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Science**

*Women and Citizenship Struggles:
A Case of the Western Cape, South Africa
1980 - 2004*

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ABSTRACT

This thesis examines grassroots women's political activism in the Western Cape, South Africa (SA) during the 1980-1994 phase and their struggles to achieve citizenship. Through tracing the history of women's political agency and the social and political forces that shaped women's resistance, this dissertation asserts that women profoundly contributed to the New SA. Motherhood was the legitimate space granted to them by the liberation movement but women transformed it into an empowering public role, affirming their demands for citizenship. The shifting nature of women's resistance, the dominant discourses that mobilised them, what forms they took and how they changed over time are explored. The thesis asserts that despite the obstacles of a patriarchal culture relegating women's issues as secondary and a repressive state, women's focussed struggles succeeded in uniting diverse women to make effective intervention. This culminated in participating in negotiations for a new SA.

A secondary focus examines the transition from apartheid to a 'women-friendly' SA. This study argues that private carework of women should be inscribed as citizenship responsibilities. Presently the SA State strategy promoting women's citizenship is through welfare. For women's effective citizenship it is imperative that there is a balance between women as workers and welfare beneficiaries, and that women participate as decision-makers at all levels. By comparing the demands of *The Women's Charter for Effective Equality* (1994) with the 1994-2004 reality of women and by analysing what women themselves state, I assess women's citizenship.

This thesis concludes that the achievement thus far of the feminist citizenship project is uneven. The impressive constitution contributes to the improvement of many women's lives. However, the sporadic implementation of gender-sensitive policies, failure to address poverty, high levels of violence against women and the negative impact of culture and religion are some of the obstacles to women's comprehensive citizenship.

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CHAPTER ONE

INTRODUCTION

This thesis sets out to examine grassroots women's political activism in the Western Cape (WC), South Africa (SA) during the 1980-1994 phase and women's struggle to achieve citizenship during this period. This will be done through tracing the history of grassroots women's political agency in their struggle for liberation and citizenship. I will limit my analysis and interviews to women who were members of the United Women's Organisation (UWO, 1981-1986), United Women's Congress (UWCO, 1986-1990), Federation of South African Women (WC), (FEDSAW, 1987-1991), Women's Alliance (WA, 1991-1992) and Women's National Coalition (WNC, 1992-1994). This study will also explore how the forms and focuses of this activism changed, and whether these women succeeded in influencing male-led liberation organisations in order to bring about gender-sensitive change in SA, thus realising their demands for citizenship. The second focus is on examining the progress of post-apartheid SA within the first ten years (1994-2004) since the African National Congress (ANC) became the ruling party. The focus will be on the progress of post-apartheid SA with particular reference to women and whether or not they attained citizenship.

The key aim of this research is to analyse the nature of the grassroots women's agency, the research participants to define what articulation there was, if any, between women's and national liberation, and to examine to what extent grassroots women of the 1980s-1990s period have achieved full citizenship in the new SA. The main research questions are:

- what were these women's demands?
- how did they articulate these within the context of the diversity of women and their sometimes conflicting aims and agendas?
- how did women interact with other sectors of the national liberation movement - was there articulation between the goals of women's and national liberation movements?
- how did their focuses, structures and forms and strategies change within the context of an increasingly violent apartheid regime?

- lastly, how did these women participate in and influence negotiations and the subsequent constitutional talks in the old and new SA?

These can be succinctly summarised as: to what extent have women eradicated apartheid and patriarchy, and have they achieved substantive equality or citizenship - in short: what did women want, what did they get and why; and what did they not get and why not?

Citizenship is a key concept in this study and will therefore be defined in relation to the theories of Nancy Fraser (2000), Amanda Gouws (2005A&B), Anne Phillips (2000), Ruth Lister (2002), and Lindsay Manicom (2005), among others. Citizenship is a key indicator of democracy and women's equality - on achieving citizenship, women should participate at all levels of decision-making, have access to jobs, and be free to make choices about their lives. Whether women participate at all levels of society and whether their quality of life has improved will attest to whether they have achieved full citizenship or not. On examining aspects of full citizenship and what this citizenship means to the average South African woman, I am able to argue whether women have in fact achieved equality. The discourse during the period 1980-1990 was not to achieve citizenship but rather one of ridding women of their "triple oppression": exploitation as women, and/or as workers, and/or as black people. However, on examining women's demands and needs as they emerged from their struggles, it is clear they were indeed demanding citizenship. My question thus is also: how did women, with their "triple oppression", *matrix-like oppressions*: geographic locations, disabilities and other matrix-like oppressions, achieve equality and work towards a society in which women are not oppressed?

In analysing the challenges confronting women and their achievements during the 1980-2004 period, I will use what women themselves say. I will also analyse organisational constitutions, key policy documents, and pamphlets and posters of the major campaigns of the UWO, UWCO, FEDSAW, WA and the WNC and the *Women's Charter for Effective Equality* adopted in 1994 (hereafter 'the Charter'), in order to assess their demands. The focus of the study will be limited to the Western Cape Province of SA with respect to the above-mentioned organisations. At a national level I explore the intervention of the WNC, especially during the negotiations of 1992-1994, that led to an increased number of women participating in the negotiations. Underlying this

exploration of women's activism will be an acknowledgment of women's diverse and sometimes contradictory interests and demands.

The above will be complemented by an analysis of three reports: the 2004 SA Country report to the Convention on the Elimination of All forms of Discrimination against Women (CEDAW), the Southern African Development Community (SADC) Country Report (2004) and the SA Beijing plus 10 Report (2005). The exploration of challenges and achievements will be assessed by looking at key delivery areas for women as articulated through their organisational demands, their interviews and the Charter, the effectiveness of the national gender machinery, women's representation at decision-making levels, and the impact that new legislation has had on the lives of poor women.

I will examine the programmes of the Department of Social Development (DOSD) and Department of Labour (DOL) to evaluate to what extent these programmes have enhanced women's citizenship. This is in keeping with my analysis that women can achieve citizenship if their (re)/productive work is acknowledged as a responsibility of citizenship, that caring should be shared by both men and women and that there should be a balance between women's status as workers/wage labourers and receivers of social welfare.

As can be deduced from the above, the main purpose of this introductory chapter is to outline the context of the thesis and main research questions. In the next section I will explain my motivation for undertaking this study. I conclude this chapter by providing an outline of the content and aims of each chapter, and how they contribute to the overall argument of the thesis.

REASONS FOR UNDERTAKING THIS STUDY

I have always wanted to write the history of the women's struggles of the 1980s, as I wanted to capture this crucial time in our history as a nation. During this period we often read accounts of our activities which, in our opinion, were inaccurate or inadequate. I have been officially requested by comrades to "tell our history as we know it"¹. Since

¹. I will elaborate on 'other voices' and feminist standpoint theory in the methodology section in Chapter 3

1990 a deluge of writing on the women's struggle in SA has emerged. Many writers emphasise that women's struggles were subsumed by the national liberation struggle, that women only emphasised national liberation and that gender politics started only in the 1990s (Seidman 1999, Abrams 2000, Geisler 2000). Others argue that women's experiences in women's organisations did not necessarily facilitate gender consciousness among them (Charman et al 1991). Using my data and the documents of organisational campaigns I will argue that women worked for a national liberation struggle that included women's liberation, indeed that there were times when women's liberation had precedence over national liberation, but that the opposite also held true, depending on the context, and that gender struggles emerged before 1990.

In general, in the dominant South African history, there is an emphasis on the 'big struggle names' of women such as Winnie Mandela and Albertina Sisulu. I want to balance this by exploring ordinary grassroots women's political agency and women's activism for and by themselves, and so help to rectify the dearth of historical record of ordinary voices 'from below', such as Port Alfred's women's protests (*Speak* 1986). What is also noted is that even though this struggle was not so long ago, very little is known about it². The contribution of women to liberation is already forgotten. However, as much as I am writing about the grassroots women's struggles, I will also be writing my own history, as I was an integral part of these struggles. My experience in working with grassroots women was an enormous learning curve. Women with minimal or no formal education, mainly domestic workers, articulately analysed their struggles without using political jargon. As I had completed my Master's Degree in Women and Development in 1982 when I joined the UWO, I was humbled and inspired by my experiences with these comrades and learnt valuable lessons about strategies, tactics and mobilising women *en masse*.

There were many challenges during my studies; the primary one was minimal funding. Yet a young Afrikaner male from Stellenbosch University received three years' funding from the Commonwealth Bursary fund to which I had unsuccessfully applied. Yet I am no

² At the 10th anniversary of the Women's and Gender Studies (WG&S) unit at the University of the Western Cape, a WG&S Master's student shared with me her surprise at my input and the exhibition of women's activities in the 1980s, as she had never heard about them before.

victim compared to the average South African woman; I have to constantly be aware of my multiple and fractured identities, and concomitant powers.

As much as I was oppressed as a woman, a coloured person, a former battered wife, a political prisoner and activist, I simultaneously lived in a Coloured Labour preference area³ with benefits for coloured people relative to those classified as "Bantu" (black African). I am a first generation urban dweller and the first in my family with tertiary education; hence my life is radically different from that of my rural family, especially that of one of my cousin's, the same age as me, who is a wheelchair user and is confined to an institution. Post - 1994 I was a Member of Parliament, held a post as gender and transformation consultant to the Minister of Minerals and Energy, then as political advisor to the Mayor of Cape Town, and for 2001- 2006 was a Commissioner on Gender Equality, a national constitutional body tasked to promote and monitor gender equality in SA. I am privileged to be paid for my passion. As a former politician and part of the National Gender Machinery (NGM), my life is in stark contrast with the majority of women in SA in whose name I am working. It is well known that the South African constitution, legislation and policies are progressive and gender sensitive. Yet these have not catapulted the majority of women out of their oppression and poverty. The challenges are enormous. Yet the many women in parliament and business and we as 'gender divas' (McFadden 2003:5) have definitely benefited from the New SA. Chandra Mohanty refers to "careerist feminist academics" (Mohanty 2003:6) who do not work for radical transformation but use feminism to build their academic careers. Thus I constantly have to reflect on my own location as participant/observer in these struggles and as a woman who has benefited enormously from the 'gender industry'.

This formal study also facilitates my engaging with issues theoretically, clarifying and understanding the complexities and challenges of transitions and why the lives of South African grassroots women are not changing. This could lead me to learning new and different strategies in order to work for changes in women's lives. I understand now that breaking down an old system is difficult and traumatic. What we as activists did not realise was that building a new society is even more demanding and complex. This is echoed by other struggles:

³ In 1955 the Coloured Labour Preference Policy introduced preferential employment and housing for the coloured population.

Yet the current situation gives sober poignancy, especially for women, to the lines of Giles Pontecorvo's famous film on the Algerian national war of liberation, *The Battle of Algiers*: 'It's difficult to start a revolution, more difficult to sustain it. But it's later, when we've won, that the real difficulties will begin (McClintock 1995:388).

CONTENT OF CHAPTERS

Chapter Two will be introduced by a brief history of feminism and will then focus on various theories of citizenship. Debates around equality and difference, representivity, differential citizenship and the private/public dichotomy will be analysed. Theories of citizenship will be evaluated in order to engender them. Comparison will also be made with struggles by women in other countries to assess to what extent grassroots women engaged in political activity and "trespassed the patriarchal domain" (Chassen-Lopez 1997).

In Chapter Three I outline historical, methodological and conceptual frameworks. The historical struggles of women in the WC have not been fully documented and I will thus be using an analytical narrative (Meintjes 1996). I underscore this with quotations from the few published texts (Kemp *et al* 1995, Meintjes 1996, Hassim 2006). In my appendix I provide newspaper cuttings, photographs and extracts from organisational documents to support my arguments.

Chapter Four investigates what grassroots women themselves were saying about their struggles. Using my data I will explore what women's demands were, how women themselves changed, and the focus of their political agency and what they say about their achievements post-1994. Given the context of an apartheid history, I will attempt to trace what the differences were among women, and how race or class tensions within these multi-classed, multi-raced and religiously diverse women's structures were dealt with.

The negotiation and transition period will be the focus of Chapter Five. The purpose here is to trace the development of women's intervention, to assess the various strategies used to intervene and the establishment of gender-sensitive structures and policies by the state. Various lobbying strategies, lessons from other countries (especially 'women-friendly' nations such as Australia and the Scandinavia), and how these were adapted,

will be examined. I will analyse these in order to assess to what extent they contributed to women's citizenship.

Chapter Six will include a brief summary of the concerns and demands of the grassroots women interviewed. To their voices will be added extracts from the WNC document, *The Women's Charter for Effective Equality* (1994), which contains the minimum demands of women for the New SA. By considering selected key post-1994 policies and legislation I will examine to what extent these address the demands that grassroots women have made. Key areas not addressed will be examined and, using my theoretical framework of citizenship, I will define what the shortcomings are and explore reasons for this non-delivery.

In Chapter Seven I will summarise the progress and lack of progress pertaining to women's demands and their citizenship. The strengths and shortcomings of this research (as well as policy lessons) relating to achieving women's effective citizenship will be outlined. This will include an evaluation of the challenges and achievements of current strategies and, I propose, using best practices from other countries and my theoretical framework, strategies for the future.

I also question my own earlier uncritical acceptance and applicability of western theory to the developing world context. My theorisation of women's citizenship (and the implications thereof for women's citizenship globally) is discussed in relation to how citizenship is theorised in the North. I aver that theory emanating from the North cannot be applied uncritically to Southern conditions. As Africans we need to develop theories that can be applied to our contexts adequately, and which will complement those from the North.

As an activist integrally involved in political struggle from 1970 to the present I reflect on my position as an activist-researcher. I explore the methodological strengths and limitations of having an insider's view. I see my study as an opportunity to research and reflect on theories and strategies as part of my feminist activism. I acknowledge this intellectual journey as a small contribution, like many others, to restoring the link between feminist activism and academia, which over the decades has declined. Hence I

am not producing knowledge for the sake of knowledge but rather as a tool towards the ongoing transformation and feminist citizenship project in South Africa.

CHAPTER TWO

TOWARDS A COMPREHENSIVE CITIZENSHIP

Citizenship is a central concern for many feminists because it implies the equality of all citizens. It is the link between the recognition of equal rights and participation that is of interest to the feminist project of citizenship. Citizenship inherently implies involvement in all aspects of a country; having rights such as receiving social benefits but also the responsibility of decision-making. It is this potential for equality that the concept of citizenship innately embraces that is of primary importance to feminists. Through engaging with citizenship, feminists can develop strategies to promote an inclusive citizenship for women. This inclusive citizenship would take cognisance of women's specific needs and demands.

South Africa (SA) has been lauded internationally for the inclusion of women at all levels of decision-making post-1994 (Govender 2007, Hassim 2006, Gouws 2005, Geisler 2004, Lowe, Morna 2004). The aim of the new constitution and myriad new laws in post-1994 SA is to promote the equality and citizenship of all South Africans. Hence all South African women have nominal citizenship. But is this in fact so?

In this chapter I shall outline the key issues relating to citizenship and discuss their relevance for critiquing women's liberation in post-apartheid SA. By analysing what citizenship entails in relation to the feminist project I will assess whether the nominal citizenship guaranteed for women in the constitution has been realised. For it is through inclusive citizenship that women's substantive equality and specific needs would be addressed, realised and actualised.

The structure of this chapter is as follows: Part One is a brief introduction to the history of South African feminisms⁴. This history will illustrate various aspects of feminism which relate to South African and African feminisms. Part Two will focus on theories of

⁴ Plural is deliberate. See Mouffe (1992:382), Jayawardena (1986), McClinton (1996), Lewis (2001) and Nnaemeka (2005).

citizenship by the influential T. H. Marshall (1965,1950)⁵ who emphasised the universality and gender-neutral nature of citizenship. Building on the critiques of feminist theorists such as Ruth Lister (2003), Anne Phillips (2000) and Amanda Gouws (2005) on Marshall's concept of universality, I will argue that citizenship is profoundly male and racialised.

In Part Three, I trace the links between motherhood and citizenship because of the centrality of motherhood as a terrain for legitimised political activism for women. I will refer to examples of women's protests as mothers in countries such as Nicaragua and argue that motherhood is not necessarily a limited private role as women have caused it to transcend into a radical political public one.

Part Four focuses on the development of women's citizenship in theory. I explore the development of citizenship in 'women-friendly' countries such as Sweden and Australia. I investigate what the various lessons are for the feminist project. I build particularly on Nancy Fraser's (2002) *Universal Carer* model, which encapsulates the various aspects of rights and responsibilities relating to full citizenship. I then suggest a route to women gaining inclusive citizenship.

Part Five examines lessons from other countries that could prove useful to the South African feminist project. As Goetz (2003) argues, the role of the state is central in facilitating women's citizenship. I conclude that in order to change patriarchal citizenship, a reconceptualisation of citizenship needs to be formulated: one that combines the present dichotomies of private and public, the ethics of care and the ethics of justice and rights and that ensures there is a balance between women as worker/citizen and receiver of benefits. I also argue that for the feminist citizenship project to be realised in SA, it is imperative that women's subject positions with regard to faiths and culture be altered.

⁵ Quoted in Hassim(1999:7) who acknowledges Marshall as 'The most influential analyst of citizenship in the 20th century.'

HISTORY OF FEMINISM IN SOUTH AFRICA (SA)

In this section I focus on key aspects of South African feminisms from 1900. The growth of women's liberation and its articulation with national liberation will be discussed as they are key aspects of feminism within the South African context. I refer to both South African and African (continental) feminism as there are aspects of commonality within these. However, there are particularities within the histories of each country.

In formulating this brief history I am immediately confronted by three questions:

- At what stage did South African women first organise or protest independently of men?
- Could these protests/actions be described as feminist?
- At what stage did South African women appropriate the term 'feminism'?

These will be addressed in this section, consisting of an introduction, and sections on women's and national liberation and the family.

Introduction:

Feminism remains ideologically contested in both pre-and post-1994 in SA. Hassim argues that most South African women "were at pains to distinguish their struggles from those of feminists and [chose] to associate instead with the dominant nationalists' movement" (Hassim 2006:36). This was not so in all cases because of the diversity of situations (Russell 1989), although the majority of black women did align themselves with the African National Congress (ANC) nationalist movement. Benjamin refutes the feminist label, preferring the term 'gender activist' (Benjamin 1995), whereas Kadalie (1995) and many others claim it (Russell 1989). Hence attitudes towards feminism are diverse and contradictory (Mama 2002:2, Lewis 2001).

According to Reddock, feminism is:

[An] awareness of the oppression, exploitation and/or subordination of women within society and the consciousness and action to change and transform this situation.
(Reddock 1988:53, quoted in Msimang 2002:7)

Reddock also sees any collective action by women to challenge their subordinate status as feminism even if they do not consciously view it as such. Feminism is not homogenous and it takes dramatically different forms in various parts of the world

according to the circumstances which give rise to it, depending on historic and cultural junctures (Jayawardena 1986, McClintock 1997).

Mama, as summarised by Essof (2001), states that there are three schools of thought: firstly that feminism is un-African and an imperialist bourgeois term (for example, Gaidzanwa 1992); secondly that it challenges the inequality of women and seeks to transform gender relations but that another term should be found; 'womanism' is one such alternative. The third position, which I support, is to appropriate the term and structure its content to suit African feminists (Essof 2001:124,125).

African/South African feminists use diverse terms for feminist/women's struggles. They are: South African feminism (Moodley 1993, Fester 1998, 1997, Hassim 2006), African feminism (D. Lewis 2001:4; Nnaemeke 1998, 2005, Mangena 2003, Kuumba 2003:11), postcolonial feminism (Lewis 2001:4), 'black womenism', black feminism and 'womanism' (Nnaemeka 2005, Gqola 2002: 11-23, Abrahams 2001). According to Geisler, African women prefer to use 'womanism' (Geisler 2004:13). However, I contend that there is no majority position as both feminism and womanism are used. Some of these terms are generic, e.g. African feminism, while others are more specific, e.g., Islamic Feminism⁶ (Lewis 2001, Latha 2001 and Badran 2001). Another term used to describe women's activism is 'motherism'⁷ (Wells 1998, Mikell 1997:4). Analysing the concerns of the above shows they all challenge the subservient and exploitative positions women find themselves in, the unequal gender and power relationships between women and men, and they all conform to Reddock's definition of feminism quoted earlier. I acknowledge the richness of African and South African women's struggles and how women choose to define themselves.

⁶ Lewis states that this is becoming a major African theoretical debate (Lewis 2001:5) whereas Essof argues that its proponents are chiefly found in SA, although the term is limited and remains controversial (Essof 2001:125)

⁷ Wells refers to maternal politics or motherism as women's activism "aris[ing] in situations in which women perceive their roles as mothers – ensuring the survival of their children- to be threatened by a socially illegitimate force, often government actions [and] should not be mistaken for political maturity" (Wells 1998:253, 254). Acholonu refers to motherism as women's broader activities and as an alternative to feminism (Lewis 2001:6). Many scholars have explored this including Argosin et al 1987, Ruddick 1989, Elshtain 1982B, 1983, 1994, Kaplan 1982, 1992, 1997).

Generally African feminisms are characterised by “enormous geographical and political fluidity” (D.Lewis 2001:4). Aspects of African feminism are that they were anti-colonialist (Hassim 2006:37), anti-imperialist and anti-settler (Qunta 1987, Nkululeko 1987) and anti-slavery (Abrahams 2000). However, more specifically, Kemp et al argue that feminists in SA are anti-capitalist “...articulated only by elite White and a few elite Black women” (Kemp et al 1995:141)⁸. Another characteristic was ‘fighting two colonialisms’ (Urdang 1979) during the anti-colonial struggles; a struggle against internal patriarchy and the colonial power. These two colonialisms have altered: while still confronting internal patriarchy, globalisation is the theatre of neo-colonialism and neo-liberal economics (Tsikata 2004:130). In response to globalisation, a movement towards transnational feminism as strategy has developed, which includes eco-feminism (Tripp 2005, Mohanty 2003). A persistent plea is to revitalise the merger between activism and academia which characterised earlier women’s struggles (Fester 1992, 1998, Aina 1998, Nnaemeka 1998, Bennett 2001, Gqola 2001, Nnaemeka 2005, Mohanty 2003). Texts on African feminism also refer to ‘w(righting) as resistance’ (McFadden 1999, Kesia Abrahams 1990:8) as a feminist activity.

