarchal foundations underpinning economic, social, political and cultural systems and practices.

The particular gender characteristics of the South African transition and post-apartheid state are relevant to the process of engendering transitioning states internationally; therefore, the findings and analysis in this thesis contribute to international gender literature on democratic transitions and post-conflict state reconstruction. This literature has made claims about the cosmetic nature of international norms and the manner in which they can be leveraged to enhance external perceptions of elite political actors, although there has been very little attention given to the empirical basis for this claim. The in-depth analysis of the embedded views of elite political actors and the associated construction of gender equality narratives in this thesis can substantiate this analytical perspective. This research illustrates the manner in which progressive gender equality narratives articulated by male political elites and elite women leaders can co-exist with actions which simultaneously reinforcing hegemonic patriarchal norms and undermining gender equality demands. This thesis adds to the analytical focus within the broad field of international literature on democratisation by contributing a gender dimension to the normatively masculine conceptual framework that concentrates on the role of male political elites. Furthermore, this study also adds to the international literature and body of research that is concerned with gender, democratic transitions and post-conflict statebuilding, using empirical data to illustrate the necessity of incorporating a focus on the influence and power of elite political actors in shaping gender equality outcomes. The findings

support the necessity of interrogating the normative influence of international gender equality ideation and the purpose that it serves in legitimising and maintaining the power of elite actors in transitioning states.

International and South African research and policy frameworks highlight the necessity of women's agency in ensuring that democratic transitions and post-conflict statebuilding are progressively gendered. Nevertheless, despite instances where women's engagement is facilitated and encouraged, existing gender research provides extensive evidence of the failures to improve the position of women in transitioned states internationally (Mama, 1996; Razavi, 2001; Waylen, 2003, 2006, 2007; Manchanda, 2005; Ní Aoláin, Haynes and Cahn, 2011; Castillejo, 2011; Fallon, Swiss and Viterna, 2012; Sow, 2012; Tripp, 2012; Walsh, 2013; Gregg, 2014; Jaquette, 2014; Ní Aoláin et al., 2018; Kaplan, 2020; True, 2020). While the emphasis on women's participation in processes of political negotiation and state construction is widely integrated into international policy objectives, the case of South Africa unequivocally reinforces the argument that women's agency is not enough to tackle deep rooted gender inequalities. An outcome of this research is that even with the presence and active engagement of feminist political activists who are acutely aware of the challenges of engendering democracy, progress on gender equality can still be limited. Progressive gender equality narratives and policy statements have the potential to conceal hegemonic patriarchal norms, sideline and undermine women's agency and co-opt feminist activists and elite women leaders in apparent unity of principle, strategy and objective.

The majority emphasis on women's agency in the international body of work on gender, democratisation and post-conflict state reconstruction is immensely valuable but incomplete. This research shows that an organised and mobilised constituency of women can only achieve so much in the face of such deeply unequal social, political, economic and cultural norms. Although elite female activists may have access to the formal political domain, their participation is frequently constrained by masculinist cultural norms and a subordinate status. This thesis illustrates that despite the initial acclaim for the gender reforms in the South African democratic transition, the lengthy historical trajectory of the subordination of the 'woman question' to the wider national objectives in the anti-apartheid movement proved to be a dominant, highly gendered power dynamic, despite official party and union policy positions wedded to women's emancipation. In the aftermath of the transition, the maintenance of the status quo was far stronger than the instituted reforms, and there was never more than a

superficial commitment to gender equality, given that gaining and maintaining power was the key priority for elite male actors. This dynamic is disappointingly similar to that of liberation movements and post-colonial reconstructed states internationally. It is deeply concerning that, despite the introduction and seemingly normative influence of international gender equality resolutions and policy objectives over decades of democratisation, alongside the active engagement of women, gender outcomes in transitioned states remain so extremely limited. The focus on political opportunities and policy frameworks for embedding gender equality in statebuilding has to take cognisance of the repeated failures to realise positive impacts and long-term substantive gains for women. It is necessary to expand the scope and emphasis of democratisation and gender research to interrogate further the factors that support meaningful gender equality outcomes through empirical case studies and comparative analysis internationally.

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APPENDIX

Appendix I: Legislative and Policy Framework (1994-1999): Gender related instruments

Legislation	**Date of Ratification / Signature**
International Conventions / Policy Instruments	
Convention on the Elimination of all forms of Discrimination against Women	1995
Declaration on the Elimination of Violence against Women	1996
Beijing Platform for Action	1995
South African Domestic Legislation	
Labour Relations Act (prohibits sexual harassment)	1995
The Constitution and the Bill of Rights	1996
Employment Equity Act	1998
The Choice on Termination of Pregnancy Act	1996
Recognition of Customary Marriage Act	1998
Domestic Violence Act	1998
Maintenance Act	1998
Independent Broadcasting Act (includes a specific Code of Practice that addresses gender concerns such as identification of rape victims and the prohibition of material that stereotypes women, fosters sexism and undermines women's dignity)	1999