The shift in geopolitical tendencies is to solve problems regionally; this accompanies the realisation that the destinies of countries are interlinked, a realisation that has evolved into the creation of the African Union and global cooperation. This collaboration is reflected in the women’s movements as well. My observation is that whereas in the 1990s South African women referred to South African feminisms, since 2000 the trend is definitely to identify with African feminisms. Even though most South African feminists align themselves with African feminism, it needs to be noted that prominent aspects of South African feminisms are the concomitant racial discourses, both historically and currently. In defining African feminisms Lewis (2001), Mangena (2003:98) and Sheftel (2003:32) add another dimension by embracing a link between women in Africa and African women in the Diaspora.

At the beginning of the 20th century this cross-fertilisation of ideas was concretely manifested in SA through Charlotte Maxeke. Maxeke was the first black South African

⁸ My data emphasise that poverty, exploitation and in many cases capitalism should be eradicated. Some grassroots women were anti-capitalist, such as Dora Tamana, an ANC Women’s League (ANCWL) and Communist Party leader.

woman graduate to study in the United States of America (USA). She was influenced by African-American civil rights and women leaders, and was central in the formation of the USA/SA African Methodist Episcopal (AME) Church (Walker 1982, *Women Marching into the 21st century* 2000:60, Kuzwayo 2000:117). She, in response to the formation of the all-male SA National Native Council (later the ANC), initiated the Bantu Women's League⁹ in 1912 (Walker 1990,1982, *Women Marching* 2000).

As mentioned earlier, currently African feminism also sees strategic solidarity with feminists internationally in terms of transnational feminist concerns such as the environment, peace-building, social justice, neo-liberal economics (Tripp 2005:58, Mohanty 2003) and transnational advocacy and networking (Tripp 2005:59). Other direct influences are definitely the works of USA writers such as hooks (1997), Collins (1991) and Lorde (1997) as can be seen in the work of D. Lewis (1999) and Fester (2005).

Historically, in terms of SA, what characterises the 1900 to 1930 period is the racial exclusivity of women's struggles. The Women's Suffragette Movement in SA and the Women's Enfranchisement Association of the Union (WEAU)¹⁰ were influenced by international events and the work of local writer Olive Schreiner (1911). Schreiner soon distanced herself from the WEAU as its policies developed into demands for a Whites-only franchise (Walker 1990:323). As opposed to narrow, exclusive struggles for the enfranchisement of white middle-class women, poor women, irrespective of race, united in the Coloured and Native Women's Council in 1913, the Communist Party of South Africa (CPSA) in 1921 and the Trade Union movements (Alexander-Simons 2004, Walker 1982). During this time the term 'feminist' was used, mainly among white middle class suffragettes.

In summary, women's struggles changed according to the historical epoch and the then-current hegemonic powers. I classify these struggles, even though diverse terms are used for them, as feminist, as they generally endeavour to challenge oppressive gender relations. These feminist struggles evolved over time from anti-imperialist, anti-slavery,

⁹ Only Black African membership at that time

¹⁰ This is a complex history with stark divisions between White Afrikaner and English-speaking women (Walker 1982). The Women's Enfranchisement League established in 1907 in the Cape by women such as Olive Schreiner was initially non-racist (Walker 1979:19-21 quoted in Walker 1990B:323).

anti-colonialist and national liberation to a more radically feminist programme that directly challenged indigenous patriarchy. The latter struggle is an ongoing one. However, even though the term feminism is currently used more widely in 21st century SA/Africa, it remains a contested one.

Women's and National Liberation in SA:

Many writers emphasise the subordinate role that women's liberation has played to that of national liberation. They argue that women's organisations and struggles were subsumed by national struggles (Seidman 2003, Charman et al 1991). What was key to the majority of SA feminists' struggles was their commitment to national liberation¹¹. But most South African women supported a progressive nationalism:

A feminist who is also a nationalist in articulating a feminist critique is not ... anti-nationalist but against specific patriarchal constructions of nationalism (Badran 2001:43).

This definition overlaps with the "two colonialisms" (Urdang 1979) position: South African women since the 1950s emphasised a national liberation, which included the liberation of women, and since the mid-1980s, other marginalised groups, such as people with disabilities.

The understanding was that the position of women would not change meaningfully without the radical change of the exploitative apartheid society (Women's Charters, 1954, 1994 and UWO/UWCO policy documents, 1981-1990). What is noted in most of the national political movements is that each had a 'women's wing'. The first national political organisation in SA, the African Political Organisation (APO), established 1902, had a Women's Guild, established 1909 (Gavin Lewis 1987:58). The National Liberation League (NLL, established 1935) with its NLL Women's Bureau (Walker 1982:54; G Lewis, 1987:182) and the APO are less well known than the women's wing of the mainstream ANC. To what extent the APO and NLL 'women's wings' promoted a feminist agenda and how they functioned still needs to be researched.

¹¹ Mama asserts that the same applies to African (continental) feminists in general (Mama 2002:1).

The most influential political party, the ANC, the current majority party in parliament, was established in 1912, and the ANCWL in 1943. Women's structures/sections also grew out of the trade unions and the Communist Party of South Africa (CPSA) (Alexander Simon 2004; Walker 1982). For example there was a call from within the CPSA (June 1931) for a Women's National Convention to focus specifically on women's issues (Walker 1982:51). Thus it can be noted that in SA there was often a link between nationalist movements and women's/feminists' activism. There are also examples of women's activism escalating into formal structures. Two examples are the protest of women against carrying passes, which galvanized into the Coloured and Native Women's Association (Walker 1982:29-32; Adhikari 1996:115), and the Women's Food Committees (Walker 1982:80-84, Ray Alexander Papers).

But the messages within women's organisations were not necessarily feminist. Many writers criticise the "apolitical social work role" of the ANC Women's Section while in exile (Hassim 2006:88, Meintjes 1996). Others argue that it was through the ANC Women's Section that the participation of women was facilitated (Mtintso 1999, Hassim 2006:88). Some women leaders of the ANC also emphasised motherist roles extensively, for example, Ruth Mompati (Gaitskell and Unterhalter 1989, McClintock, 1993, Interview Alexander-Simons 2000). During a 1986 UDF meeting at the City Hall, Cape Town, an internal manifestation of this phenomenon emerged when Albertina Sisilu appealed as a black mother to the white mothers of soldiers that they should not let them go into the townships to kill black children.

Within the ANC, too, diverse voices dominated. Many argue that ANC leaders were democrats, hence leaders like Luthuli and Tambo promoted women in conformity with the goals of democracy and not because of non-sexism (Hassim 2006:100, Lodge 1985). The ANC Women's section in exile, the ANCWL underground and the women's organisations within SA were not homogenous. Some women saw themselves as feminists, as part of the liberation movement to ensure women's liberation, but there were cases of women themselves promoting a patriarchal agenda (Interview Ray Alexander 2000).

However, women's activism was not static. Their demands in most cases were definitely feminist, although the word feminism was not used. There were instances when women

supported women's struggles but at other times supported the nationalist agenda. In 1990, the 'motherist' spokespersons of the 1980s, Mompati and Sisulu, called for an independent and autonomous women's organisation to promote a non-sexist SA (Malibongwe Conference Resolutions 1990, Kemp et al 1995:146). Women's struggles in the 1990s evolved towards definite feminist demands. What needs to be emphasised is that the 1990 struggles challenging gender relations always intersected with race and class.

In summary, most ANC women supported a nationalism that included women's liberation. Because of the challenges of the period there were times when nationalist issues were privileged over women's issues. However, during crucial times such as the writing of the constitution (1992-1996), women's issues were emphasised.

The Family:

The diverse family/household units in SA reflected various feminist contradictions and struggles. There has always been consensus about the disruptive impact of apartheid on the traditional black African family (Bernstein 1975, 1985, Fester 1982, Baard 1986, The Women's Charter 1954). Because of racist and sexist policies, black African women and children were restricted to rural areas while black men were forced into migrant labour in urban areas. Thus black African families were legally separated. Extensive research has been done on the consequences thereof (Sash 1974, 1980, 1981, Bernstein 1976). The changing structure, of families and women's roles, both white (Walker 1990B:323) and black (Barrett et al 1985, Fester 1982), due to urbanization and proletarianisation has been emphasised.

Rigid apartheid policies did not curtail black women's agency in violating unjust restrictions (Walker 1982, Bozzoli 1981, Fester 1982, Gay 1980A,B, Gordon 1981, Kuzwayo 2005, Walker 1982, Bernstein 1987). Bernstein (1975, 1985), Baard (1986), Walker (1982) and Wells (1998) argue that the reason that most black women protested in the first place against the issuing of passes for women was that passes would restrict women's familial roles. If women were arrested for pass offences, children would be neglected (Walker 1982:28).

In SA the family was the source of active agency. During the food crisis of 1935, women's activism soon led to the formation of the Women's Food Committees (Walker

1982:77). During the Education Crisis of the 1980s, women initiated the Parent/Teacher Support committees (UWO Minutes, March 1984). The situation of Black African women was aggravated by patriarchal family and social restrictions. But these very restrictions were catalysts for agency. Women destroyed beer halls in Cato Manor (Walker 1982:231) and reported their husbands for lack of maintenance (Barrett et al 1985:138). Many black women were ambivalent towards their partners or husbands (Barrett et al, 1985:135-140). As much as black women blame apartheid for the disruption of families, many women do not hesitate to critique patriarchy as well (Barrett et al 1985, Ngcwecwe 1977, Moleleki 1997, Mroxisa 1997, Mfengu 1997).

Contrasting with the 'militant mother' image prevalent in literature (Kaplan 1997, McClintock 1997) is the homogenisation of African women as passive victims by some Western feminists. These stereotypes are strongly condemned by Ama Ata Aidoo (1998) and Nnaemeka (2005). Some Northern feminists for instance, Mikell (1997:4), argue that motherhood is revered in African society, and depict African feminism as being 'pro-natal and heterosexist'.¹² Mama criticises this as a stance adopted by non-African women who do not necessarily understand the African context (Mama interviewed in Salo, 2001). Because of the diversity of African women in terms of class, ethnicity, access to education and positions of power, or location in rural areas with minimal resources, one cannot essentialise African women.

There may be some African women who promote patriarchy. Acholonu argues that 'motherism' is an African alternative to feminism (Acholonu quoted in Lewis 2001:6). I do not agree with Acholonu. The interpretation of motherism is so diverse, ranging from radical to conservative; hence it cannot be an alternative to feminism. That motherism is so diverse reflects precisely the complexity of African women's situations, and the diverse and contradictory ways in which African women themselves interpret their roles. I see motherism as an aspect of African feminism.

Phenomena that I do not classify as feminist are wifeism (Abdulla 1995) and the 'First Lady Syndrome' (Mama 2004, Ibrahim 2004). Both limit women's roles to those of wives/partners, mothers and secondary earners to men, supporting men and promoting

¹² Potgieter (1997, 2005), Morgan and Wieringa (2005) and Van Zyl and Steyn (2005) challenge heteronormativity. There is also an increasing number of women-headed households (Gay 1980, Gordon, 1981, Fester 1982).

narrow party politics. Nor do they dispute hierarchical gender relations. In 1992 Maryam Babandiga (Nigeria) and Susan Mubarak (Egypt), and others initiated projects in their capacities as presidents' wives (Mama 2004:2). The 'First Lady syndrome' falls safely within the mode of patriarchal relations in that these women's actions stem from their being wives of the presidents and not presidents themselves, self-restricting women's roles. Wifeism programmes were initiated as part of the decade for women (1975-1985) by government-sponsored women's bureaucracies in Nigeria (Abdullah 1995:213). Mama (2004) also distinguishes these movements from feminism.

Since 2003, a variation of the 'First Lady Syndrome' has also emerged in SA. Zanele Mbeki, wife of the president, initiated the SA Women in Dialogue (SAWID). It may be too soon to assess whether SAWID promotes an ANC agenda, although Zanele Mbeki regularly criticises the SA government for not doing enough to eradicate poverty and unemployment among women. Gouws (2005) argues that SAWID is not emerging as a women's movement, but was initiated to facilitate the implementation of the New Economics for Africa's Development (NEPAD). Zanele Mbeki has always been an active feminist. I argue for a critical but fair assessment of women leaders who happen to be married to national leaders. The reality is complex, and it may be difficult to categorise all women as part of a 'First Lady Syndrome'. The important contributions of women such as Winnie Mandela and Albertina Sisula in the struggle for South Africa's liberation should not be undervalued simply because they happened to have been married to national leaders.

Conclusions:

As argued above, African feminisms are diverse, contradictory, complex and differ both regionally and within cultural and faith contexts. Mama (2002) succinctly summarises these diverse aspects:

In African contexts, feminism has emerged out of women's ... commitment to national liberation, so it is hardly surprising that African women's movements today feature in ...different ...social movements characterising post-colonial life. African women are mobilising at [numerous] levels and deploying various strategies.... They ... range from the radically subversive to unashamedly conservative.... Today's women activists are as likely to be engaging the World Bank over the ... impact of structural adjustment ...as they are to be lobbying ... national governments over the marginalisation of women in ... political power, or challenging traditional and community-based organisations (Mama 2002:1).

The diversity Mama sketches for African feminists continentally also reflects the situation within SA, and even within the same organisations. The ANCWL is the largest massed-based organisation, and membership ranges from “radically subversive to unashamedly conservative”. Some South African women are challenging the World Bank, while the majority remain unaware of its existence.

In response to questions regarding when South African women first used the term ‘feminist’, and whether their struggles were feminist, the word feminism stems from Schreiner (1883). Throughout the 20th century women-only structures protested, and these could be termed feminist as they demanded women’s rights and citizenship. Currently many are against using the term, while others embrace it. Some who in the past rigidly rejected the term (Benjamin 1997) now accept it (Jean Benjamin interview, 2004). Even though feminist struggles continue in SA, the use of the word feminism remains contested.

THEORIES OF CITIZENSHIP

Citizenship is a contested concept that arouses diverse emotions, especially as expectations around it are so varied. Citizenship is “slippery” (Hassim 1999:7), “fluid” (Mouffe 1992:379) and an “emergent and unsettled” concept (Enslin 2003 quoted in Manicom 2005:43). Will the “irreconcilable tension” (Hall and Held, 1989, quoted in Lister 2000:35) ever be resolved? There is consensus, however, that citizenship entails status, practice and identity (Lister 1997:15; Siim 2000:4). Do women have the rights that status entails; do they participate in political systems according to practice; and does their relation to their status as citizens form part of their identity? In order to respond to this, and for feminists to assess how women can best be acknowledged as equals in their diversity, the current liberal discourses in citizenship need to be challenged in order to resolve what would best suit the feminist project.

If we accept that citizenship is a porous concept, two questions are central to any attempt to assess the applicability and possibility of a comprehensive citizenship for the South African feminist project:

1. Is citizenship gender-neutral?
2. If citizenship is not gender-neutral, does it mean that women are a specific sort of citizen?

Is Citizenship Gender-neutral?

According to the influential T.H.Marshall (1950, 1965) quoted in Hassim (1999), citizenship is universal and entails civil, political and social rights, and these rights should be institutionalised. This is supported by Lister (1997:33) and Hassim (2005:67). This liberal democratic perspective means that there is formal equality. Hence, I assume: if citizenship is universal and promotes formal equality, it subsequently has to be gender-neutral and not defined in terms of private and public. To examine whether citizenship is, in fact, gender-neutral, one should assess how it has been conceptualised and whether formal equality has guaranteed women's comprehensive citizenship.

Citizenship is seen as a neutral abstraction with the implication that it is de-sexed, de-racialised, and de-classed. In reality this is not so. Feminist scholars such as Phillips (2007), Gouws (2005A,B) and Lister (2000) have long tried to extend this concept of citizenship to make it more comprehensive, and to give meaning to the idea of substantive equality. The notion of universal equality must be interrogated - as all citizens are not equal (Phillips 2007:15,16). Phillips (1993) argues that "man is taken as the standard: or man remains the norm, against which woman is peculiar, lacking, different" (Phillips, 1993:45). This concept of neutral citizenship is gendered, unequal and embraces the dichotomy of the public being rightly the sphere of man, and the private as the domain of women (Hassim 2006:8). However, I'd like to caution against universalising that women's terrain is private (home) and men's is public.¹³ This liberal construction of the private/public divide implies further bifurcations with an inbuilt hierarchy: the public male arena as powerful, independent and privileged over the private, in which women are dependent on men, nurturers and passive (Dietz 1985, Mouffe 1992, Gouws 2005, Goldblatt 2005).

¹³

It is a reality for the majority African women that their lives are not bound to the same extent by the private domain as the majority of Northern women's lives are. Gender roles too cannot be assumed to be universally the same (Amadiume, 1987). Also Adomako Ampofo (2004)

Lister (2000) and Hobson (2000) contend that a basic minimum prerequisite is required to qualify for citizenship: it is universally accepted that eligibility is determined by birth, age (variable) and by naturalisation. The concrete manner in which citizenship is proven is by having the appropriate documents, for instance birth certificates, passports or identity documents (ID). Documents such as an ID (in the case of SA) or a passport give one access to benefits such as social grants, but do not guarantee them. Due to bureaucratic inefficiency, accessing IDs in SA is difficult. Child or other social grants are available only on possession of an ID. Those most desperately in need of social grants (women and children from rural areas) have the least access to IDs because of lack of infrastructure.

But not only is lack of infrastructure a problem. Theoretically, the abstract liberal view of citizens as autonomous, ungendered individuals implies the inclusion of women in citizenship only on the basis of similarities with men, and not in terms of difference. It is hence the universality of citizenship that is accepted, and not the particularity. If citizenship has been “originally predicated on the exclusion of women, how can it be reformulated?” (Lister 2000:35). Does one merely just add on ‘women’? The “Wollstonecraft dilemma”¹⁴ is echoed by Gouws (2002) women demand that the ideal of citizenship be extended to them in a gender-neutral and equal situation. On the other hand, women as citizens have specific capacities, needs and concerns. How does one conceptualise this ‘equality versus difference’ dichotomy? Difference and equality are not opposites, rather sameness and inequality are. Hence, the challenge for women to be incorporated into citizenship has to take cognisance of their similarities to men (humanity in common) and their differences (specificities). Succinctly “(e)quality ... means taking account of difference, not imposing neutrality; (as) ignoring difference can only perpetuate inequality” (Cock and Bernstein 2002:184 quoted in Gouws 2002:4).

It is at this stage that I would like to interrogate whether the liberal view of separating public and private holds true. As a feminist, I contend that one cannot separate private and public, as these divisions are artificial. Without the ‘private’ tasks of reproduction (birth, nurturing, servicing the ‘productive’ workers of the ‘public’ sphere), the public sphere would not be maintained. It needs to be subsidised by the private sphere, which

¹⁴ Mary Wollstonecraft (1792), *A Vindication of the Rights of Women* demanded women's equal civil and political rights in recognition of their contribution to the state through reproduction/motherhood.

is mainly women's work. Hence I argue that the artificial division between private and public should be eliminated.

Just as there are responsibilities for citizens, there are also rights. But in order to facilitate citizenship for women (also including other marginalised persons), all must be equal before the law, and their differences acknowledged. There are thus rights – economic, social and political, and responsibilities, as articulated earlier. All, irrespective of gender, should have access to these rights.

So how does one engender citizenship? Lister (2000) says that men fail in their responsibility as citizens, as they do no carework; that is, they neglect work associated with the private domain. One way to resolve this problem – the Wollstonecraft dilemma – is to incorporate 'women's' carework into citizenship; thus eliminating the public/private divide; or, differently formulated, just as the ethics of justice and rights are inscribed into citizenship, so too should the ethics of care be inscribed into citizenship. This means moving away from the binary thinking of private and public, and gender-specific work linked to location.

I thus support feminists such as Goldblatt (2005) and Gouws (2005B) who argue that the responsibility of carework must be extended to all citizens – that is, to men as well. Citizenship should, in addition to incorporating carework as part of citizenship, also be characterised by all taking responsibility for carework.

However, it is inconceivable that one can exercise one's full citizenship responsibilities (and benefits) if one is hampered by poverty. Women's citizenship in SA is hampered by poverty (Liebenberg 1999:59, Budlender 2005¹⁵). The Deputy Minister of Social Development, Jean Benjamin, while stressing the focus of access to citizenship for women, also addressed the feminisation of poverty:

The department also focuses on addressing feminisation of poverty through its social security network (Benjamin, 50).

In conclusion, in order for citizenship to be gender-neutral, the present dichotomies of private/public, their inherent hierarchy and the responsibilities associated with these

¹⁵ She notes too the complexity in measuring poverty.

must be dispensed with. All work, especially carework, which is currently not valued, should be valued and inscribed as integral to the responsibilities of all citizens. As poverty hampers one's claim to the status, practice and identity of citizenship, social grants and/or employment must benefit all in order to alleviate poverty. Having documents to prove citizenship is not enough. The state should function effectively in order to facilitate the citizenship of all.

Are Women a Specific Sort of Citizen?

Having concluded that citizenship is not gender-neutral, and having resolved that citizenship should embrace both the private and the public, what does this mean for women? If citizenship is re-inscribed to embrace both male/female, public/private, rights/caring, does it mean that women are a specific sort of citizen? Women are a specific sort of citizen on the basis of their potential motherhood. But not all women choose to be mothers, and the differences among women are exacerbated by race, class, location and culture, among others. If women are so diverse, can there be a feminist project?

According to Kate Soper (1990),

Feminism... has always implied... a movement based on the solidarity...of women linked ... by their *sameness* and the 'common cause' as women. If this sameness ...is challenged there is no 'presence' of womanhood, ...and nothing *initiated* concretely except particular women in particular situations, the idea of a political community built around women - the central aspiration of the early feminist movement - collapses' (quoted in Mouffe 1992:377).

Soper's concerns critiquing the unitary category of 'women' are similar to those raised by Pringle and Watson (1992:54-56). Mouffe challenges Soper's thesis and argues that despite the absence of an essential female identity one can explore the multiple forms in which the category "women is constructed in subordination" (Mouffe 1992:377). This has in fact occurred in SA where diverse women, divided by centuries of legal, economic, social, religious, and cultural separation, united in the United Women's Organisation (UWO) in 1981 and the Women's National Coalition (WNC) in 1992. Mouffe further describes how a strategic unity of diverse women opens up "better possibilities for an understanding of women's multiple forms of subordination" (Mouffe 1992:382) and this could work towards solutions in terms of policy formulation. This has occurred in SA with

the formulation of the Women's Charters (1954, 1994), which emphasise the diversity of women, and solutions for women's citizenship take cognisance of this.

The critique of essentialism that should arise is indeed the very condition of the possibility of a feminist democratic project as opposed to a discourse of women's rights that constructs citizen-subjects as gendered, and yet results in new forms of difference, hierarchy and powerlessness among women. The above has to be done with extreme accuracy, for where it has not been done, distinctions are not clarified. Seidman (1993), Hassim (2003,2005) and Manicom (2005) all contend that because of this universal notion of 'women', specific discrimination and exploitation experienced by black women, women governed by traditions, and working-class women are all rendered invisible. Cognisance has to be taken of the intersectionalities of race, class, location, sexual orientation and ability.

Not only are there differences among women but there are differences in how women are theorised by women. Black and Third World feminists have also questioned the normative constructions of Eurocentric models of gendered citizenship that do not incorporate them in their realities of cultural, racialised, national, ethnic, religious or communal identities (Manicom 2005:22). Mirza (1997:20) and Mama (1997:86) critique the underlying racism of the theories and subsequent welfare policies in Britain. Gouws (2005A,B), Manicom (2005), van Zyl (2005) and Hassim (2005) all emphasise the androcentrism and racist implications of the normative pale, male and public citizenship. I agree with the aforementioned writers and argue that the realities of women are complex and mediated by such factors as religion, culture and ethnicity, which are not always taken into cognisance by Northern theorists. It is not enough to argue for changes only to laws and the state. These will limit women's citizenship. Multiple-textured identities have been central to black women's pursuit of an inclusive democratic polity and citizenship, and have to be integrated into their strategies to realise this. Hence it has to be concluded that women are a specific sort of citizen because of their potential role as mothers. But this specificity is mediated by race, class, location, culture and religion.

POLITICAL AGENCY: TRACING THE LINKS BETWEEN MOTHERHOOD AND CITIZENSHIP

Given the multiple identities of 'women', how then does one evolve a discourse and resulting strategies to achieve a rounded concept of citizenship which embraces "notions of both individual rights [gendered nature of citizenship obligations] and of the 'republican' political movement, defined in the broadest terms, and the relationship between the two?" (Lister 2000:73). This citizenship should be one that would not further marginalise working-class women, women from rural areas, lesbians, women with different abilities and women in positions of power from one another. A "reformulated inclusive citizenship" should "give full recognition to the different and shifting identities that women simultaneously hold" (Lister 2001:4, 74).

What does this woman-as-mother mean? Motherhood, for the past three decades, has been contentious within feminism (Dietz 1985). Early arguments range from vehemently anti-motherhood, such as Friedan (1982) to those who glorify it (Elshtain 1983, Ruddick 1989). As motherhood is a site of oppression, feminists need to deconstruct it. It has also been found that this disempowering concept has been used in an empowering way by women, often related to inclusive citizenship. I agree with Chassen-Lopez (1997) who argues:

While [Northern] feminist scholars ... frown on the ...utilization of the discourse on motherhood, it is undeniable that it has been an incredibly effective political stimulant in Latin America especially for working class women (Chassen-Lopez 1997:188)

The same applies to women in Africa, where the motherhood role is often a community or public one. The predominant image of motherhood in many white Northern middle-class societies is that of women trapped within the needs of the nuclear family. Bassin et al (1994:2) emphasise that the mother is seen as "ever-bountiful ...self-sacrificing ... not a subject with her own needs":

This image resonates with a mother who lovingly anticipates and meets the child's every need. ...She finds fulfilment and satisfaction in caring for her offspring. (Bassin et al (1994:2&3).

Is the above true of all women? Bassin et al are essentialising Northern white middle-class mothers. Elshtain (1981, 1982A, 1982B, 1983) and Ruddick (1983A, 1983B, 1983c, 1989A,B) also generalise motherhood and aim to rid feminism of its anti-family bias and matrophobia. According to Elshtain, mothering is a “complicated, ambivalent, vexing, joyous activity...” (Elshtain1981:243). According to both Elshtain and Ruddick, mothers are inherently democratic and anti-war. I disagree with this gross generalisation. I support Dietz (1985) who critiques Elshtain's and Ruddick's position by stating “feminist political consciousness must draw upon... the potentiality of *women-as*—citizens and their historical reality... not upon the robust demands of motherhood” (Dietz 1985:34).

All mothers do not accept this “joyous activity” (Elshtain1981:243), nor do women all become mothers willingly. Many women conceive through rape and some have no choice, as their husbands decide the number of children. Lister, too, challenges this type of thinking as essentialising the tendencies of pacifists (Lister 1997:153). Differences between women and men are exaggerated, and such theorists are guilty of being biologically deterministic, so reinforcing gender stereotypes (D. Lewis 2001:6).

Sebalda Leshabari (1994) bemoans the state of motherhood among the Chagga tribe of Tanzania. To her, motherhood, reinforced through culture and tradition, is an instrument of women's oppression. Women are trapped by motherhood, tribal traditions and poverty. One wonders if Leshabari's portrayal of all Chagga women as passive and without agency is accurate for *all* Chagga women. It may be the dominant perception. This interpretation I regard with caution.

In contrast to Leshabari, Ina Soiri (1996) refers to the “Radical Motherhood” of Northern Namibian Ovambo women (Soiri 1996:7). She writes about the empowering role that Ovambo women carved out for themselves. Contrary to their fathers' wishes, women participated in military struggles (Soiri 1996:88). However, Soira argues that full citizenship has still to be attained for women (Soiri 1996:89).

These two contrasting perceptions of African women emphasise the fluidity of the concept ‘women’ and how cautious one has to be not to essentialise African women. Furthermore, the form of women's agency depends on the unique circumstances of their lives. Sometimes being passive may also be strategic, and not necessarily an indication

of acquiescence. I reiterate Lewis's assertion that women have adapted, transmuted, and transformed the patriarchal roles foisted upon them to suit themselves (D. Lewis 1993).

Patricia Hill Collins (1994), from an African-American perspective, raises concerns about assumptions made about motherhood and argues that it cannot be analysed without the context of interlocking structures of race, class and gender. She compares the security of white children to the insecurity of 'colored' children. She emphasises that different "racial domination and economic exploitation profoundly shape the mothering context for ...all women" (Collins 1994:56). She emphasises the poverty of African-American mothers. This limited interpretation does not acknowledge class, especially the reality of middle-class/millionaire African-Americans.

Bearing the above examples of Tanzania and Namibia in mind, one has to add to Collins' conclusion that not only is the interlocking of race, gender and class to be acknowledged but also religious, cultural, demographic and all other factors which could determine marginalisation. Recent examples of the impact of religion and culture emerging in the North are those of 'honour crimes' (Phillips 2007:20; Saharso 2007:135, Deveaux 2007). In SA the recurrences of 'curative rape' and murder of black lesbians is the result of heteronormative religions and cultures ('Out of the closet, into the hostile world' by Niren Tolsi in *Mail & Guardian*, 27 July-2 August 2007).

But despite these cultural and religious impositions on women, women challenge them through their agency. Motherhood rhetoric has mobilised women. I reiterate that most women did not allow these "disempowering statuses" (that is, sisters, daughters and mothers) to limit themselves, as D. Lewis (1993:529) asserts.

On the other hand, some women limit themselves uncritically to the roles of sister, mother and daughter because of socialisation. They unconsciously collude with patriarchy by accepting these roles as 'natural'. However, using the theory of 'fantasies of power', Moore argues that women 'invest' in these patriarchal roles for a reward with material, social and economic benefits like "powerful mother, dutiful daughter, and good wife" (Moore 1994:65). With this I agree. Some may choose these roles not realising that they have a choice. However, the majority of women, in fact, chose motherhood. Walker

indicates the complexity of motherhood, and that the discourse is a powerful and perilous one for women:

The attempt to theorize 'the mother' involves more than intellectual energy – it also involves an engagement with one's own intimate experiences of being mothered and, in some cases, of mothering' (Walker 1995:419).

It is not always easy to deal theoretically with the intimate roles of our mothers, or even our personal roles as mothers, as Donna Bassin et al attest (1994:9).

In SA, theorising on motherhood is limited (Walker 1995). The focus has mainly been on black women as 'militant mothers'. Motherhood has often been the springboard for political agency as in Algeria (Zahia Smail Salhi, 2003), Argentina (Argosin 1990), Zambia (Sara Hlupekile Longwe, 2000) and Nicaragua (Randall 2002). Hassim claims that in the South African liberation struggle, the shift away from nationalism and towards citizenship has been highly enabling for feminists. She adds:

Women's political subjectivity was understood in terms of the status of motherhood, an identity that was limiting even though it was articulated in terms of a revolutionary imperative to mobilize women (Hassim 2005:66).

So many black women in SA were radical mothers. However, the apartheid regime used motherhood in narrow racist ways. In 1961 white women were encouraged to do their national duty and 'Have a Baby for Republic Day' (McClintock, 1995:106). Brink traced the history of the creation of the Afrikaner mother of the people, 'Volksmoeder' (Brink, 1990). It is important to see this creation of 'volksmoeder' in its historical context: women as mothers were symbols that had to unite the disparate Afrikaners and create a *volk* (people/nation). However, what is enlightening and challenging to this sole role of 'Afrikaner Motherhood' is Brink's discovery of an obviously suppressed book, '*Vrou en Feminist-of iets oor die Vroue-Vraagstuk*' (*Women and Feminist – or something about the Women's Question*, by Marie Du Toit (1921). Du Toit challenges the stereotypes raised by nationalist writers (Brink 1990:281). Brink's findings challenge the discourse that the Afrikaner women were purely 'passive mothers of the nation' in service to the 'volk'. The discovery of Du Toit (1921) is perhaps indicative of how feminist discourses have been suppressed by hegemonic patriarchal discourses.

However, despite the role of limited and passive motherhood being imposed on women, they transcended this role. Internationally, too, there are numerous examples of how women became agents of political change. Interviewing Argentinean women led Elshtain (1994) to new perspectives, contrary to her earlier arguments of passive motherhood (Elshtain 1982). She illustrates their public action – how they transformed their private pain to public protest. She herself sees their lives as transformed: “from Weeping Woman to defiant Witness” (Elshtain 1994:90).

There are many other ‘mothers of nations: “The childless Eva Peron projected herself as mother of all Argentines” (Chassen-Lopez 1997:175). The Conservative Violeta Barrios is accused of abusing religion and motherhood in her presidential campaign against the Sandinistas in 1990. She was “dress(ed) in white, all virginal, with her arms outstretched like the pope and talking about ‘my children’; a comforting maternal image to the divided Nicaraguans” (Margaret Randall 1992:138). Lorraine Bayard de Volo maintains that “Chamorro won the presidency through a campaign based on maternal imagery” (Bayard de Volo 2004:731). I maintain that the metaphor of motherhood could be creatively used by women, both in revolutionary or conservative ways. Motherhood is the political space given to women to organize and women use it according to their needs and contexts.

Similarly in SA there are ‘mothers of the nation’. Winnie Mandela was once called the ‘Mother of the Nation.’ Dorothy Zihlangu, founder member of the UWO, was ‘Mama’ (mother) to all. Miriam Makeba, legendary singer, is ‘Mama Afrika.’ African women, like women elsewhere¹⁶, have embraced and transformed the ideology of the martyred and sacrificial mother, working strategically with traditional ideology to justify untraditional public militancy. I claim that women have asserted their citizenship by exercising various aspects of it: be it mothering/carework, militancy, protest, politics or entrepreneurship at various levels.

From the above, it is clear that motherhood was the rallying cry, and through it women have united the private and the public spaces. By women’s agency, gender roles have been transformed, and women as mothers “invaded patriarchal spaces” (Chassen-Lopez 1997: 181). I rephrase this: women have contested the nature of public terrain as males-

¹⁶ Kaplan (1997) refers to women in the USA, Bangladesh, Chile and many others.

only terrain, and appropriated and transformed it as their own. A Guatemalan woman stated: "We are protagonists in our own struggle" (quoted in hooks 1984:74). Women have enlarged and extended their roles into the community and the country. Chassen-Lopez states that women "claimed political rights and citizenship by rights of motherhood" (Chassen-Lopez 1997:180). I stress: by their actions, women made motherhood and its concomitant tasks integral to the responsibilities of citizenship. Through their political action they illustrated their citizenship and claimed it.

Development of Women's Citizenship:

Taking the above actions of women into cognisance, how precisely has the quest for citizenship fared? Many countries purportedly have mechanisms to promote gender equality through which they hope to realise the feminist project of a comprehensive citizenship. Jones refers to the existence of 'women-friendly' states (Jones 1990: 221; Hassim 2003:509)¹⁷. Goetz claims that

'... (S)ome...note (that) the state is the main credible site from which to launch a long-term project of social justice. States still retain the capacities to devise and implement progressive laws – globalization, informalization and privatization notwithstanding' (Goetz 2004:139)

The above has certainly been the case in SA and Uganda. The importance of the state cannot be overestimated, despite Manicom's argument of the 'decreasing importance of the imagined community' (Manicom 2005:26). It is crucial to note the ambiguity with which the state fulfils this role. States have ratified conventions like the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); "despite [it] having the most reservations, or being the most bracketed" international instrument (Molyneux 2004:114). Conversely, they do not popularise these conventions, therefore most women are not aware of them. International conferences and committees like the Commission on the Status of Women are created and millions of pounds are spent

¹⁷ "This term refers to a state which has explicitly committed itself to promoting and protecting gender equality in principle through the adoption of specific politics and the creation of structures to facilitate the attainment of gender equality" (Jones 1990:221).

annually to enhance the quality of women's lives. But has it succeeded? Have these international events, conventions and 'women-friendly' states made any impact?

SA could be classified as 'women-friendly' because of the numerous mechanisms to promote women and the large numbers of women at decision-making levels (Gouws, 2005B, Geisler 2004, Seidman 2003). Lister (2000) refers to the Scandinavian and Nordic states, which "embody a state form that makes it possible to transform them into 'women-friendly' societies" (Lister 2000:72). Pringle and Watson (1992) and Siim (1988, 1993:30) question the contradictory nature of these welfare states. On the one hand they deny women genuine social citizenship; and on the other hand, despite their patriarchal nature, they contribute to providing a basis for women's autonomous citizenship. This is specifically in relation to single mothers. Another concern is that these 'women-friendly states' obfuscate the "growing economic and political polarization among women" (Lister 2000:72). Siim (1993) and Manicom (2005: 46) question this citizenship with rights for all that could result in increasing "class polarization" (Siim 1993:31) and where the gap between poor and rich women is increasing.

As an attempt to acknowledge women's carework, extra points are given to women who take leave for carework in Sweden (Hobson, 2000:109). This contributes to their pensions, which means they are not disadvantaged despite interrupted employment. However, women in Sweden are not equally integrated into the labour market. The Care sector is characterised by low wages and devaluation of women's work (Hobson 2000:210). Pringle and Watson note that as women's participation in political roles improved in Scandinavian countries, so too increased the social welfare benefits for child-caring (Pringle and Watson 1992:62; Hernes 1987). What is thus emerging from these states is that women's work is still closely linked to, and sometimes reinforced with, caring. Social welfare benefits have increased but the gender division of domestic work/caring, that is the private realm, remains intact. The same applies to SA. Even though women are at the highest decision-making echelons, gender relations in the home have not been challenged and violence against women is also rife. We see that these women-friendly states do not radically challenge gender divisions of labour or patriarchy in a meaningful way. What is more astounding is that with women's augmented participation in government the locus of power has shifted: "Women's increased political power in Sweden has been balanced against shifts in the centre of

power to the administrative arena” (Hernes (1987:51). So what precisely is required for this “emancipatory potential of citizenship”? (Lister 2000:73).

Currently there is a predominance of liberal feminism globally which depends on constitution-making rights discourse. Rights alone are not enough, and in many cases these rights are ‘paper rights’. Manicom (2005:29) reminds us that the women-citizen of gender equality policy and the degendered individual subject of rights are not synonymous with the mother-citizen of the nation, even though these divergent constructs are “often conflated analytically and intertwined rhetorically in mobilising women politically or in support of nation-building projects” (Manicom 2005:29). Mother-citizen’s tasks are not acknowledged as citizenship/public tasks. This I have questioned, and my data supports the contention that women’s diverse roles are not recognised. Liberal democratic citizenship does not acknowledge women’s/mothers’ tasks. Hence private and public are still polarised.

Most theorists maintain that a way out of this polarised dichotomy of citizenship is a synthesis position, whereby citizenship is engendered which will genuinely incorporate both women and men. In this way democracy (full citizenship) will succeed (Lister 2003:73, Mouffe 1992:382, Van Zyl 2005:228). There has to be an acceptance of the public sphere on the basis of understanding of its interdependence with the ‘private domestic domain’ and of the contested and shifting nature of the boundaries between the two (Lister 2000:74).

The ethics of care (signifying women) and the ethics of justice or rights (males) should not be seen as two opposing areas. Quite rightly, Goldblatt¹⁸ (2005) argues that both men and women are disadvantaged by gender constructs and constraints - that their freedom to develop to their full human potential is impaired (Goldblatt, 2005:131). Men are losing out by not spending time with their children and/or doing carework and “developing relationships with their children” (Goldblatt, 2005:131). She supports Moser’s proposal (1993) that childcare facilities be built at fathers’ places of work (quoted in Goldblatt 2005:133). I assert that this could be a practical way of redressing women’s strategic needs.

¹⁸ Goldblatt focuses her argument on childcare. I include all carework, such as caring for older people and persons with disabilities.

Lister (2000:75) emphasises reconciling short-term and long-term goals. This coincides with the strategy that women need to address and continually assess their practical and strategic gender needs (Molyneux 1984). It may not be possible that practical and strategic gender needs can be simultaneously achieved. Currently, caregivers/women (at least initially) need childcare in order to access fulltime employment or decision-making positions. In future, when/if caring is shared by men and women or the state takes responsibility for it, childcare would cease to be a practical need.

The synthesis position (Phillips 1993, Scott 1988) is a pragmatic and viable solution. However, Lister (2000) reminds us that this position, in that it captures human interdependence, must never lose sight of the 'cutting edge feminist traditional critique of women's economic dependence' (Lister 2000:75). In taking this project forward an effective solution is offered by Fraser (2000). She advocates a radical transformation of the state, how work is determined, how part-time and fulltime are defined, and questions who is responsible for caring and why that should change. This echoes Hobson's question on the responsibilities of citizens, workers and family members (Hobson, 2000:111).

Fraser argues for a vision of *Universal Caregiver* (Fraser 2000:25). It is an amalgamation of what she calls the Universal Breadwinner model and the Caregiver Parity. In brief the Universal Breadwinner model aims to further gender equity by promoting women's employment (Fraser 2000:13). Women must be citizen-workers. This requires major reformulation of state policies. In short this must include employment-enabling services such as child and elder care, freeing women from unpaid responsibilities. Women could subsequently take up full-time employment. These new policies should upgrade the status and salary of carework so that it can be valued and respected. The Caregiver Parity Model (Fraser 2000:18) emphasises the importance of caring and envisages, through generous salaries, the promotion of gender equity by facilitating informal carework. It is a radical programme, which includes caregiver stipends in compensation for childbearing, child-raising, housework and other forms of domestic work (Fraser 2000:19). Employment must be flexible, and caregivers should be able to exit and enter employment with job security and access to promotion. Fraser subjects the Universal Breadwinner and Caregiver models to stringent tests in order to assess their effectiveness in promoting the aspects of citizenship listed below:

Table 1. The relative merits of the Universal Bread winner and Caregiver Parity Models:

| Merit | Universal Breadwinner Model | Caregiver Parity Model |
|-----------------------|-----------------------------|------------------------|
| Anti-poverty | good | good |
| Anti-Exploitation | good | good |
| Income Equality | fair | poor |
| Leisure time equality | poor | fair |
| Equality of Respect | fair | fair |
| Anti- marginalization | fair | poor |
| Anti -Androcentrism. | poor | fair |

Source: Fraser (2000:28)

Because of the weaknesses of both models, the amalgamation of the two into the Universal Caregiver model is proposed. Implementing this entails a major overhaul of both corporate and public institutions. The new structures would be “state funded but locally organised” (Fraser 2000:26). The Universal Caregiver welfare state would promote gender equity by effectively dismantling gendered opposition between breadwinning and caregiving. The private/public dichotomy would be resolved. Citizens would lose their ‘gender coding’ and all would do carework. The aim is “to dismantle [gender] roles and their cultural coding” (Fraser 2000:27). Everyone would have a job with fewer hours and caring responsibilities, including those with no children or elder-caring responsibilities. This means “subverting the existing gender division of labour and reducing the salience of gender as a structural principle of social organisation” (Fraser 2000:26), and deconstructing gender. The Universal Caregiver model radically transforms existing work and could potentially enhance society, promoting equal participation.

This model, in subjecting everyone to carework, will obviate the poor self-image that recipients of welfare often experience (Goldblatt 2005, Chant 2004), and the entrenchment of carework as women’s work. Carework would be valorised and its centrality as a civil function emphasised. However, changing attitudes is imperative:

Crucial in constructing gender equity is *deconstructing gender roles*. Attempts are being made at policy and proposal levels through protocols to encourage the socialisation of carework. Fathers, especially, are being encouraged to participate:

Governments should strengthen efforts to promote... through ... education ... as well as through employment legislation and institutional support, the active involvement of men in all areas of family responsibility...' (Recommendations, UN Expert Group Meeting, Gaberone June 1992 in Tomasevski 1993:21).

My concern is that numerous conventions are ratified by countries, but there are no attempts to popularise the content. Cognisance should also be taken of the various forms of families, including single parents. This needs to be acknowledged and accommodated in policy. There should be ongoing information and communication to popularise content in order to create a paradigm shift from patriarchy.

Another aspect that needs to be noted is that of leisure. Max Neef lists leisure as one of the eight basic human needs (Hope and Timmel 1990:19). Apart from the enhancement of the household unit, if all parties/partners contribute to the house and carework is socialised, the realisation of recreation/leisure could generally be achieved. Fraser echoes Max Neef:

It is important to be able to imagine a social world in which citizens' lives integrate wage-earning, care giving, community activism, political participation and involvement in the associational life of civil society- while also leaving time for some fun (Fraser 2000: 27).

This element of fun/leisure for women has not been achieved in the 'women-friendly states' as they have not done enough to challenge the gender division of carework. Women bureaucrats/femocrats are burdened by their high profile public jobs, and their carework still remains largely their responsibility, hence increasing their workload¹⁹. By increasing social welfare for women but not employment opportunities, and not socialising carework as in Australia, Sweden and SA (Benjamin, 51), women's work as carers, and hence gender stereotyping, is being reinforced.

¹⁹ In SA many middle-class women have the assistance of women domestic workers. However, it is still the responsibility of the women to co-ordinate the work of these workers.

In the light of the many weaknesses of these women-friendly states, the universal carer model of Fraser's could contribute towards promoting gender equity and deconstructing gender. But as feminists we too should not essentialise. Not all men are equal; nor do they all have wage-labour. Nomaindia emphasises:

We never said we were fighting for full citizenship [but] were by implication. It was part of what women were struggling for [but] it was very difficult ...because even [black] men were not full citizens. The equality ... resulted [as] ...women as full citizens who can (now) own houses ... [yet this is not] reality for all women ... we have achieved ...citizenship constitutionally only (Nomaindia, 53).

As Manicon (2005) warns, one cannot essentialise women. So, too, it is important not to essentialise men. Not all men have power and men's lives also are intersected by race, class, locality, sexual orientation or ability. Not all men have access to decision-making, although compared to women living under religious or customary law they have power over women, for example, in rural Namibia and SA (Heidi Becker 1996). In the case of Europe, immigrant women and men have limited rights (Avtar Brah 1991), although women are often more marginalised as they do not always speak local languages and may, because of cultural and/or religious reasons, be restricted to the home.

In promoting this view of Fraser's Universal Caregiver one has to bear in mind that this will not happen overnight. There has to be a comprehensive and detailed campaign in order to promote this discourse so that it becomes a discourse of (desired?) truth. There is a lesson from what the media does: "Trend journalism attains authority (or truth) not through actual reporting but the power of repetition" (Faludi 1992:104 in Tyler 2005:26). If, through education campaigns both at formal institutions and through public broadcasting, feminists promote this idea, it may eventually be generally accepted. Already some men have admitted that they "feel more fully human" since they have been taking care of their children.²⁰

I am confronted with the challenges of my own reality. Most men in my community will not do carework, as it is women's work. How then does one combat the negative influences that culture and religion may have on women's achieving full citizenship? This brings me to the reality of the African continent and the challenges in changing attitudes.

²⁰ 'Men for Change' Conference Report, August 2004, Gordon's Bay, Cape Town. Hosted by Gender Training Network (GETNET).

In as much as Fraser's Universal Caregiver challenges the gender division of labour in the home, the root cause of it, patriarchy, is reinforced by religious and traditional attitudes very dominant both in SA and in Africa in general.

Not only is the challenge for equality complex between women and men but even among women themselves. The impressive legislation in SA cannot obliterate inequalities among women overnight. This needs to be remedied. Furthermore, women in SA are still subjects²¹ to religion and culture and are not citizens. This 'citizen/subject' dichotomy is useful in exploring the position of African women. In the post-colonial state the majority of women remain 'subjects' to traditional law and culture as well as to religion. A few elite women, for example politicians, may to a certain extent experience facets of citizenship, but they too remain subject to patriarchy and violence against women.

It is important to analyse theories from the 'centre' and assess their applicability to the 'margins'. Inasmuch as I support the views of Lister (2003), Patemen (1996) and Phillips (1996, 2000), they did not acknowledge the all-important influence of religion and culture on women's lack of citizenship. Not only does this apply to women in the developing world but also to those in the developed world.

LEARNING LESSONS FROM ELSEWHERE, AND THE WAY FORWARD

Most African women are not without agency, nor have they passively accepted their 'subject statuses'. Aili Mari Tripp (2000A) outlines how women successfully challenged various 'subject' practices like lack of access to land, female genital cutting and the *Naku* practice, during which the king takes a 13-year-old girl as a bride (Aili Mari Tripp 2000A,:20). Tripp endorses women's agency:

²¹ In distinguishing between citizen and subject Mamdani (1996) argues that the colonial state was 'bifurcated... two forms of power ...urban power spoke the language of civil society and civil rights, rural power of community and culture' (Mamdani, 1996:18). Civil power was practised by the colonists (settlers) and custom and tradition was for the colonized indigenous people. The colonists were 'citizens' and the indigenous people 'subjects'. I argue that, in general, all women, irrespective of class, are still subjects.

The Ugandan women's rights activities have been successful where they have resisted caricaturing, oversimplifying and exaggerating offensive cultural practices... Women's organisations have succeeded in promoting women's rights ...because they have not mystified culture ... Their meanings have been transformed over time, often becoming divested of their original meaning or taking on new importance (Aili Mari Tripp 2000A:21).

The Rural Women's Movement in SA successfully challenged their 'subject' position and practices related to customary marriages and women's access to inheritance, and hence are accessing their citizenship (Albertyn 2004). What must be emphasised is that these practices to which women are subjects were not codified in pre-colonial times; hence they were continuously changing. In the 1930s, colonial powers in SA codified customary law according to their own interpretation, thereby rendering them static (Manjoo 2005). Anneline Moors (1996) also refers to the codification of Islamic Family Law and how this codification 'fixated' an otherwise transient code changing according to the communities' requirements. I see this codification (by powerful men) as institutionalising restrictive aspects of the law with regard to indigenous peoples and, especially, to women.

Uganda, SA and some other African countries have through their new constitutions rendered all as 'citizens'. However, being a citizen with political, civil and socio-economic rights clashes with the reality of cultural practices and many people are poor, or live within constraints of powerful cultural practices, and cannot access those rights. They do not always have the skills, awareness or opportunities to participate in the responsibilities of citizens, for example, making submissions to bills in parliament. This is especially so regarding many women from rural areas where the legal bifurcation of civil and customary rights exists. However, in the above case of the Ugandan women, they, as *participatory* and *active* citizens, with *rights* and *responsibilities*, altered their *subject* status to *citizen* status.

Similar challenges confront SA: how does one harmonise human rights-based constitutions with traditions and cultures which may infringe on people's rights in general and women's human rights in particular? What also needs to be noted is that currently various conservative coalitions, religious and cultural, are mobilising women internationally (Sriatha Batliwana and Deepa Dharaj 2004:14,16, McFadden 2003:4, DAWN 2003:3) and thereby jeopardising women's access to citizenship.

In as much as I acknowledge the idea of a bifurcated legal system in Africa, I do not see this as a particularly non-Western phenomenon. There are Western theorists who denounce all non-Western cultures that oppress women as 'backward' (Tripp 2000A:6).

Tripp adds:

(Western theorists)... oversimplify highly complex and diverse cultures and societies that have either been dominated, colonized, sought to convert and 'develop' in some cases for thousands of years (Tripp 2000A:5)

Even though I agree with the above, it is also crucial to add that Western societies too are complex - there is no homogenous 'Western Culture'. Tsikata stresses that not only is the US currently oppressing other countries but also, through its 'war on terror', infringing on the rights of its own citizens (Tsikata 2004:132). The "US/Vatican/Islamist Coalition" ..."brought about by post-2000 darkening political climate" (Molyneux 2004:114). This is especially true in terms of women's rights and hence their access to meaningful citizenship.

There has been successful litigation in the USA for sex discrimination. However, no situation is simple. The President of the USA sees the USA as a beacon of democracy (thus a promotor of citizenship) and has assigned himself the role of global promotor of USA-styled democracy. However, the USA has still not passed the Equal Rights Amendment (ERA) formally granting women equality with men, despite more than 40 years of feminist mobilisation. The USA has not ratified the Convention on Eradicating all forms of Discrimination Against Women (CEDAW) and is thus in the same category as Islamic countries such as Qatar, Saudi Arabia, Sudan, Oman and Iran, which have also not ratified it (Tripp 2000:5). Women in the USA are also subjects of religions, most being interpreted as oppressive to women.²² The plight of First Nations in the USA, Scandinavia, Canada, Australia and New Zealand also attest to the fact that citizenship rights are not as ubiquitous as they are purported to be in developed countries. European people are citizens but also subjects to their monarchies and religions. Thus I want to argue that the situation worldwide is very complex, and that most women, and groups of people in Europe and the USA such as immigrants/migrants,

²² There are many people who interpret religious texts as liberating to women. See Nitasha Moothoo- Padayachie, 'Women reclaim their spiritual spaces', *Agenda* No 61 (2004), p42-52.

travellers/Romany and Sami people (Northern Scandinavia and Kola Peninsula of Russia), do not have citizenship.

Today, transnationalism and interdependences are greater than ever. International influences such as the Vatican threaten to reverse the many gains that women have made in the quest for citizenship. Globalisation affects all, and the marketing of popular culture and the promotion of a consumer culture permeates even the remotest communities, bombarding them, via satellite TV, with the values and ideologies of what it is to be feminine and 'woman' and to 'know your place' as a woman. The challenges for a feminist project to achieve citizenship are enormous. Women work in the United Nations, especially UNIFEM, at the World Bank, as Cabinet ministers and MPs, all ostensibly to improve the quality of women's lives. Through their positions they realise their citizenship with their newfound power and privileges, yet often it means that they move further from the very women in whose name they claim to work.

I argue that even though the situation in achieving citizenship seems formidable in the face of the onslaught of the "US/Vatican/Islamist Coalition" (Molyneaux 2004:114), women should go back to guerrilla tactics. Rosalind Eyben describes her work in the bureaucracy as a "battle" (Eyben 2004:73), citing Nancy Fraser's "battles to illuminate, challenge and change the norms and meaning ... in government policy" (Fraser 1989, quoted in Eyben 2004:73).

A positive way would be to gender mainstream (with all its weaknesses)²³ in all spheres of life; government, education, religious, media and cultural institutions. But as Goetz warns, the mainstreaming should not be assimilation but infiltration (Goetz 2004:138)²⁴. One assimilates when one goes with the flow, as opposed to 'infiltrating'. By implication, assimilation means identifying with and becoming one with the very institutions one is trying to change, and in the process perhaps betraying the very women politicians purport to promote. The alternative is infiltration: "[I]nfiltration is possible when we can keep one foot outside of the institutions we are trying to change" (Goetz 2004:139). It is used strategically to further the aims of a marginalised group. Goetz stresses that

²³ See Subrahmanian 2004. Also see Mukhopadhyay 2004 for a more positive example where strategic partnerships were formed.

²⁴ Although Goetz is referring to reflections on development and how to enhance it, I am adapting her proposals to a feminist project for promoting citizenship.

infiltration is hard work, taking risks and promoting a social justice position even from a position of weakness. It may mean unpopularity and is difficult to sustain.

Many feminists question the role of the state *vis-à-vis* women's independence. Wilson (1977) and McIntosh (1978) see the welfare state as reproducing capitalism and perpetuating women's dependence on men within the context of the family. Many "tend to see the oppressive aspects of the state" (Pringle and Watson 1992:58, Manicom 2005:26). Despite this, Goetz (2005) and Molyneux (2004) still see a crucial role for the state in that it can play a constructive part in facilitating women's access to full citizenship. The underlying question is: can women within the state apparatus further the radical feminist project? Goetz affirms this strategy as 'reclaiming' the state. She agrees that currently states are often puppets of neo-liberalism, "wanton spendthrifts, unaccountable or cleptocratic" (Goetz 2003:139), but that they could be rehabilitated:

The state is the main credible site ...to launch a long-term project of social justice. States ... retain the capacities to devise and implement progressive laws... [which] can be pursued and enforced (Goetz 2004:139).

Inasmuch as I agree with Goetz about the role and potential of the state, one must be aware of the overwhelming powers of the transnational institutions, the indebtedness of states and their subsequent dependence on Bretton Woods institutions. The state is also not homogenous, but consists of sometimes conflicting interest groups, for example traditional chiefs, women's groups, and business, with conflicting agendas.

One of the most appropriate institutions Goetz recommends to infiltrate is the political party: "For infiltration of political parties to be effective, the credibility of feminists as representatives of legitimate social concerns has to be strengthened" (Goetz 2004:139). This point is also emphasised by Chikudi and Tichagwa (1995). A precondition, though, is that institutions should be transformed in order to facilitate women's participation (Ginwala 1998, Goetz 2003). On the other hand, Adomeka Ampofo et al (2004), on the basis of extensive research done, state that:

...African scholars think that increasing the numbers of women in elected office is not the best method for improving the status of most women. International treaties combined with activism have been more effective for advancing women's position (Adomako Ampofo 2004:703).

It is important to be critical of femocrats because there are many cases where women politicians have not made meaningful changes for ordinary women (Gehan Abu-Zayd 1998:45). However, the importance of women's activism, their participation in the political arena and their subsequent contribution to the construction of their citizenship cannot be underestimated (Lister 1997:155). Mukhopadhyay also shares excellent examples of effective intervention of partnerships in independent structures by women at local government level in India and Bangladesh (Mukhopadhyay 2003:48-50). Other examples are the intervention by rural women in the formulation of national legislation, in the case of SA (Albertyn 2004; Mukhopadhyay 2003:51). There is an important lesson in the ambivalent experiences related by Mukhopadhyay on the outcome of projects in Yemen, Ethiopia and Cambodia initiated by the Royal Embassy of Netherlands in partnership with the Agricultural ministries of these countries (Mukhopadhyay 2004). Projects introduced from above and outside (donor-driven) should first get support from communities before being imposed upon them.

Not all examples of women in government are positive. I emphasise that there have been incidences in which women have become more marginalised from the very women they aim to represent and work for (Manicom 2005) and have used their positions for egocentric "development diva" careers (McFadden 2004:3). I argue that it is difficult to intervene politically with success. In order to ensure full citizenship and subsequent social justice for women and poor people, all avenues need to be explored with judiciousness, pragmatism, caution and accountability. I argue that despite some of the setbacks, feminists must continue to explore working within political structures, and possibly religious and customary bodies, in order to intervene. Doing so may mean building alliances with men who may be genuine in their support for the empowerment and citizenship of women (see Lowe Morne 2004:148-165).

Both Tamale and Ahikire relate the progress made by women in elected office in Uganda (Tamale 2001:220; Ahikire 2004). The 'no party/Movement System' in Uganda, with mandatory positions for women, is an interesting experiment. Ahikire believes it has some merit (Ahikire 2004)²⁵. However, she shares her concerns about the personality cult developing around President Museveni of Uganda, and women's active mobilisation of women to vote for him:

²⁵

India and Bangladesh have similar reserved places for women at local government.

From today, no one should talk about women apart from Museveni and the Movement. What God has united, no one should separate (*The Monitor Newspaper*, February 1 2000 quoted in Ahikire 2004:6).

Goetz refers to this servile support that some Ugandan women have for Museveni as 'grateful sycophancy' (Goetz 2003:121). It is incidences like these that cause Adomako Ampofo et al (2004:703) to be so sceptical of women politicians. I reiterate that femocracy is an avenue to explore but must be linked to feminist and/or grassroots women. This will ensure that women politicians are linked to an independent women's movement for accountability, exchanges on strategy and support (Tamale 1991, Mtintso 1999). Goetz emphasises accountability to a feminist constituency and states that feminist organisations often *assume* a constituency (Goetz 2004:139). She claims that what is required are organised structures with paid-up membership, voting rights and/or any other system whereby accountability can be ensured. Goetz sees accountability as especially important given the context of increasing mobilisation of women by religious or traditional structures that may be promoting "illiberal theocratic projects that seem to entrench restrictive interpretations of women's... rights" (Goetz 2004:139). Hence there must be a strong, independent, critical women's movement with which the femocrats/politicians have a dynamic relationship.

Mama (2004), Molyneux (2004), and Sardenberg (2004) all agree that to have a strong feminist organisation is imperative. This should be a platform for challenging issues such as violence against women to providing women's studies courses and women's legal aid, for example. Strong feminist autonomy is a crucial objective by means of which one can rejuvenate energy, exchange ideas for alternative futures and determine women's strategic interests. It is this dialogue among women that will ensure that the entrenched hegemonic discourse of 'othering' can be transformed into a discourse of diversity that will promote all women's interests, especially those who are poor and marginalised.

The other challenge that feminists face, even if structures and legislation are in place, is how to change attitudes and values. Bearing in mind the implicit and complicit power of religious and cultural structures and organisations, I advocate that for the feminist project of promoting a comprehensive citizenship for women and other marginalised communities, the engagement of radical feminists within these structures is imperative; with one foot outside and one inside, as Goetz suggests (Goetz 2004:139). Van Zyl also

endorses pressure groups outside and through 'mainstreaming'. "Through these synthesizing processes, the chance of developing a human rights culture becomes a possibility" (Van Zyl 2005:245). Through these negotiations she also sees the opportunity of simultaneous reinterpretations of cultural meanings and practices: interrogating traditional views on family, marriage and kinship and, as her title suggests, 'Escaping Heteronormative Bondage' (Van Zyl 2005:243). Despite impressive legislation, attitudes have not changed in SA. This is a long-term project and lessons could be learnt from other experiences of women's groups internationally.

Therefore local and national struggles should continue to be complemented by international movements (Adomaka Amopofo *et al* 2004:703). Many lessons could be learnt globally, to attain citizenship and emancipate women from their subject positions. As I argued earlier this pertains to women in the developed countries as well, as many of them are also subjects of religion, culture, monarchies, transnational corporations, international media images and global patriarchies and fraternities. The situation for women globally is similar to what Pretty Ramaurthy describes for the situation of El Salvador - one of "...[a] subject position of perplexity about overarching daily questions of how to combat enveloping neoliberalism, structural adjustment policies and a left political party that has left its grassroots behind..." (quoted in Irina Carlota Silber, 2004:565). Another warning is from Julia Paley, referring to post-dictatorship Chile, which "demonstrates that the state's call for citizen *participation* obfuscates the ways in which citizens' labour fortifies neo-liberal economic reforms... [T]he call for civil society to participate providing public health services, shifts accountability away from the shrinking state and back onto citizens [read women]" (quoted in Irina Carlota Silber, 2004:571).

The citizenship project in SA is incomplete and has not made intervention in poor women's lives. The continued differences in women's lives are illustrated by Elsabe Gelderbloem and Lydia Mhlanga and their responses to my questions about women's achievement of citizenship in SA. Elsabe is a white, Afrikaner, lesbian, self-employed graphic artist. Lydia, Coloured, is originally from working-class Atlantis and now lives in Tambo Village. Their responses were:

The entire process of input into the constitution has been a wonderful process. Ja (Yes), we've achieved far more than we expected (Elsabe, 9).

No, we didn't really achieve what we wanted.... there are still a lot of things wrong ... we haven't got full democracy or citizenship yet. Sometimes we don't even feel free to walk. ...There is still that racialism, in our schools, our workplace, even between our people ourselves. ...Democracy ... it's all up there... but down on the ground, here it's very hard (Lydia, 21)

The above illustrates how differently the new SA has impacted on the two women, both comrades during the 1987-1990 period in the Federation of SA Women (FEDSAW). They have had different opportunities for access to education and professional training because of race and class positions. Elsabe became a media specialist because of her privileged position as a white Afrikaner woman. If she applies for any contract in government, she will probably get it as she has a woman-owned business²⁶. Lydia too works very hard in the HIV/AIDS project in Tambo Village. Even if she works harder than Elsabe does, she will never earn the money nor have the opportunities that Elsabe has. The danger is that currently there are signs that women are becoming more polarised in SA. If women have skills and education, there are many opportunities in the New SA.

Not only is lack of education or skills a problem, but many women in SA do not have access to basic resources such as water. As one woman put it,

... [W]hile you feminists are concerned with getting out of the kitchen, our fight is to get a kitchen' (quoted in Thengwiwe Mtintso, 2003: 572).

CONCLUSIONS:

In order to explore whether citizenship is gender-neutral I have investigated various theories and built on the work of Lister (2000), Fraser (2000), Gouws (2005A,B) and others. Citizenship was found to be profoundly male, white, able-bodied, heterosexual and rich. Women are a specific sort of citizen, in that globally, because of women's nurturing and reproductive roles, it is assumed that women do the caring and 'private' work in the home.

²⁶

The Procurement Policy is a system whereby points are allocated to applicants for government contracts. If a business employs historically disadvantaged persons (HDP) such as women or black people, or is owned by an HDP they qualify more readily for contracts.

I agree with Philips (1991) that democracy needs to be engendered and then subsequently, as Lister (2000) and Frazer (2000) argue, citizenship will be engendered. Unless there is a move away from the public/private dichotomy and an assertion of the valorisation of carework, there will be no substantial change in women's position even though many countries stress women's full citizenship in their constitutions.

This brings me to the conclusion that constitutions and rights-based arguments are not enough to ensure women's substantial citizenship. Carework is part of the responsibilities of citizens and should be shared and acknowledged. It is interesting that going to war – killing others – is seen as part of (mostly male) citizens' duties, but not healing and caring. The entire concept of citizenship should be transformed to be comprehensive and contribute to the welfare of all people. Coupled with this, there must be an interrogation of the gendered division of labour, and gender power relations need to be eradicated. Fraser's Universal Carer is a concrete example of a way forward.

I have analysed motherhood because of the centrality of the motherhood discourse in SA. Women have used this political space and transformed it through their political agency. I argue that women, through their actions, have appropriated their public political spaces. Using examples from other countries such as Australia and Sweden, I argue that it is not enough to promote women as welfare beneficiaries but that women as workers and women as decision-makers need to be included in women's citizenship. Leisure for women is also an essential ingredient for citizenship, and this can be attained if men share carework.

What also needs to be reiterated is the diversity of women: women-as-decision-makers may end up becoming polarised from the very women whose lives they want to change. As representatives for women in politics, women decision-makers should be accountable to organised women. This is imperative, as the very women who are supposed to promote women's interests broadly may end up either as career politicians, or politicians that put party interests above women's or poor people's interests. The diverse needs of women must be taken into account. In order to realise, internalise and actualise women's effective citizenship, various strategic partnerships must be sought. It has been proven how, under very adverse circumstances in India and Bangladesh successful

partnerships facilitated rural women's effective participation at local government level. "Autonomous feminist spaces" (Goetz 2003) are also imperative.

Through the various examples used, it is seen that participating in the state can be an effective strategy, notwithstanding the inherent contradictions. With more women in politics who want to promote a feminist agenda, this would change over time.

In terms of African women the citizenship project has many challenges, considering the bifurcation of the legal system; women remain 'subjects' of traditional laws and religious beliefs. However, this situation is not limited to developing countries. I return the gaze, as in developed countries many still are 'subjects'. In Europe and the USA immigrants, First Nations, some Black women, Romany people/travellers, lesbians and people with disabilities still do not have comprehensive citizenship because of religion, discrimination and a plethora of other factors. Hence I argue that the citizenship project globally still has enormous challenges.

Currently the global context is unfavourable for the enhancement of citizenship for women. At the same time it would be meaningless to create comprehensive citizenship for women and other marginalised groupings if the conservative "US/Vatican/Islamist coalition" (Molyneux 2004:114) and neo-liberalism are not challenged by strategic international progressive and feminist lobbies. Feminists and social justice activists should establish global movements in solidarity through which various strategic tasks are performed, for example in relation to the World Trade Organisation, or trafficking and violence against women. Women and concerned persons should explore how to 'infiltrate', for example, the bastions of faiths, education, media and traditional institutions. However, these institutions should be transformed in order to facilitate women's effective functioning. Other strategies include building an effective progressive pro-poor lobby. Mohanty speaks about the 'politics of solidarity' (Mohanty 2003:4) and transnational feminist solidarity. In the interim the idea of a comprehensive citizenship for all must be disseminated at different levels.

In order to realise this comprehensive citizenship I propose that the five R's be emphasised: Citizenship implies Responsibilities, Rights, Ritual (love, creativity, religion) Research (or knowledge about health, philosophy, theories of the social sciences, all to

improve health, living and working conditions). The final R is Respect – respecting differences, cultures and traditions as long as they are not imposed on others and do not infringe others' human rights. Respect also includes respect for the earth and environment, by not exploiting them. All these, collectively acknowledged by vociferous lobbies at various levels, could contribute to a comprehensive citizenship for all. I therefore promote the position that various strategies and alliances be sought to promote the feminist agenda.

CHAPTER THREE

HISTORICAL, CONCEPTUAL AND METHODOLOGICAL FRAMEWORKS

INTRODUCTION:

In analysing citizenship in Chapter Two, key issues that emerged are that equality and participation are crucial for the exercise of full citizenship. Citizenship as currently practised is not gender-neutral; instead, it is profoundly male, with women constituting a specific sort of citizen.

Because citizenship is male-defined, work defined as mostly women's work: mothering, caring and nurturing, is not acknowledged as the tasks of citizenship. I argue that they must be, and that it is ironic that women's carework is not seen as integral to the work of citizens, while fighting in a war and killing are. I assert that caring should be valued for its importance to society and acknowledged as a responsibility for all citizens. Hence I argue for state-coordinated caring based on Fraser's Universal Caregiver model, which stresses that all who do carework receive extra points for it, so that carers do not lose out on pension payments. If all do their share there would be time for leisure for all. Because of women's location as mothers. and because re/productive work is an aspect of citizenship, therefore women are specific citizens.

In this chapter, I examine the political protests of members of the United Women's Organisation, UWO (1979-1986), United Women's Congress, UWCO (1986-1990), Federation of South African Women, FEDSAW (1987-1991), the Women's Alliance, WA (1991-1992) and the Women's National Coalition, WNC (1992-1994) and their demands for full citizenship. What was unique in these structures was that membership consisted of both white and black women despite apartheid restrictions. Even though white women enjoyed formal citizenship their power was limited by patriarchy and they were in solidarity with black women. In exploring these women's struggles against apartheid and patriarchy I am confronted by three key questions:

- What were the barriers preventing these women's citizenship and political agency in SA?
- How did their political agency develop in order for them to overcome these barriers and achieve citizenship?
- Having ascertained that women are not homogenous, how did their political agency accommodate their diversity? Did their agency in fact achieve and ensure the citizenship they demanded, and does this citizenship recognise women's diversity?

Motherhood was also the political space granted to women during the liberation struggle. Through their activism women asserted their roles in the public spaces of citizenship. How motherhood was interpreted and transformed during their struggles will thus be central to my argument that women's demands around motherhood should be taken seriously as their expression of political agency and citizenship. Because both apartheid and patriarchy were barriers to women's citizenship, women's political agency was focused on national and women's liberation.

In exploring the above, this chapter will be divided into three sections: Parts 1 to 3 will focus on the historical, conceptual and methodological frameworks for my arguments respectively.

GRASSROOTS WOMEN'S POLITICAL AGENCY AND THEIR STRUGGLES FOR CITIZENSHIP

In this section I highlight how women exercised agency directed towards democracy and women's substantive equality despite various obstacles. Within the apartheid context, black people in general were not formally recognised as citizens and were deprived of the basic privileges accorded that status. However, for black women the situation was even worse than for black men. Women were not allowed to be in urban (white) SA, they were exploited economically more than black men and subjected to patriarchy. They were also victims of rape and sexual harassment. The majority of black women were forced to eke out a living for themselves and their families in rural areas or informal

settlements in urban areas. Yet black women were proactive in organising women-only structures to demand their rights, and they persevered, despite the various forms of state repression and the disapproval of male comrades. To highlight women's determination to achieve their aims, I outline the obstacles hindering their political exploits.

For more than a decade after the 1960 banning of the ANC there were no overtly political protests. However, after the student uprising in 1976, a mood of protest gradually permeated the country. Women responded to renewed government repression and the brutality of the police towards the youth by forming various national organisations such as Women for Peace in 1976. Women in the Western Cape (WC) also met to explore how they could work towards an apartheid-free SA in which they would have substantial rights as women. Many of these struggles of women are unacknowledged and therefore undocumented.

Walker reminds us that the material about women's political agency is scanty, as "frequently their involvement has been overlooked... [but]... there is a long tradition of female protest" (Walker 1982:75). What my research (archival, interviews and local media) shows is that during the 20th century there have constantly been protests by women in one or another part of SA. Because of limited documentation, I will be using "analytical narratives" (Meintjes 1996:47). This narrative form of enquiry is intended to advance theorising and empirical work on citizenship.

Preceding the formation of these women's structures in the Western Cape (WC) in the late 1970s, there was obstruction from husbands/partners on a personal level, and from some political allies. The autobiographies of Miriam Moleleki (1997), Ngcwecwe (1997) and Mfengu (1997), as well as the numerous interviews in Barrett et al (1985) all outline the hindrances, including physical violence that husbands/partners inflicted on women because of their political involvement. Scanlon (2007), in her portraits of three founder members of UWO, also sketches the severe impediments these women leaders endured in their intimate relationships. The data I supply in Chapter Four confirms the validity of such findings.

Discussions concerning the formation and initial activities of the UWO were met with mixed reactions: there was enthusiastic support by most progressive forces but there was also extreme opposition by several men, such that "...some men... tried to break up the meeting, but the women were too strong" (Minutes, Women's Meeting, Maryland, Hanover Park, Aug 12 1979, UWO Papers). Women did not allow themselves to be deterred, and proceeded with their organisational planning. Other players tried to coerce women into creating an organisation for both women and men, as there were no mass-based organisations in the country at that time.

Some men also tried to determine the agenda at the launch of the UWO on 4 April 1981 (Mildred 16, Lynne 52). This was clearly illustrated as men dominated the plenary discussions (Lynne 52). To encourage women to speak as well, Dora Tamana (founder member of UWO) inspired women to speak through her invocation:

You who have no work, Speak.
 You who have no homes, Speak...
 Men and Women must share housework.
 Men and Women must work together in the home and out in the world (UWO minutes, 1981 p: 3)

After this, women did begin to speak about their concerns and why they wanted to be part of the new structure. Within a few months there were 16 branches, in all parts of Cape Town. By the end of the year there were 23 branches representing various 'race' and class groups. This illustrates that women took the initiative and demanded their right to organise despite the disapproval of male comrades and state oppression.

An added tension affecting the early days of post-1976 women's organisation was that occurring between feminists and women nationalists (Hassim 2006:57, Clara 1989, Ginwala 1986, Seidman 2003, Geisler 2004:11, 65). During the first two years of the existence of UWO there were constant debates about what women's and people's problems were and what UWO priorities should be. At the 1984 annual conference, the Gardens Branch (white) proposed a more feminist programme of action. A lengthy debate followed on what precisely this meant:

These problems of women - childcare, contraception and so on are part of a bigger system. The passes lit women first (Whitey Pokwana quoted in UWO Fourth Conference Report, 9/10th June 1984).

The majority agreed that passes initiated women's activism and that women's issues were vast: for example, the effects of apartheid, housing shortages, poverty, violence in general and against women. However, issues of maternal health, reproductive rights, rape and violence against women were later focused on in UWO/UWCO and through UWO/UWCO partnerships with other organisations (UWO 1985, UWCO Campaign against Sexual Abuse, 1986, *Speak* 1985-1987, Hassim 2006). Hassim observes that "some women rather wanted to link local struggles to the exiled liberation movement and uprooting apartheid" (Hassim, 2006:57) and this link with the ANC soon became common. UWO/UWCO repeatedly demanded the unbanning of the ANC. But even though there were both women's and national liberation issues on the agenda, the word feminist was always contentious and was not used generally during the early years.

What was problematic for UWO, as the first mass-based women's organisation in the country, was the pressure that it should become a national organisation (AGM Minutes 1982, Alexander-Simons Papers 1979). Women from the Eastern Cape (EC), for example Uitenhage, attended the UWO 1982 conference and introduced themselves as a UWO branch. But UWO women were adamant that UWO should remain local in order to consolidate itself. In this resolution they were supported by veteran 1950s woman leader Helen Joseph, who reiterated that the present context demanded new forms of organising and that UWO should be "a child of our times" (UWO papers 4, 5 April 1981). The decision made was also based on lessons learnt from the 1960s bannings. The leadership of the national organisations, the ANCWL and the Federation of South African Women, had been banned, imprisoned or went into exile in 1960, and consequently both organisations ceased to function at all levels.

Tension was also caused by individuals who condemned UWO for dividing the forces of the struggle by having a women-only organisation. Later, when organisations that did not believe in separate women's structures were formed such as the Azanian People's Organisation (AZAPO), the New Unity Movement and the Cape Action League, they constantly criticised UWO. At the other extreme were radical feminists who interpreted the primary contradiction as that between women and men. One such organisation in Cape Town was LILACS (Lesbians in Love and Compromising Situations) to which some UWO individuals belonged. There were constant debates in LILACS about whether the oppression of black people paralleled that of discrimination against gays.

This tension was never resolved and the continued emphasis by most LILACS members on only gay issues, in isolation of national oppression, soon alienated UWO members who then resigned. LILACS was dissolved in 1985 (Fester 1996).

UWO/UWCO programmes focused on combining both practical and strategic gender needs as formulated by Molyneux (1984). Practical activities dealt with poverty, housing, and the high cost of living, and strategic activities included demanding an end to apartheid and a democratic SA in which women would take leadership and be full citizens. UWO/UWCO believed in and practised having a women-only structure that would facilitate the political education and empowerment of women so that they could work towards a national liberation that catered for women's substantive equality.

On being interviewed, the members of the executive had this to say:

'We saw that we had no voice to speak for us or for our children. We knew that as women we were oppressed both in our houses and at work, and that we needed to work towards changing things as women, with both short and long term goals.'
(Barrett et al 1985: 241, 242).

The above quotation succinctly illustrates the various conditions these women directed their energies towards changing. Women had no voice – no 'say' – a key characteristic of being a citizen. Because of their location in society as mothers, their children were their main responsibility, and they had to provide for them (practical gender needs) and challenge their domestic situation, as they were oppressed in their homes by husbands/partners (strategic gender interests).

Seekings (1991) claims that the Vaal Uprising of September 1984 "is widely regarded as the start of mid-decade township revolt" (Seekings 1991:78). UWO focused on building a disciplined and mobilised corps of women who demanded fuller participation in governing their lives. UWO membership consisted of those who built community organisations by building mature political cadres who challenged the apartheid state at various levels. This does not fall within Seekings' definition of revolt. Contrary to his statement that women were largely absent from political leadership in the 1980s (Seekings 1991:86), it was the women as leaders who, together with a few men, initiated the Parent/Teacher Associations (PTA), the Western Cape Civic Association (WCCA) and the Cape Action Housing Action Committee (CAHAC) in the WC. It is also interesting to note that UWO, compared to the CAHAC and WCCA, was non-racial, in

keeping with the new society towards which women were working. They did not work only towards a future non-racial society but practised it themselves. This verifies that their agency was indeed political. The WCCA and CAHAC, in contrast, were based in the African and coloured townships respectively. Hassim (1987:14) and Seekings (1991:77) are correct in stating that women were not generally leaders in male/female organisations. However, those women who were on the executives of mixed structures - Zihlangu, Lesia and Mfeketo in the WCCA, and Daphne King in CAHAC - were all UWO members. The significance of this is that UWO produced not just women leaders but that these women leaders were indeed community leaders, despite the existing sexism.

Not only were women sidelined at leadership level in civics but also within programmes in their areas. This resulted in acrimony at a local level between UWO and male-led civics:

The [Manenberg] branch reported that a formal relationship has been set up with the Civic ...so that there should not be conflict between the UWO and the Civic. Certain evenings have been set aside for Civic work, certain others for UWO work. On general issues, the UWO cooperates with and works *under* the Civic. ...UWO projects [are] not being taken up by the Civic... but keep the Civic informed. ...It was agreed that all branches could learn from the example of Manenberg branch and work out a plan with the Civic (UWO Executive Council, 7 March 1982:2, 3, my italics).

The above clearly reflects the hierarchy of gender relationships within the community: women did both UWO and civic work. UWO was "under the civic" (subordinate to it) and kept the civic "informed" of its work. UWO had to be accountable to the civic. Branches that experienced tension with their civics were requested to follow the Manenberg example.

Even though UWO was formed before the civics and initiated them, once the male-led civics were formed, women had to work for the civics as well, the 'women's' agenda having to be sacrificed for the community agenda. The civics were thus political seniors to UWO and women had to compromise on UWO programmes. As women contested

this, tensions arose in the various areas. Some UWO branches ceased to function as their members were overwhelmed with civic and UDF²⁷ activities²⁸.

But despite this general weakening of UWO during critical times, the pressure of what were perceived as crises enabled them to form a cohesive grouping. General membership committed to anti-apartheid and feminist activities ensured the growth of the organisation. From the above it can be seen that UWO women were exerting their political agency, as they displayed focus, clarity and determination to continue on the direction they had decided: a women-only regional structure.

Many writers emphasise that the 1980s struggle was clothed in a nationalist discourse and this could be because of the high profile of the UDF (Seidman 2003, Abrams 2000). At every UWO general council (decision-making body held once a month) each branch had to submit a report on its activities and even though the UWO programmes were impressive, it was the high-profile UDF that received media attention. Kemp *et al* refer to the tension in the Athlone UWO branch, which exemplifies the gender relations and attitudes among the progressive anti-apartheid structures. It is claimed that Athlone branch was asked by the UDF to cater for a function (Kemp et al, 1995:340). This was clearly a means of reinforcing the notion that women should be nurturers and play a supportive role to the UDF. Despite this undermining of UWO by its political allies, two prominent feminist political scientists, Hassim (2006) and Meintjes (1996) rate UWO as one of the best-structured and best-functioning organisations of the 1980s: "... neither the Natal Organisation of Women (NOW) nor the Federation of Transvaal Women (FEDTRAW) achieved the effective organisational strength of UWO" (Meintjes 1996:56). I argue that UWO was probably the most structured organisation in the WC. It was the only structure that had branches in the rural areas, its own office, and that employed an administrator. Zubeida raises an important point:

When the UDF was formed... the women were the leaders. Without relying on any funding, UWO had an office and one paid staff member. The organisation subsisted from members' annual subscription of 25 cents (Zubeida, 6).

²⁷ An anti-apartheid alliance consisting of more than 100 affiliates nationally, launched in August 1983. UWO was instrumental in setting it up in the WC.

²⁸ Athlone, Mitchell's Plain, Macassar and Kensington branches became defunct as most members worked in the UDF Area Committees in 1984-1986.

Owing to its existing infrastructure throughout the WC, UWO members were central to the formation of UDF area committees, both in the urban and rural areas. For the first few months of its existence the high-profile UDF shared the UWO office in Mowbray. Not only did UWO accommodate the UDF, but it influenced the UDF into becoming more gender-sensitive (Hassim 2006:73). Anne Majors, former secretary of UWO, said in an interview conducted by Hassim (2006) that UWO grew because it was fashionable to be part of the UDF. However, I argue that even though the membership increased, UWO was temporarily weakened as an organisation by the demands of the UDF programme. What is also ironic is that the Natal Organisation of Women (NOW) and UWO, which were formed before the UDF, became known as the 'women's wings' of the UDF (Hassim 2006:69). Once again this illustrates that women's organisations were junior partners to the mixed national liberation structures.

However, in the face of increased state repression, and the nationalist demands of the progressive movements, it was due to the determination of the majority of UWO branches that they continued to function. Despite the occasionally tense relationships with the UDF, UWO members continued to build civics and the UDF because it believed in building the anti-apartheid national democratic struggle.

If one examines the political context of the time, the fact that UWO survived testifies to the perseverance of UWO members. The complexities of the 1985-1986 period were manifold. The State of Emergency stipulated that UWO and the UDF were no longer allowed to meet. Furthermore, since any gathering of more than ten people was illegal, when people did meet, they were detained *en masse*. The members of the executives of most organisations were either detained or 'on the run'. Within this context there were yet other tensions and tasks. The UDF issued instructions that UWO and the Women's Front (WF) should unite as they were two women's organisations with similar constitutions. So, during this period of the State of Emergency, talks around unity took place, but under severe conditions. Eventually this culminated in the two organisations amalgamating into the United Women's Congress (UWCO) in March 1986. It was difficult for this fledgling organisation, with its fragile unity, to flourish. Police repression was intensifying and, because of the extensive powers of the police and army, the arrest of hundreds of women was a regular event.

In her analysis of women's organisations in SA during the 1980s - UWO/UWCO, the Natal Organisation of Women (NOW) and the Federation of Transvaal Women (FEDTRAW) - Hassim argues that they were not able to sustain themselves in the face of male hostility (Hassim 2006:53) and that they "were decimated by the two states of emergency" (Hassim 2006:130). This may be true for some of the branches of UWO/UWCO, but not for all. Hassim's analysis is valid inasfar as she quotes extensively from the 1986 UWO Conference and UWCO Secretarial Reports, October 1988-September 1989 (Hassim 2006:70-73). However, she does not refer to the fact that in August 1987 UWCO re-launched the Federation of South African Women (FEDSAW) precisely to circumvent the State of Emergency restrictions and in order to function optimally and extend its work. Most of the FEDSAW executive were UWCO members. That FEDSAW was launched and publicised in the local mainstream newspaper ('Women re-launch federation', *The Cape Times*, 31 August 1987), once again attests to the creativity and perseverance of UWCO membership. With FEDSAW's launch there were new affiliates/organisations; hence, UWCO succeeded in mobilising more women, despite the State of Emergency.

Although the State of Emergency forbade meetings of UWCO, alternative ways of working were created. The UWCO General Councils continued under the pretext of church or prayer meetings. Details such as meeting venues were never discussed telephonically as most phones were bugged. Women met at *rendezvous*-like stations or churches. There, people would be told the venue personally, or had to follow a leading car. Another communication strategy was that code names and messages were used. As all the executive members were wanted by the police, there would be a phone tree. One person would initiate the phone tree with each phoning the next person until all had been contacted. If the phone tree was not completed, it might mean that one person had been arrested; then all plans would be changed. Women also made functional alliances with professionals such as lawyers and doctors. Because it was inevitable that many would be arrested, workshops were held at botanical gardens with lawyers who would speak on 'knowing your rights'. The laws/acts governing detention were covered, and women were told what limited rights they had under the different acts. This empowered women during detention: they knew what their rights were and could act accordingly.

Because there was almost daily confrontation with police and army, many people were tear-gassed, shot with rubber bullets, and occasionally with live bullets, resulting in fatalities. Anyone admitted to a hospital with any of the above injuries was immediately placed under arrest. As a result, UWCO devised its Neighbourhood Care Project. One representative in each street in each township was trained as a paramedic in order to attend to those who were wounded. For more severe cases there were dedicated professional medical personnel. These were but some of the ways through which UWCO, with its grassroots women membership, circumvented police action and took control of their lives as citizens.

Apart from the intense confrontations experienced in opposing the state, women also had to contend with demands from their male comrades. As the decade progressed and the level of defiance increased, UWCO was constantly compelled to do more UDF (United Democratic Front) work. There were programmes of action in which organisations, as affiliates, were compelled to participate. An example was the 'Million signature campaign'. All members had to do door-to-door visits, explain to each household what the UDF and the campaign were about, and request the entire household to sign the petition against the illegal government. The aim was to get a million signatures; hence there was a lot of pressure on all. Engaging people in their homes was an effective mobilising tool, but it was time-consuming. There were also times that the work of UWCO had to be postponed as the UDF, with one day's notice, would urgently require all affiliates to attend a meeting or be part of a protest march.

The state repressed all protests, but it was also the aim of the UDF to make the country ungovernable.²⁹ But the context of constant crises, the state of emergency and low-intensity civil war contributed to well-organised programmes being postponed, as there had to be some reaction to state terror. It was a test to balance being proactive and reacting to state repression. There were times when, for example, hundreds of children or women were arrested. All plans were then postponed as the UDF or UWCO would arrange a protest march demanding the release of the detainees.

²⁹ According to the ANC/UDF programme there were four pillars of struggle: mass mobilisation, the political underground, the military struggle and international pressure for SA to change.

So there were times when the demands from the UDF were understandable, because of the crises described. But there was also blatant disregard and undermining of UWCO programmes. Usually the UDF was informed well in advance of the UWCO programmes and dates. Despite this, the UDF on one occasion arranged a housing conference on the same day as UWCO's programme and asked UWCO to postpone its work. Apart from the resentment aroused by excessive workloads and the undermining of UWCO, many women complained about the sexism experienced in the UDF (Russell 1989:229). Most of my data confirms this.

Just as UWO/UWCO programmes sometimes had to be sacrificed for the sake of those of the UDF, individual women also had to sacrifice themselves:

It was the women who gave up... At UDF you would find that more men... than women attended, not because women weren't interested, [but]... because they were ... busy cleaning the house or ... whatever (Raghmat, 12).

Well, firstly ...at women's meetings women would focus on women's problems, which men might not even be aware of.... You know, men only came into the equation much later ... and yet now women had to sacrifice (Zubeida, 6).

Raghmat emphasises why it was that women "gave up". What is significant, too, is the fact that the women in Wynberg were the first political activists in their area but once the UDF branch was formed there, the selfsame men who earlier had disapproved of the women's activities then became the leaders in the UDF. Raghmat revealed how men/husbands responded to her:

Oh the men would give me dirty looks. I was the one coming to their houses and tempted their wives to go out ... even at night! Before, these good Muslim women ...stayed at home ...Now, these very men were more UDF than us women, who started it all. They're more ANC now than all of us put together. (Raghmat 12)

The UDF/UWCO relationship was an ambiguous one. The UWO/UWCO membership was severe in its self-criticism of the impositions they allowed the UDF: "We let our child run away with us and take a direction that we have not always thought was the best one." (UWO Secretarial report, 1985). At a UDF assessment workshop (Cape Town region, September 1987) it was noteworthy that even time allocations indicated a sexist

bias. When sexism was discussed, the chair said there were time constraints. When racism was discussed, there were no time problems (Lynne, 53).

Within the meetings of the Woodstock UDF area committees, issues of sexism and the contradictions between the public slogans of male leaders and the reality of their private lives were often raised. Both men and women felt it was important to raise these issues but because of the sheer pressure of work there was never time to strategise how to go about addressing and resolving matters.³⁰ At one stage a few women who had been sexually harassed by comrades wanted to raise the matter publicly. However 'senior' women comrades persuaded the women not to expose the incidents. They argued that the 'Boere' (Afrikaners/South African police) might use such an accusation against the movement. This was a very contentious issue and one which many of my respondents argue was incorrectly handled.

As the Western Cape experienced sexism, so too did women nationally. Within the progressive alliance of the UDF, women were not all complacent. Because of this the UDF women leadership proposed a national organisation be formed to discuss women's concerns (Baard, 1986:88). As a result, the UDF Women's Congress (UDFCO) was launched on 25 April 1987 in Cape Town. Although it was not very active, both its formation and the consequent resolutions thereof are important statements, especially concerning sexism and the lack of women's leadership within the UDF (see Fester 1997 for an elaboration of this).

But the UWCO/UDF relationship reflected the crises of the times: political volatility and repression resulting in complexity. Most often there was solidarity and support between UDF and UWCO as comrades fighting apartheid and injustice. The internecine fighting at Crossroads was one example of solidarity. It was during the State of Emergency that the destruction of Crossroads (the largest women-led and women-initiated informal settlement in the country) took place. This well-run community with efficient structures including crèches, schools and clinics was the result of the Crossroads women's committee's commitment to building a cohesive community. Gradually the women's committee was being marginalised, culminating in May 1979 when Ngxobongwana proclaimed himself 'mayor' of Crossroads. The disempowerment of the Crossroads'

³⁰ Discussion was initiated by Jeff Jarwitz and Lynne (53).

women's committee paralleled Ngxobongwana's emergence as a leader, coupled with violence and the patriarchal values of what is commonly known as 'warlordism' (Kaplan 1997:148,149).

Initially women challenged this but as the tension increased, strong women were threatened and some even killed. Regina Ntongana and Winnie Nkosi, Chair of UWCO Branch in Crossroads, were kidnapped (UWCO minutes, 1986; Kaplan, 1997:152,153). Ngxobongwana and his henchmen, the *Witdoeke* ('white cloths' in Afrikaans, as they wore white bands on their heads) collaborated with police in destroying the community, burning the homes of comrades, and terrorising the women's committee members, who fled. Open warfare erupted between UDF comrades and the *witdoeke*, supported by police. Scores were killed, resulting in the destruction of Crossroads as a community (Cole 1986, 1987, Kaplan 1996). Hence it was not only the apartheid state that intimidated the community, but also co-opted black men from the community itself who would not tolerate the existence of the women leaders.

Women living in the KTC informal settlement were also intimidated by the *witdoeke*. KTC was also women-initiated and led. It became a legal settlement through women's defiance. Every day the police destroyed the houses and immediately thereafter women, assisted by UWO women who also strategically moved there, rebuilt the houses. After this continued for months, KTC was eventually legalised.

The violence and burning of homes by the *witdoeke* spread to KTC. Women were forced to flee. They subsequently identified land nearby which they occupied, triumphantly naming it Tambo Square to assert their ANC support despite the disapproval of the *witdoeke*. Through continuous protests from 1987 to 1990 and the eventual occupation of the Municipal offices, these Tambo Square women managed to convince the authorities of their right to land and decent housing. They identified vacant land near Guguletu. Through persistent demands, then negotiation and cooperation, women were given the land they demanded. KTC women collaborated with local authorities to plan and build Tambo Village. They outlined their needs and named all the streets after the local women leaders. Tambo Village today is a model village and monument, a testament to the determination of women's political agency for housing, rights, decision-making and hence citizenship.

In conclusion, apart from the state repression and co-opted black men that women had to deal with, many also had to contend with the sexism of their intimate partners and the hierarchical gender relationships within their homes, churches and communities. Even among their comrades in the UDF women were occasionally relegated to secondary status. Lodge, in outlining women's struggles during the 1980s, concludes that, as state oppression increased, so defiance not only increased but also took on a more national stance, and "...national liberation was to take priority over specifically feminist demands" (Lodge 1985:142). However, I argue that in many cases women's structures, despite the overwhelming odds, continued their fight for freedom and equality for women. If the situation demanded it, new structures were formed, such as FEDSAW, WA, and the WNC. When the ANC was unbanned, UWCO dissolved itself in June 1991 to form the African National Congress Women's League (ANCWL). Women formed the WNC to assert their influence and participation during the negotiations for a new SA that took place between 1992 and 1994.

CONCEPTUAL FRAMEWORK

The conceptual framework will be divided into three sections. These sections will coincide with aspects of women's political agency and the various forms through which women's actions were manifested. The first section will be 'Motherhood', as it was the political space given to women by the liberation movement in SA. As women engaged in political activities against the apartheid regime and patriarchy, there were occasions during which women united with men and other occasions when women were engaged with women-only structures. This will be followed by 'Colluding or confronting patriarchy'. Given the apartheid context, the contradictions in which women found themselves and the differences among them, part will address 'Women and differences'. Women realised that only by uniting all women and having a voice that represented all sectors of South African women would their demands be legitimated and gain credibility during the negotiations period.

Motherhood/Motherism

Women's actions as 'mothers' emerge as a major theme in the literature³¹. Many writers emphasise that South African women were motivated to action as mothers (Budlender et al 1983, Wells 1998, Walker 1982, Charman et al 1991, Scanlon 2007:66-67). This 'motherism'³² stresses women's/mothers' care, love and concern for their children, which is what catapults them into action. Women's political actions have been formidable and they achieved much, as I have outlined in an earlier section. Even though Wells argues that motherists' actions are not 'politically mature' (Wells 1998:253), I argue that these movements grew and developed into broader social and liberatory actions as Kaplan (1997) attests using global examples. Women's motherism was valid political activism for their demands for equality and dignity of life, and hence for citizenship for themselves and their children.

For most of the 20th century black women's struggles were directed against carrying passes. If they were arrested for not having one, they could not look after their families (Bernstein 1985, Barrett et al 1985, Walker 1982). Women and men opposed passes being issued to women because of women's maternal tasks:

If women were taken off to gaol for falling foul of the pass laws, children would be neglected and the family would suffer (Walker 1982:28)

The fact that women could not afford food, shelter or school fees became another struggle for which the concrete metaphor was motherhood.

When a child is hungry the mother is affected, and she can't afford to educate her children because rent is high (Vaal Women's Organisation quoted in Barrett et al 1985:252).

Barrett et al (1985), Bernstein, (1975), Lodge (1985), and Walker (1982) also acknowledge that women's political consciousness was transformed.³³ Their activism did not remain limited to maternal issues but evolved to broader political ones. When there was no food for their children in the 1940s, women organised to

³¹ I am limiting myself to the 20th century.

³² See Ch 2 for definition.

³³ This is referred to as female consciousness that becomes feminist consciousness (Kaplan 1982:545, 1997, Cock 1980:116).

deal effectively with the post-war food scarcity (Lodge 1985). The demand for food was a starting point for the Women's Food Committees, which became a highly effective lobbying group. Their achievements included overturning a parliamentary decision to stop food vans (Walker 1982:81). The practical need for food developed into a strategic one: "Today we fight for food, tomorrow for the vote and then for freedom for all" (Walker 1982:69). When merchants stored food to aggravate the shortage of food and increase prices, women raided the stores (Walker 1982:81).

Women's concerns for their families and children are highlighted in Baard (1986), Kuzwayo (2005) and Alexander-Simons (2004). What must also be emphasised is that this very rhetoric of motherhood and these struggles against passes were the entry point that developed into what later became the struggle for political liberation. That women initially organised on the basis of motherhood must also be seen as an aspect of political struggle and citizenship. What I want to accentuate is that motherhood became militant and was not confined to the narrow parameters of the home; it was a motherhood exercised within the community and society.

Walker (1995) looks at motherhood conceptually and theoretically and comments that motherhood is under-theorised in SA. She argues that women invest in motherhood (and the family) not simply as a result of socialisation or patriarchal roles imposed on them, but out of their own mediation and choice:

What I am trying to develop is a view that recognises women's agency and that begins to take their demands seriously, on their own terms, as an expression of their particular location in society and their active engagement with that (Walker 1995:435).

Hence, like Walker, I argue that 'motherism' must be acknowledged as a form of women's political agency as motherhood is most women's primary location.

While national liberation was imperative for black women, white Afrikaner women on the other hand were used by the Afrikaner Nationalist discourse as mothers and nurturers of culture to build the Afrikaner nation and maintain supremacy. Gaitskell and Unterhalter (1989) outline the parallels of how the Nationalist discourse portrayed both white and black women. Norval (1996) comments on how Afrikaner women were used as "our silent soldiers" (1996:203) in the onslaught against the 'communist threat'. In chapter two

I referred to the suppressed feminist book by Du Toit (1921) challenging passive motherhood in the service of the people/volk (Brink 1990:281).

McClintock (1990, 1993) aptly sketches the interplay between women's agency and the manipulation and nuances of the demands that women be of service to the nation. In a later publication (1995), McClintock develops her argument further, emphasising the differing ways in which black women have deployed this ideology of motherhood:

Motherhood is ... a social category under constant contest. African women have embraced, transmuted and transformed the ideology in a variety of ways, working strategically within *traditional ideology* to justify *untraditional public militancy* (McClintock 1995:381, my italics).

The above succinctly captures my argument: even though women were often given traditional roles, or they themselves chose them, they transformed them for their own purposes. During the State of Emergency and the campaign for the release of Nelson Mandela and all political prisoners in 1987, several UWCO women chained themselves to the Robben Island ferry during the night to bring attention to the campaign. Robben Island was the maximum-security prison where Mandela was held. This received major publicity and gave the campaign a media boost (Surrey Estate focus group). Another example of this "untraditional public militancy" is women's involvement in the ANC armed struggle; four out of the fourteen treason trialists in the Yengeni treason trial (1987-1990) were UWCO members. Some of these UWCO members started their political activism on the basis of maternal concerns. D. Lewis (1993:537), like McClintock (1995), emphasises that it is women themselves who decide on their own how to transform these imposed roles.

Even although the metaphor of motherhood was often the basis for joining women's organisations in the 1980s, the situation was complex. Rhoda shared her dilemma:

Am I going to be involved in the struggle or am I going to be at home with my kids? ... Everybody had to make that decision, but eventually I thought ... that society is making me feel guilty about my choices but you just say to yourself: I'm just going to rear my kids differently... very different from the... nuclear family type (Rhoda 13).

Rhoda realised that society put pressure on her as a mother, but not her husband Paul, who was a leading activist as well. She did not at that time distinguish between national

and women's liberation – rather, she saw herself involved in 'the struggle' and her focus and choice was to be in a women's organisation and her concerns, as reflected above, are that she as a mother would not let society impose guilt and stereotypes on her.

I argue that, over the decades, there was neither an exclusive motherist nor a feminist/womanist position. Rather, there were moments when either one of these or a combination of both dominated. What transpired also depended on the material reality and historical circumstances of the time. What was most striking was how a motherist concern developed into more overtly political issues.³⁴ Because women's freedom was integral to national liberation, women worked strategically with men. This led to the accusation that women were colluding with patriarchy (Maart interviewed in Russell 1989).

Colluding with or Confronting Patriarchy

Many writers, including Seidman (1993:291,292), Charman et al (1991), Meintjes 1998:69, and Geisler (2004), emphasise that women's struggles were secondary to the nationalists' struggles or that women were 'used' by nationalists. I want to argue that what occurred was not a simple matter of either colluding with or confronting patriarchy. Black women and men were both oppressed by apartheid and capitalism, but black and white women were exploited by most men through patriarchy. This meant that there were times that black women challenged both the patriarchy³⁵ of the state and that of their male comrades. At other times black women and men united against apartheid. On occasion black and white women united to oppose patriarchy. In the early 1900s Afrikaner women initially did not want the vote, but when they learnt that if enfranchised, they could support the Afrikaner position to rid Blacks of their limited vote, they then joined the suffragette movement. Once white women had the vote they colluded with Afrikaner men and successfully disenfranchised Blacks (Walker 1990). Walker summarises "Sex loyalty stopped at the heavily guarded boundaries of white privilege" (Walker 1990:314).

³⁴ The UWO High Cost of Living Campaign and bread boycott led to the analysis of the national budget, the revelation that the war of occupation in Namibia was costing R1 million (100 000 pounds) daily and that the defence budget was increased while agricultural subsidies decreased, increasing food prices.

³⁵ Although initially it was not articulated as such until later in the 1980s.

For the majority of black women, national liberation was imperative, but this liberation included women's liberation as well. Black women's political agency thus vacillated between short- and long-term goals and between practical and strategic gender interests (Molyneux 1985). Hence women's political agency stemmed from the reality of their own lives, needs and demands (Jayawardena 1986).

Campaigns by women were most confrontational in 1912-13, and during the 1940s, 1950s, and 1980s, when women become known for their militancy (Walker 1982, Bernstein 1987, Lodge 1985, Wells 1998). These various confrontations resulted in numerous arrests, detentions and the torture of women.

Wells (1998) and Adhikari (1999) focus on the 1913 anti-pass campaign. What is most revealing is that this campaign captured the tension between the militant women and more conservative male black political leadership, as well as the collusion between the police and the black male leadership. The police appealed to men to control their women (Walker 1982:30, 47, 48). Walker (1982) conveys the contradictions that women experienced during most of the 20th century: women and men worked together as comrades in the struggle for freedom; occasionally women took direction from the male-led movements, at other times not, and this led to tension. For instance, during the campaign of the Native and Coloured Women's Association in 1912, women were dissatisfied with the response of the Minister of Native Affairs to a Congress delegation. They then travelled from Bloemfontein to Parliament in Cape Town to raise their concerns. The African People's Organisation (APO) reported on this rather disapprovingly, as the women had not consulted them before embarking on their action (APO, 6/4/1912, quoted in Walker 1982:30, 199; Wells 1998: 254).

During the First World War, the ANC took a position that all protests should stop. Yet women's protests were particularly militant at that time. There is, however, no evidence that women eventually agreed to end their protests, or that they had done so willingly (Walker 1982: 30, 81, 117, Wells 1998: 255).

With the Defiance Campaign in the 1950s the Federation of South African Women (FSAW) complained that men had not made an "active entry" into the anti-pass campaign (Walker 1982:211). Further conflict about tactics and the length of the

women's protests, which continued until the late 1950s, arose (Walker, 1982:219). Lodge (1985) and *New Nation* publication, *The Roots of Militancy* (1989), stress the militancy of women during the 1950s. Once again the ANC male leadership instructed women to stop courting arrest. Even though women did not want to, "the authority of the ANC was regarded as being supreme" (Walker 1982:221), and protests ceased.

During 1992 when the terrain of political protests shifted towards negotiations with the government, women were once again marginalised. It was then that women formed alliances incorporating all women, including those of the apartheid state and political opponents, to promote women's demands (Seidman 2003, Hassim 2003, Mtintso 1999, 2003). They were determined that the new SA should reflect the needs and demands of all women in all their diversity. Hence the Women's National Coalition (WNC) was formed to assert women's demands (*The Women's Charter for Effective Equality*, 1994).

Conflicts with men emerged during these negotiations. The newly formed Congress of Traditional Leaders of South Africa (CONTRALESA) insisted that the equality clause should be subject to Customary Law. This would have meant that women married under customary law would remain perpetual minors. Women led by the Rural Women's Movement opposed this vehemently (WNC Archives, Hassim 2003, 2006:138; Meintjes 1998:154) and succeeded in convincing the forum of the supremacy of the equality clause. Within the ANC, too, women had to assert their demands; even threatening to boycott the elections if they did not get the substantial representation at decision-making levels they demanded (ANCWL Pamphlet untitled, March 1993). To include women at the Multi-Party Negotiations, the ANC proposed three delegates, one negotiator and two advisors of whom at least one would be a woman (Abrams 2000). This was rejected by the Negotiating Council. After extensive lobbying by the women's caucus it was strategically decided to ask the Inkatha Freedom Party (IFP) Women's Brigade to make a proposal. This was that all delegations increase by one woman delegate with full speaking rights (Albertyn 1994). This was accepted. That the ANC and the WNC caucused that the IFP women do the proposal was strategic, as it discounted the idea that gender-sensitivity was an ANC prerogative. Together, women and men worked on the constitution to ensure human rights and democracy.

From the above I concur that the women's struggles were not just simply collusion or confrontation with patriarchy. Because of the complexity of their struggles and the paramount importance of national liberation, women's actions fluctuated between uniting with men and at other times confronting men. But all women's interests do not always coincide, as the next section highlights.

Women and Difference

At the beginning of the 20th century, the suffragette movement gained momentum in what was to become SA in 1910. A harsh truth about this was that the movement exemplified gender and race tensions, and instead of uniting women, divided them even more. Not only were divisions along race lines but also along language groups. The Women's Enfranchisement of the Association of the Union (WEAU) initially demanded votes for all but gradually moved towards votes for white women only (Walker 1982:21; Alexander-Simons 2004:52). White women got the vote and claimed that they would use it to enfranchise Blacks, but this did not happen. Walker maintains that white women colluding with white men at the expense of black people characterised the bulk of white women's organisation for the rest of the 20th century (Walker 1982:24).

Even though the progressive trade unions, the Communist Party of South Africa (CPSA) established in 1921, and the Federation of South African Women (FSAW) established in 1954 were mixed-race organisations, their functioning was not unproblematic. Race, class and power issues influenced how these structures worked and who did which tasks. 1950s veteran white women, Helen Joseph, secretary of the FSAW and Ray Alexander, an immigrant from Latvia, had major organisational responsibilities which gave them power. Alexander-Simons initiated the formation of FSAW and almost single-handedly drafted the 1954 Women's Charter (Personal discussion with Alexander-Simons in 1990, Walker 1982). However, there is no record of whether this created any racial animosity. There was definitely a commitment to non-racism in FSAW: "no woman can be free while her sisters are in chains" (FSAW, 1959, Walker 1982:276).

It was on this non-racial culture that the grassroots women of the 1980s built. UWO was initiated by ANCWL and FSAW veterans (Barrett et al 1985). I referred earlier to the ideological differences among women. Some were challenging women for dividing the struggles by having women-only structures while others, such as the Black

Consciousness Movement, who believed in organising Blacks only, criticised UWO/UWCO for including Whites. Women against Racism (WAR) disapproved of UWO/UWCO's betraying women by not addressing gender issues only (Russell 1989:258, 263). However, UWO/UWCO grassroots women were committed to a national liberation which would incorporate women's liberation.

Throughout the history of UWO/UWCO and FEDSAW, the Federation of South African Women (WC), English and Xhosa were the dominant languages, which meant Afrikaans-speaking women were marginalised. There was only one FEDSAW meeting, in semi-rural Atlantis (1987), where it was decided that Afrikaans and Xhosa would be used. The meeting dynamics were completely changed, with the usual dominant English-speakers less vocal. The marginalisation of rural women was common in all the organisations of the 1980-1994 period. Even though there was a commitment to incorporate rural women equally, the circumstances did not always allow this and often decisions were made without them.

With the formation of the Women's Alliance (December 1990) and the Women's National Coalition (1992) the women's front was broadened and affiliates included marginalised groups such as Disabled People South Africa (Majiet 1992,1993) and the Rural Women's Movement (Hassim 2006). But it also brought new antagonisms. For the first time in the progressive women's movement, which always consisted of extra-parliamentary groups, the WNC included apartheid-era political parties, the then Democratic Party (DP, now the Democratic Alliance) and the National Party (the ruling apartheid party).

In the Women's Alliance there were often racial tensions, and this increased in the WNC. Meetings were conducted with an air of professionalism, and the many lawyers and professional politicians wanted everything to be quick and efficient. No matter how urgent the issue, meetings were seldom longer than two hours. Translations and explaining issues, key in UWO/UWCO, were often seen as wasting time. When reminded about translations, often a white woman professional would quickly ask whether translations were necessary. Before anyone could muster the courage to respond, the chairperson (usually white) would decide no translation was required as no one had responded. This was challenged occasionally, but increasing numbers of

Xhosa-speakers stopped attending. This was the experience in the WC and is endorsed by my data.

At a national level too there were tensions. Abrams (2000) refers to tension among the leadership of the WNC. However, she characterises these solely as personality clashes. The situation was more complex than this, and many of these differences could be attributed to differences in organisational style. Some of the conflicts were between the grassroots-empowering style of the internal wing of the ANC and the exiles, who focused on submissions to the constitutions. Not much is documented about this tension although Hassim briefly refers to it: "Some internal activists felt the returning exiles assumed that the exiles were in charge" Hassim (2006:118). Govender too outlines the patriarchal and arrogant leadership styles (Govender 2007:130,131). Elsewhere in the country, in Natal, because of the Inkatha Freedom Party (IFP)/ANC tension at community level, relationships between women were also affected. Jaffe elaborates on the killing fields of Natal (Jaffe 1994). That the WNC achieved its launch and aims is testimony to the determination of its members to assert their citizenship in the new SA, despite their many differences.

Women compromised and negotiated until they reached a consensus that suited the poor and black women majority. WNC's input into the constitution and on the national agenda ensured that questions of full citizenship for women took cognisance of their equality, participation and difference. However, I personally believe that the WNC process empowered women who were already empowered. Very few grassroots women were empowered.

That mass consultation and mobilisation of women took place and that the *Women's Charter* (1994) was drawn up indicates women's determination, despite their diversity, to ensure their citizenship in the New SA.

METHODOLOGY

As my focus is on the political agency of grassroots women and the links of such agency to full and active citizenship, I limited my interviews to women who had belonged to

grassroots organisations. I chose to interview women who were in organisations as their political agency was exercised through a disciplined programme. A further criterion was to interview women who were organisationally involved for a minimum of ten years. Their data would inform me about the development of women's struggles, whether they had changed in exercising their political agency over the relevant period of 1981 to 1994, and, if they had, what the factors were that had influenced these changes. Organisations I focused on were the UWO, UWCO, FEDSAW (1987 -1990), Women's Alliance, WA and WNC (1992-1996).

These organisations originated in Cape Town and then spread to the rural areas, the exception being WNC, launched in Johannesburg (1992). The first three organisations promoted a non-racial, democratic and non-sexist South Africa based on the Freedom Charter. Their programmes were defined by the General Councils, the highest decision-making bodies. It is clear that these programmes definitely advanced the struggle for citizenship.

The basis of the sample, to a certain extent, reflects the diversity of UWO/UWCO. In my attempt to attain as representative a sample as possible, I chose different branches/individuals in terms of race, class, religion, age, profession, educational level, marital status, sexual orientation and language groups. Because of the radical transformation in South Africa (SA) by 1997, when I did my interviews, these organisations no longer existed³⁶; hence the choice of sample was also directed by women's availability. Some UWCO branches re-launched as the African National Congress Women's League (ANCWL), and these I could access. Other structures also evolved over the period and former branch members of White Location, an informal settlement on the hills above the holiday resort of Knysna (Southern Cape), were part of the Eyethu Crèche in 1997.

The UWO and UWCO were unitary structures with branches in each area. Because branches were limited by suburbs, and suburbs in turn by the Group Areas Act³⁷, each

³⁶

With the exception of the WNC which was limited to an office in Johannesburg.

³⁷

The Population Registration, Immorality and Group Areas Acts of 1950 firmly entrenched racial segregation at all levels. The Population Registration Act classified people into White, Coloured, African (Bantu into different tribes), the Immorality Act prevented relationships and marriages across the 'colour line', and the Group Areas Act instructed that suburbs were race-

suburb was race/class specific. As the organisational policy was 'organise where you live' and based on the M-Plan³⁸ most of the branches were racially exclusive. I was able to interview a mixed (white, coloured and black African) group of former members of Cape Town Central, Sea Point and Observatory branches. Wynberg branch was majority Muslim while Surrey Estate was a mixture of Christian and Muslim. Other areas were mixed-religion, Jewish, atheist or agnostic. Most township branches were almost exclusively Christian. Hence the sample was diverse. This enabled me to capture the diversity of women's lives and their perspectives and the changing nature of their political agency. I also interviewed some members of the Black Sash, as it developed close working relationships with these organisations. Even though I had interview questions and a questionnaire, the interaction between research participants and the researcher was informal as they were usually either in the form of tea parties or dinner.

I agree with Mies (1991:10), Mama (1997:67) and (Reays 1997:57) who refer to the 'respondents' as the *research participants* as they are part of the process, and profoundly influence the outcome in various ways. Interviews were like 'structured conversations with the experts doing the most talking' (Taylor and Rupp 1991:124). Most data were narratives of an episodic nature. They ranged from descriptions of methods of mobilising women and planning campaigns to action of diverse actions, such as how women held councillors hostage in the Oudtshoorn library because of poor service delivery and high rents. This narration 'from below' was helpful as incidents related by one person would trigger the memory of another, resulting in a comprehensive narrative with different perspectives. There were also times that research participants shared experiences for the first time. They had suspected that many others were also involved in underground politics, and women revealed how they hid youth from the police, smuggled arms to underground commandoes and assisted with false passports. It was also the first time they shared many of their fears and anxieties. This was perhaps the most revealing, as they admitted how they felt compelled to be strong and fearless soldiers during the 1980s.

and class-specific. In Cape Town and environs African and coloured townships were working-class. There may have been a few middle-class coloured areas. All white areas were middle-class.

³⁸

This was Mandela's plan for organizing street by street with each street having a coordinator and linking up with other streets (for 1950s Defiance Campaign) according to Zolile Malindi, volunteer-in-Chief for Defiance Campaign (Personal Communication 1990).

In terms of the focus group questions, women emphasised what they wanted to emphasise. At times I just sat passively as women diverted into the vernacular and I could not always follow. It became their space; they had to catch up with news. I facilitated their meeting after many years apart. Much of the 'catching up' news was useful as they analysed what they had achieved and what they had not; their frustrations and their successes, and the changing nature of their political agency.

As a member of all of the above organisations I had copies of most documents produced. Throughout the 1982-1994 period I was either on the executive or in a co-ordinating position (with the exception of 1988 to 1990 when I was a political prisoner on charges of treason. At least 30% of UWO/UWCO membership were in prison for periods ranging from a few hours to much longer terms). These documents were analysed to trace the changes that had taken place over time, what the issues were, what the relationship was with men's or mixed organisations such as the United Democratic Front (UDF), what the major themes were on which campaigns were based and how these changed over time. The constitution and policy documents were also analysed to assess how membership viewed national liberation *vis-à-vis* women's liberation and issues of difference, race and class. I also made use of the African Studies Archival material at the University of Cape Town and the Mayibuye Documentation Centre at the University of the Western Cape.

As most of this material is undocumented, the interviews and focus groups are complemented by newsclips, pamphlets, and campaign documentation. Most media covered women's campaigns regularly, especially the community newspaper Grassroots (1982-1987)³⁹. UWO was well known nationally and had major mobilising strength.

I chose the qualitative approach as the 'more feminist one' (Maynard 1994:10). Generally it is understood that in many cases quantitative analysis is seen as more accurate but represents a more 'masculinist' form of knowing "where the emphasis was on the detachment of the researcher and the collection and measurement of 'objective' social facts through a supposedly value-free form of data collection" (Maynard 1994:11). This has since been proved a myth. Adomako Ampofo et al emphasised:

³⁹

See appendix

In examining research on women and gender, quantitative methods are still viewed as more scientific than qualitative methods (Adomako Ampofo *et al* 2004: 687)

Consequently I chose to use qualitative analysis because:

They foreground the experiences and voices of the research participants as well as ...other important factors that define the everyday life practices of women and men (Adomako Ampofo *et al* 2004: 688)

This method provides a deeper understanding of the values, attitudes, motivations and behaviours of the individuals and target groups, and in my experience it provided an opportunity for a conversation to evolve between the researcher and the participants. This facilitated a more equal exchange of information. With the semi-structured questions it was easy to have follow-up questions, and so gain more in-depth understanding.

In the case of these research participants there was none of the polarity of public/private lives; this reinforces how empirical work advances the theorisation of citizenship. They shared their experiences and agency, which straddled public and private, rendering these divisions artificial and irrelevant to their daily experiences. Adomako Ampofo *et al* (2004) capture this and how women transform gender relations:

Many of the life studies show how the public/private sphere dichotomy never accurately reflected the African experience and illustrate the distinctive ways in which women exercised their agency in the pre- independence period by subverting conventional understandings of appropriate gender relations. (Adomako Ampofo *et al* 2004:688)

I used one-to-one interviews and focus groups with semi-structured questions, and used English, Afrikaans and Xhosa. In most cases translations were used, especially for Xhosa and for the rural areas because of dialects. With White Location, Cape Town branches and Black Sash members I also used questionnaires with single versus branched questions to augment the focus group discussions. With other groups, where reminiscence, laughter and occasional sad moments dominated, there was no time to use questionnaires. What all who took part emphasised was that they wanted their names to be mentioned and their stories told. I did all the interviews personally and had

assistance with transcribing/ translating the recordings. Limitations and shortcomings of the processes around language and other issues will be highlighted in chapter 4.

In 2004 I followed up the interviews. The only person interviewed who has not been part of the structures listed is the national Minister of Education who was in exile during the relevant period. I also interviewed Sheila Meintjes in 2007, who chaired the drafting committee of the *Women's Charter* and followed up a few interviews for clarity. The ages of the research participants ranged from 35 to 75 years. The members of UWO/UWCO and FEDSAW were predominantly Black with about 3% White. The majority I interviewed were rank-and-file members. I interviewed 10 focus groups and 43 individuals of whom 5 are political office-bearers - a total of 207 women (see list appendix D).

I first encountered the question about who writes about whom in the 1980s. I would read articles on our activities which were not, in our opinion, reflected accurately. I have since understood that these reflect different perspectives and that in order to balance these accounts of our work, there should be new and different voices and hence I am adding my voice. I was also discouraged by my then-supervisor not to write on this topic, as I was too close to the relevant events.

It was with great insight that I first encountered the concept of reflexivity during a seminar by Prof Henrietta Moore in which I was introduced to Diane Reays (1996). This and other subsequent readings on feminist standpoint theory really gave me an insight that there are different perspectives. I also then understood my personal passion to write the history of what I see as a political imperative. I recall how in UWO/UWCO General Councils I was asked to write about 'our struggle'. During my interviews it was stressed:

You write about us and tell the people about how we fought to get democracy
(Zwelethemba 49).

However, in terms of reflexivity, I need always to be aware that as much as I was writing about the women's struggle in the WC, I also indirectly wrote about mine. I need to let the data speak for itself even if it contradicts my interpretation of events.

I need to emphasise that I see myself as a 'researcher participant' (Mies 1979). Mies also emphasises the combination of theory and practice as praxis and the importance of the activist/academic combination. As a participant integrally involved in the grassroots women's struggles, a former political prisoner, a member of parliament and commissioner on gender equality, a 'gender diva' (McFadden 2003:5), I therefore am an "outsider within"(Collins 1991B:35).

However, I do not deny my power as researcher/participant, as I decide without consultation on the selection and the interpretation of the data. I choose to write about our struggles, as:

'It is axiomatic that if we do not define ourselves for ourselves, we will be defined by others – for their use and our detriment (Audre Lorde, 1984:45)

As much as I believe, in response to Lorde's comment above, that I should be describing the struggles of the 1980s, I also acknowledge the necessity for caution and of reflecting on my own position: I do not "claim to have a special knowledge, a privileged standpoint ... (hence assuming) ...theoretical legitimacy through (an) authentic voice". If I were to "...claim epistemic privilege" I would be like the very Northern writers and men that we black feminists criticise (Mirza 1997:4). The importance of self-reflection among black feminists from the South is echoed by Lewis and Hendricks (1994:73).

I view my work in terms similar to that of Mama, who describes her work as a "Black–woman-centred piece of work"; a way of redressing inequalities (Mama 1995:7). I also acknowledge my differences as a first-generation urban inhabitant with tertiary education, compared to the average South African grassroots woman I write about. I strive to be constantly aware of my multiple and fractured identities and their concomitant powers.

This process of documenting the struggle is important. Although I am a gender activist with a demanding schedule, I should make time to do intellectual work and reflect. What I have also learnt is that it is not enough to write about history; one must also theorise. Bell hooks articulates this:

By dismissing theory and privileging organisation work, some women of colour are able to see themselves as more politically engaged where it really counts. Yet by buying into this dichotomy of theory and practice we place ourselves always on the side of the experiential, and in doing so support the notion that ... the role of ... (white women) is to do the 'brain work, developing ideas, theories... while our role as (black women) is ...to contribute to experience ... (hooks 1984:113-114).

As a feminist I must ensure that my work is rigorous and thorough. Maynard challenges us as feminists:

Feminists' work needs to be rigorous if it is to be regarded as intellectually compelling, politically persuasive, policy-relevant and meaningful to anyone other than feminists themselves (Maynard 1994:24).

I also need to be intellectually honest and accept that I do not have all the answers; nor is my work *the truth* but a truth with inherent weaknesses that should be open to criticism. Holland *et al* remind us that:

The validity of our interpretations depends on the integrity of the interaction of our personal experiences with the power of feminist theory and the power or lack of power of the researched. Our conclusions should always be open to criticism (Holland and Ramazanoglu 1994:146).

I am aware that I have a subjective understanding of all the events as I was a participant in these organisations with multiple identities, including power and powerlessness.

Being a Christian privileges me as a member of the majority religion in SA despite my secondary position as a woman. Another nexus of power is my membership of the majority political party, the ANC. It is easy to be seduced into the power of allying myself with the party at the expense of poor women. McFadden criticises the women who have carved themselves careers in the gender industry (McFadden 2003) and of this I need to be mindful.

As a member of the ANC who has been 'deployed' into various positions in the 'gender industry', for me McFadden's words reverberate vigorously. My current position includes international jet-setting; a far cry from the lives of women in remote rural areas in whose name I am struggling. I constantly need to be aware of when and how I align myself with the 'party' position and question how my decisions might impact on the lives of poor

women; that this academic work and gender activism that I am doing should contribute to understanding the processes in SA in order to change them to benefit the black girl child in the rural areas.⁴⁰

My personal and political struggles will also colour my interpretation. As a feminist who has always been concerned about the patriarchal structures in SA, who is passionate about women's empowerment and very subjective about violence against women because of personal abuse during my marriage and political detention, I realise how cautious I have to be when interpreting the data.

I joined what was the Kensington UWO branch in 1982, just after I had completed a Masters' Degree in Women and Development in The Hague. It was a lower middle-class branch, with the majority of members being university students. I felt particularly excited and privileged to be part of this struggle, the first grassroots, non-racial and mass-based organisation in the country since the 1960s. I had also had the opportunity to share and exchange strategies with women from various developing countries while in the Netherlands. So I straddled the lines between privileged student, middle-class lecturer and political and gender activist. As members of UWO and later the UDF and UWCO, not only did we do door-to-door work, pamphleteering and the arranging of street, area and mass meetings, but we visited other regions, sometimes by invitation, at other times as part of our own programme of raising awareness of women's issues in different parts of the country. What was exciting and daring was the agency I felt, that I was actively doing something, challenging the state and collectively working with other women to inspire and encourage more women to be part of this social movement.

In contrast, while conducting the interviews and during the actual writing and making a selection of the data I was to use, I found that I was engaged in looking at others' lives, summarising their lives and "placing them within a context [as] an act of objectification" (Acker et al 1991:142). Ann Oakley characterises interviewing women, from a feminist perspective, as "a contradiction in terms because it involves 'objectifying your sister'"

⁴⁰ I see myself as part of the process Mies refers to when she says: 'It was the necessity of searching for new methods and a new concept of research ... (which) will only arise when women in the universities transform the sciences into a means by which to fight women's oppression and exploitation and want to change the status quo (Mies 1991:61). This is echoed by Maynard (1994:27).

(quoted in Taylor and Rupp 1991:125). This is what I was doing and I was constantly aware of the ambivalence I felt; I was using their lives for my benefit but they too wanted their stories to be told. I believe I have the obligation to ensure that as feminist research this work must be used in order to improve women's lives, as Mies (1991) reminds us.

Just as Acker et al (1991) describe, I found that during the actual task of analysis, I was moving back and forth between letting the data "speak for itself" and using abstracted categories (Acker et al 1991:143). I identified categories after reading through a few times, trying to link the data to my key questions. I found that, with so much information, I was confronted with the question of how to decide what was essential and yet simultaneously give a comprehensive picture, an attempted 'totality' of events. I felt that the enormity of the complexities would have to be restricted because of my limitations. I did not always know whether I had the emotional tools to deal with the frustrations and poverty that so many women still face and the conditions in which they live. I had benefited from the new SA and many of them still had not.

I also discovered that my questions changed as the research progressed. I learnt too that my assumptions that there were women who had classified themselves as 'mothers' because they participated in the liberation struggle was too simplistic. Women's lives are more complex than that and women do not neatly compartmentalise their lives into separate categories. I too had to evaluate my own position: whereas I had earlier discounted 'motherism' as largely a form of rhetoric, I came to re-assess the importance and value of motherhood to most women.

In my power as a researcher I have chosen certain extracts, but have I, in my overarching account, told it as it actually happened? What is the truth? What I have to contend with is that what my selected data provides me with is one aspect of truth.

Like Stanley and Wise, I have, in retrospect, the concern that feminist research should not focus solely on women (Stanley and Wise, 1991:281). I have women's interpretations of their political agency, and I share many of these, but it would have been interesting to get the opinions of men, especially since there were tensions between women and men comrades.

In terms of the methodology, my insider/outsider position fluctuated. The neat conclusions that I assumed my data would afford me did not materialise. Because of the complexity of women's lives I could not clearly delineate that a specific period was a purely 'motherist' period, but rather that women utilised various strategies including 'motherism', and shifted according to the context. But what emerged clearly was that their political agency developed into broader political aims. What I need to stress, though, is that their demands were citizenship demands, as carework is the responsibility of all citizens. But when one analyses their actions in terms of WC politics, these 'voices from below', grassroots women, emerge as leaders and initiators of political action for citizenship.

CONCLUSION

My three questions at the beginning of this chapter were: what were the barriers to women's political agency; how did women's political agency develop in order to overcome these barriers despite the differences amongst women, and how did their political agency develop to ensure that the citizenship they achieve takes cognisance of diversity?

In terms of the barriers to women's political agency, not only were their adversaries the apartheid state but also the husbands/partners in their personal lives and some of the comrades in progressive political structures. Relationships with male comrades sometimes varied, as in the case with UDF and civic leaders. The UWO/UWCO experienced periods of flourishing and waning. However, women continued to organise and support the very UDF that often undermined them, as national liberation was fundamental to women's total emancipation and citizenship. Women protested consistently against the apartheid state despite tear-gas, bullets, torture and detention, and even the killing of some women and children. They formed new and broader structures like the FEDSAW and WNC when necessary. The research participants also managed to convince women from other organisations that initially ideologically condemned them of the strategic importance of women's separate organisation.

Women triumphed over the barriers set before them by consistently adhering to their own principles and decisions in maintaining a women's only structure, and were not coerced by male comrades to form a mixed structure as they were pressured to do. Rather, with other men, they formed the civics and the UDF. Even though these very structures they helped formed undermined and marginalised them on occasion, women continued to organise for their citizenship.

The request by other women comrades from various parts of SA to form a national women's organisation was also rejected. UWO/UWCO women travelled extensively to assist women nationally to form women's organisations, such as the Port Elizabeth Women's Organisation.

They were creative in circumventing the restrictions of the state of emergency. By forming new organisations they were able to meet. The Women's Cultural Festivals held in 1987 and 1988 by FEDSAW were major organising and celebratory events.

In terms of taking cognisance of differences amongst women, UWO encouraged each branch to have its own programme of action coinciding with local women's needs and interests. An organisational theme, participated in by all branches, united all these diverse women. Even though race, class and power tensions were also present, the fact that UWO also consciously promoted black working-class leadership countered this to a certain extent. Diversity among women was sometimes problematic as they had different interests. However, the programmes of more than a decade focused on what affected the majority of women: passes, poverty and the plight of women in the rural areas cemented these divisions. Similarly with FEDSAW - as a federal structure each organisation maintained its individual programmes, but together FEDSAW organised the women's march, 'Take back the night' and a religious service with feminist liturgy to pray for the release of women from prison and the end of the State of Emergency.

The even-broader WNC was fraught with racial and class tensions, but despite these, women were determined to continue, as making intervention at times of transformation is crucial, as Goetz (1995) argues. The WNC, despite its diverse constituency, succeeded in major interventions at the negotiations regarding what mattered most, women's representation and the constitution. Through national consultation the Women's Charter

was drawn up which articulates women's commonalities and demands for a citizenship that takes cognisance of differences. The national mobilisation of women around their demands for the *Women's Charter* had considerable influence in creating a women-sensitive atmosphere nationally. The constitution, progressive legislation and policies of the New SA acknowledge women's diversity.

The case study of the women of Tambo Village graphically reflects women's successful political agency for aspects of citizenship. Their journey from KTC informal settlement to the model Tambo Village, created through their determination, is testimony of women's political agency for citizenship.

Throughout this study, I was constantly confronted by the complications of women's lives, how their responses developed over the decade, and their determination to achieve social justice for all. What, however, is certain was that women's political agency with their confidence and assertiveness contributed to the New SA. Attaining full citizenship is the next step.

CHAPTER FOUR

WOMEN'S WORDS

'Women are able to explore political practice on their own terms in grassroots movements where they often constitute the majority of participants. Gender relations established in these movements do not imitate those in institutional politics; they provide a more positive environment for experimentation and the legitimization of women's claim to political space and citizenship.' (Chassen-Lopez, 1997:181)

In this chapter I analyse my interviews and focus group data to identify what women themselves are saying about their political agency; I also show how their actions coincide with what Chassen-Lopez states.

In Chapter Three I emphasised the tensions between women's structures and the male-led political movements in the 1900s and how women creatively responded to the despotism of the apartheid state. Women's determination to proceed with their plans despite the obstacles in their personal and political lives resulted in effective women's organisations. They succeeded in intervening at various levels including the negotiations towards the new SA. This chapter will analyse women's comments on their experiences and opinions of the 1981-1994 period and how they responded to sexism and undermining by male-led progressive movements and the increased repression of police especially during the State of Emergency.

By using women's own words, I analyse what they were organising for, what their demands were, the political spaces for women and how they transformed these spaces to suit their demands relating to citizenship. This chapter will be divided into the background to the interviews and what women themselves said. Key questions that emerged from the interviews on which this chapter focuses are:

What were the differences among women at the time?

What were women organising for and what were their main interests and demands?

How did women themselves change? How did the focus of their political agency change?

Did women achieve their demands and full citizenship in SA after 1994?

The bulk of available writing⁴¹ classifies women's organisations or political agency in the 1980s and 1990s as subsumed under the goal of national liberation:

Before the process of dismantling Apartheid the dominance of focus on the liberation struggle either silenced, subordinated or deflected debate on gender inequality (Bonnin et al 1995:2)

Our fear of creating divisions in the national liberation struggle has led to the development of a women's movement which is afraid of seriously challenging patriarchal domination (Horn 1991a:37).

In the late 1980s, feminist scholars were more likely to discuss the tendency of anti-Apartheid activists to subsume gender concerns to nationalist goals than to discuss activists' efforts to challenge gender equality (Seidman 1999:289).

I argue, using women's own words, that even though women were assigned what is conventionally seen as the limited role of motherhood (linked to the private) women transcended this through transforming motherhood into a public community role. Furthermore, women claimed "the patriarchal spaces" (Chassen-Lopez 1997:184) and broadened their struggles to overtly feminist and political demands such as the vote.

On analysing my data a very complex picture emerges. There was not one sole reason why women organised in women's-only structures. In some cases women organised on the basis of motherhood (Barrett et al, 1985) and other times out of their immediate concerns for housing, for national liberation and for themselves as women as they felt the brunt of patriarchy. Some women were concerned only about their immediate needs and did not even think about national liberation.

BACKGROUND TO THE INTERVIEWS

As outlined in Chapter One, I will limit my analysis and interviews to women who were members of the United Women's Organisation, UWO (1981-1986), United Women's Congress, UWCO (1986-1990), Federation of South African Women (Western Cape),

⁴¹ Some examples are: Hassim (1987, 1997), Charman et al (1995), Lewis (1993) and Seidman (1993).

FEDSAW (1987-1991), Women's Alliance (1991-1992) and Women's National Coalition, WNC (1992-1994). Focus groups were conducted with members of the UWO/UWCO branches, FEDSAW and Black Sash and individual interviews with members of the above organisations. As the WNC opted to change in 1996 to the New Women's Movement (NWM), interviews were conducted with members of the NWM as well. A description of the areas and personal details of research participants, indicating diversity of membership and locations, is listed in the appendix. Each name is referenced numerically and on quoting a particular person I will refer to their number so that further details can be followed in the appendix if required. As outlined in Chapter Two, the interviews represent a cross-section of the Western Cape Province (WC), incorporating location, class and race.⁴² The participants range from being unemployed to domestic workers and professionals such as researchers. It should also be noted that the legacy of apartheid is still obvious in SA: in the majority of black former UWO/UWCO branches; most women are still mainly domestic workers or unemployed. Five black research participants are in government positions. Most Whites are professional, while Coloureds are mixed.

In organising these interviews there were various obstacles to overcome. The first major obstacle was that most of these organisations no longer exist, with the exception of the WNC which operates in Johannesburg with a few staff, but minimal activity. I depended largely on personal contacts to initiate interviews with the former UWO/UWCO branches. ANCWL organiser Dorothy Gupta provided contact details of rural groups.

A second obstacle was the fact that most women in the coloured and black African townships had no telephones. Appointments often did not materialise, as it was not always possible to remind people of the interviews. This implied repeated journeys on my part. I had to personally transport all the black women, hence a lot of time was spent driving. In some parts of the rural areas roads hardly existed and, with winter rains, travelling was arduous. Finding homes in informal settlements in rural areas with which I was not familiar was particularly awkward and therefore time-consuming. Conducting

⁴² Definitions of Population Registration and Group Areas Acts are in Ch 3 footnote 10. Today most areas are still single-race enclaves, with the exception of post-1994 suburbs such as Phoenix and Summer Greens in Cape Town. Some white middle-class areas now have a few middle-class Blacks, most of them in government and big corporates, but Group Areas divisions remain largely unchanged.

these interviews left me with complex feelings. I can report what the research participants were saying but I also have to question if I always understood what they said. I also question whether I can emotionally understand the poverty, frustration and disappointment of those of them whose lives remain unchanged.

In Bongoletu, Oudtshoorn, the level of anger amongst some women was understandable. Entire families still remain unemployed. Before I could interview the Oudtshoorn women, I first had to meet with a group of mostly black African men. We sat in a dark room with no furniture, lit by a sparse candle. I really felt I was being interrogated. There was no mistaking the scepticism, anger, disappointment, disillusionment and hopelessness that all of them expressed. I could not always understand what they were saying as they often lapsed into dialect, but one possible interpretation to me of this 'interview of me' was that the men were there to check whether I had 'struggle credentials'. They recounted their experiences of previous interviews by the Truth and Reconciliation Committee (TRC). Nothing resulted from this. They wanted to know from me what I could do for them as it seems as if they were being used by urban researchers. I was careful not to raise their hopes. I took their details and informed them that I would follow up with an UWCO member working with the local TRC representative in Cape Town.

There I was, from the city, in a hired car paid for by the Central University Fund. I was not working, as I was a full time student. I was aware of the position of power I had. They must have felt ambivalent about me.

Further impediments had to do with the focus groups. The women vacillated from extreme excitement at seeing one another again, reminiscing about the exciting times in the past, and expressing despondency at their present abyss of poverty and unemployment⁴³. Many parts of the recordings were inaudible as in their excitement the women spoke simultaneously and often in different languages, reverting to their mother tongue when something really emotional came up. I did not feel comfortable directing them and the interviews were conversations over tea or dinner.

⁴³ Women in the rural areas were the most depressed about their personal circumstances, especially in Oudtshoorn. What needs to be emphasised, though, is that all the women were absolutely loyal to the ANC with the exception of one woman from Bongoletu who joined the Pan Africanist Congress (PAC).

Despite the above, the interviews progressed. All the women were very excited to be interviewed. I explained what the interviews were for. They liked the fact that their stories were going to be in a 'book'. They seldom saw any of the 'comrades' with whom they had worked in the 1980s and who were then (at the time of the interviews) in government. They often saw them on television though. Even though some members of parliament were supposed to visit them as part of constituency work, they never came. I felt at times that they shared this information with me to make me aware that they felt 'used' by people from the urban areas, that after they had given them information (as in the case of the TRC) they never heard from them again.

In retrospect one also has to consider whether setting up focus groups for a once-off interview with women who have not seen one another for a long time is appropriate. Perhaps I should have arranged meetings subsequent to the initial meetings, when the women were less excited. On the other hand, as an activist, I can see the value of their reuniting, which was a positive experience for them. Once they had shared their common sufferings, they started discussing strategies for projects and potential jobs. Recounting their stories made them realise how by uniting they had made positive changes in the past and that they could still do something to improve their lives. They had been strong women when fighting apartheid. They were still strong and could organise and perhaps create employment.

The Guguletu and Tambo Village women had never visited one of the veterans, Dorothy Mfacu from Guguletu, who was ill. It was decided after the interview that all should visit her.⁴⁴ When we visited Mama Mfacu she appreciated it, informing us that it seemed as if most comrades had forgotten her. Another positive development as a result of the interviews is that the Tambo Village women are now writing their history.

For the focus groups I had a questionnaire, which was completed by the members of Tambo Village, White Location and Cape Town Central. Open-ended questions, semi-structured and structured questions were used⁴⁵. There was not enough time to fill in questionnaires with the other groups as lots of time was spent reminiscing. Furthermore,

⁴⁴ Dorothy Mfacu was chairperson of UWO and UWCO and second president of the FSAW in 1989. Because of her frailty she is homebound and most comrades are too busy with their lives to visit her.

⁴⁵ See addendum B for questionnaires.

some had family commitments and because I alone had transport this impacted on the time available.

These interviews were undertaken during 1998, 2004 and 2007. The interviews were done in English, Afrikaans and Xhosa. The atmosphere was informal and participants interacted conversationally. They elaborated on one another's experiences, and in some cases even told one another of shared experiences for the first time. They were energised in speaking about the past, often getting carried away and going into details, for example, about how they fought with police. Some even declared how much they missed those times.

In general the interviews went well. We were all happy to see one another and there were tears of joy initially. Women readily and eagerly shared their stories. The contrast between our various lives was extremely marked. Even as former comrades together the class differences had been noticeable. When we encountered one another for the second time in 2004, many of them were much poorer than in 1998, and I was more comfortable as a "gender diva" (McFadden 2003:3). However, the power relations temporarily changed. Once the research respondents started talking, they were in charge, and decided on the direction of the conversations.

VOICES FROM BELOW

What were the differences among women?

Race and class were the most decisive influences in shaping differences among women in SA. Within the organisation, middle-class coincided with mostly white members whereas Coloureds were a combination of both working- and middle-class. All black Africans were working-class and many were unemployed. This manifested itself in various ways, one of them being a lack of transport:

I would get this phone call from Jenny... saying. 'Gardens can only send one person because the meeting mustn't be dominated by Whites.' Every other branch had been told to bring two delegates. There were some funny moments... On the other hand ... I mean this is very much a race thing, because then we'd be phoned and ... 'please can you bring three cars?' (Debbie 5).

Debbie (5) was really taken aback when they were told they could bring one delegate but three cars. This fact illustrated the race/class tensions that existed in the organisation. Many Whites, mindful of how apartheid benefited them, did not mind making themselves available for transport. Similar mindfulness of their privileges affected the behaviour of some Whites in meetings. They would refrain from making any contribution or proposal, because they were in favour of developing African working-class leadership, the policy of the organisation. This situation illustrates the complexity of the situation but also the power dynamics. On the one hand, it was an organisation for 'all' women but the issue of power and control was very clear, African working-class women gave direction. Hence there was a form of self-censorship on the part of some white and coloured women. This may be the reason for Hassim (1991A) and Horn (1991) stating that perhaps white women did not have a pivotal role to play in the grassroots organisations. In UWO/UWCO Whites took on concerns around racism within their branches. For example, Gardens branch invited the domestic workers in their area to join their branch, and worked with the South African Domestic Workers' Union (SADWU). Together they analysed race, class and gender matters and the intersectionality thereof. On the other hand there were particular white women who were assertive and definite leaders within UWO/UWCO generally. Having demonstrated their commitment to the aims of the organisation, they were incorporated into strategic positions, some attaining positions of secretarial positions. Such women, such as Louise and Madeleine, would eventually get onto the executive:

First I was involved with Rape Crisis... Then I joined UWO about six months before Women's Front and UWO merged to become UWCO. Then one year later, I was elected onto the regional executive of UWCO (Louise 28).

However, the number of Whites in leadership positions was always small:

There was always one place reserved for a Whitey [on the executive] (Debbie 5).

The racial ratio was always clear: one White and one Coloured and the rest were Black African on the executive. UWO/UWCO believed it was strategic to have a representative executive. However, a matter that Carol raised exposed an important gap:

It was a concern that Black Sash or none of the women's organisations were able to attract working class white women (Carol 35).

This too was the case with the UWO/UWCO and the WNC. In UWO/UWCO white women were mostly university students, professionals, and in the case of WNC, predominantly lawyers and researchers. But despite the absence of working-class Whites in UWO/UWCO and WNC, some white and coloured women played strategic roles, albeit subject to the general approval of black women. Most women emphasised the empowering and supportive atmosphere in the organisation.

I was happy in the organisation. Women's issues were taken seriously ...I identified as a woman, felt accepted as a woman even though I was 'white'. I felt women could achieve in the organisation' (Anne 36).

That Anne felt accepted as a white woman perhaps indicates the atmosphere in the organisations. Black women were happy that white women were part of the struggle. There were times when white women were asked to do certain tasks as it was more convenient for them and they had the networks. White women were always asked to find venues for meetings if large venues were required, for instance at universities. But no white women would ever become the chairperson. So there were limited roles for them because of their race and class and they accepted that.

Another difference between white and black members was the attitudes to tasks, time and transport:

We were always feeling stretched, too much work, too much to do in the organisation and too rushed outside the organisation...and I'm not coping with it all...and then there was Council always starting four hours late... That was frustrating (Debbie, 5)

Also I was half dead, trying to be the chairperson of a branch, have a child and be a single parent... The exhaustion of the 80s only hit me then... As a treasurer one also has a mammoth task. There are demands for money but receipts are either lost or never supplied. It was a thankless task being the treasurer and often people just ignored your pleas for receipts.⁴⁶ After I was the treasurer I just hated everybody. I just hated them. I didn't want to see them... (Louise 28).

⁴⁶ It was difficult to produce receipts in certain circumstances. Many township women travel by taxis which never supply receipts. It would therefore not be unusual for the treasurer to have GBP 1000 in cash for the general conference. This was to pay out the transport costs of the various delegates from rural areas. This was problematic for auditors. When I was treasurer I was informed that 'the organisation has to decide whether it is to operate like a third world or first world organisation.' (Auditors' report 1993)

None of the black women ever complained about demands of the organisation - even though they worked even harder. They also had to do the housework; most middle-class Whites and Coloureds had domestic assistants. There were different 'cultures' of meetings. African women never complained that the meeting was too long – even if it was ten hours long. The white women usually left at 4pm as the meeting was scheduled to end then. Time was a major tension. The general council meeting was scheduled from 9am to 4pm. It would only start at 11am or even later, as Debbie states above, as many black members came late. The issue of material reality and the stark differences in women's lives obviously accounted for this. White women in the organisation either had no children, or if they had, they had domestic support. White and a few coloured women could get into their cars and drive to the venues. Township women had to use public transport or wait for the arranged taxi or transport. On Sundays when most of the general councils were held, the public transport was worse. Hence a meeting scheduled to start at 9am would normally not start before 11am. Punctuality was a major source of tension in the organisation and it coincided with race and class.

So, even although so many women emphasised the supportive and caring atmosphere that the women's organisations had, this was not always the case either in the central organisation or at branch level:

But you must ...not forget that women can and have also oppressed one another in this organisation... because if you're too assertive then you must almost like...step back a little bit if you're too forceful... give other women a chance (Surrey Estate 46)

It was also very clear that not all women are supportive, caring and kind.

Even though the aim of the organisation was to unite women, it did not mean that women themselves were united. Apart from the very crude legal race differences, various tensions due to factors such as class and language also had an impact:

Speaker 1: Yasmin and others like Musna were all shy to speak English; they said we spoke high English. It's a good thing they brought it up. They didn't want to speak at first and then we found out that they are Afrikaans-speaking

Speaker 2: But listen to how articulate they are now.

Speaker 3: We could speak English but did not know how to express ourselves, which words to use in which sentence. We felt that if we used the wrong word people would laugh at us...

Speaker 3: We discussed this issue thoroughly and came up with the proposal that we would have a question and go round so that each one could speak.

Speaker 4: It's nothing to do with being educated or not. I consider myself educated but when Mrs Jaffer and I went to our first council, we were petrified to speak. It's all about confidence.

Speaker 3: I also think that the atmosphere in the branch after that was very supportive. I felt confident to speak and would even change to Afrikaans if I couldn't express myself in English (Wynberg 48).

So even within the branches there were differences caused by class, education and language groups. In a polarised society like SA's these differences impact on relationships in a particularly nuanced way. One's own self-image and what languages one speaks and how they are spoken ("high English") illustrate the complicities and intricacies of power and inequalities amongst women, and how these influence relationships even in a 'progressive' organisation fighting for equality and democracy. But what strikes me about the words of the above speakers is how positive they are about how the groups empowered them.

In this section women's statements illustrate that the diversity of the category 'women' impacted on the organisational dynamics and focuses that women decided on. That tensions would arise was inevitable, but in most cases women accepted their roles in the organisation and the promotion of African working-class leadership. It was interesting that it was mostly coloured middle-class and white women who felt the demands of the organisation. When I enquired from black women why they did not complain there was almost a unanimous response: their lives were so bad they could only get better. That was why they never complained. For a white woman it was her choice to be in the organisation, but for Lynne as a black woman it was her life (Lynne, 53).

What were women organising for, and what were their main interests and demands?

When one analyses the research respondents' answers to the above question, many claimed that they organised because of their personal environment, their opposition to apartheid and for the sake of their children:

PEARL (1): I wanted to get rid of apartheid and fight for a better life for my children. I call myself a feminist and wanted to change the situation for the good of my children.

ELIZABETH (10): I wanted a better life for children

SARA (18): I wanted to end apartheid and improve the life of my children. I sometimes called myself a feminist.

NOMAJONI (30): I wanted to get rid of apartheid. Others advised me to join the women's organisation.

NOKUZOLA (31): I believed that if I joined and fought apartheid, I could improve my children's lives, and work for a better South Africa. My friends were all members as well.

In contrast most white women wanted to focus both on women's issues and to get rid of apartheid. Many of them did not mention anything about children:

MADELEINE (8): I ... unapologetically am a feminist. I wanted to get rid of apartheid; to take physical and organized action against the government.

LOUISE (28): I wanted to get rid of apartheid and women's oppression. Definitely a feminist! For me the women's struggle and national liberation were equally important.

PAULA (7): I sometimes use the word feminist to describe myself. I wanted to get rid of apartheid.

ANNEMARIE (11): I wanted to get rid of apartheid and build a better world. Both organisations (Black Sash and UWCO) were formed to resist apartheid and injustice.

ANNE (36): I am a feminist who participated in FEDSAW. I definitely wanted to focus on women's issues only.

CAROL (35). It was crucial for me to try to focus on women's issues within an anti-apartheid context.

White women also wanted to get rid of apartheid, and emphasised the importance on focusing on women's issues within the national struggle. They are much more definite about their feminism.

Members of the Surrey Estate Branch raised matters concerning the socialisation and rearing of their children:

Speaker 1: For me I consciously ... wanted to raise my daughter to be this assertive person

Speaker 2: You have this utopia of how a woman should be.

(Surrey Estate, 46)

Women also believed that through being part of an organisation, they could collectively challenge the situation:

'We joined a women's organisation which brings out problems of the women. 'Cos there's a lot of women who are not employed. We've got violence in the area. Lots of poverty ... There's also abuse of children and the women demanded that these men be punished. But also in lots of cases women also get beaten by their husbands (Oudtshoorn, 43).

They were focused on the problems of women and stated that both women and children were abused. They were very pre-occupied by issues of violence and poverty.

Nomaindia shared:

I heard about this meeting ... immediately thought I should go. Maybe it was what I was going through that time... All my problems centred around what couples usually fight about traditionally. ... I even felt younger and stupid in this new home. Here the man was the head of the house... Men are the owners of you, you just become his property. But ... also the property of the in-laws as well. ... There was this fighting with myself. Why must I endure this? I can't ... understand this. ... There I was a *makoti* (young married woman)⁴⁷ who has to serve her husband and in-laws. They were genuine ... believed that this was right. They did not mean to be mean... just perceived things to be like that (Nomaindia, 52).

⁴⁷ A *makoti* is essentially a newly married woman whose tasks entail serving the entire family. In the rural areas it means collecting firewood and fetching water, making the fire and then the food. In fact you have to do whatever your mother-in-law tells you.

The above focuses on the impact of traditions and culture and the complexity of patriarchy, and on the fact that women in a patriarchal society are still men's property. Nomaindia believed that these problems needed to be confronted. She was dissatisfied with her life and that was why she 'immediately thought' that she should go.

The above illustrates the complexity of reasons why women organised. Their demands included wanting to get rid of apartheid and to have substantial equality as women so that they would not be oppressed by traditions. It was also important to secure their children's future, and some of them clearly linked the two.

Women identified why they thought that being in a women's organisation was more likely to realise their demands:

BEAUTY (27): It's because they are the best in politics and fight for everything; we wanted non-sexism, non-racism and democracy – women to do and be what they choose.⁴⁸

CAROL (35): By bringing or attempting to bring together a wide range of women in WNC in terms of class, race rural/urban to focus we would get rid of apartheid and all women's related issues/oppressions.

LOUISE (28): By mobilising and empowering grassroots women we kept women's issues alive on the national liberation agenda.

It should also be noted that women believed that being in a women's organisation contributed to women's emancipation, as women could be empowered within the organisation. The strategy of getting different women together, mobilising and empowering grassroots women could contribute to solving some of their problems collectively:

I could not get a house, lived with my in-laws who had specific beliefs about how wives should relate to their in-laws and husbands ... in fact I had no life or choices of my own except to serve them and my husband. Joining a women's organisation I thought there we could look and maybe solve our problems together' (Nomaindia, 52).

⁴⁸ Verbatim from questionnaires.

Because she was a woman, Nomaindia could not get a house. She succinctly refers to the many obstacles and her lack of choices as a woman. Serving her husband and his parents was her sole role as a dependent and subservient wife. She believed that in a women's organisation women together might be able to solve these problems.

Women were involved in community activism in order to ensure that the national liberation attained would be one that recognises the citizenship of women. Lydia touches on some of the difficulties encountered by women:

'...Both men and women's roles have to change. ... Women ... have got to be at work, in the struggle and also do the traditional things ... So both men and women's roles have to change [inaudible], ... I think we must ensure that our men that is not changing must be re-educated to be able to give women their space. ...So it [achieving equality] had to be addressed at the home level. ... (Lydia, Tambo, Village, 47)

Lydia clearly identifies the gender hierarchy and emphasises that this gender inequality was rife in practice. What was clear though from all women was that the situation in the country would improve for women and their children only within an apartheid-free context. By being in a women's organisation they were ensuring that women's liberation was being addressed within national liberation.

What all my respondents emphasised was that the goals of women's liberation could not be achieved without national liberation. For instance, the UWCO Wynberg Branch stated in a 1989 newsletter:

The purpose of our work, which directs all our activities, is to prepare for a post-apartheid South Africa and to ensure that women's issues are kept in the forefront (Wynberg UWCO Newsletter, 1989:3. See appendix for copy)

How did the women themselves change? How did the focus of women's activism change?

In analysing the Malibongwe⁴⁹ papers, Charman *et al* claimed:

⁴⁹ The Malibongwe Women's Conference (Amsterdam, January 1990) was organised by the Dutch anti-apartheid movement and the ANC Women's Section in exile. It was a platform for the ANC Women's Section members in exile and representatives of South African women's organisations inside the country to exchange strategies. In their paper Charman *et al* (1991) did

It does not follow that involvement in women's organisations develops a critical understanding of gender relations among women nor that the organisations will be a vehicle for gender struggle in society. On the contrary, women's organisations are important institutions in the conservation of women's subordination. (Charman et al 1991:59).

Charman *et al* may be correct that not all grassroots women members transformed *en masse* and immediately. I question though whether it is accurate to claim that women's organisations "conserved women's subordination" and my data substantiates my doubts. I will argue, using women's words, that there was a gradual transformation in women's consciousness, that they later challenged not only the state's apartheid policies and exploitation of women as workers and as Blacks, but that many women also challenged gender relationships within their homes and their religions.

As a result of the women's daily experiences, they become politicised. Jayawardena (1985) reminds us that women take up issues as prompted by their material and historical reality. Mercia gives an example of how this happened:

I remember... we had a very good activist in Steenberg. She didn't come to the meeting that day. She had lots of survey papers, and we went to find out where she was ...[S]he met us outside. ...as her husband was on the warpath and she had a blue eye...She was beaten up by him because she was now in the organisation ...out in the streets ... and he was very unhappy with this.... That [led us then] to take up ...violence against women [as a campaign]... Why did she have a blue eye? Why was she beaten up when she takes up a different role and so on ...we could begin to slowly politicise these issues (Mercia 3).

The reality of their daily experiences informed their activism; Mercia and her comrades did not require any feminist theory about violence or patriarchy. Instead, their own experiences afforded them the opportunity to question violence against women and men's wish to control women, not as an individual issue but collectively as systemic violence. Speaking with hindsight, the women identified how they had transformed personal pain into public pain. They acknowledged that violence happened to many of them. Many husbands did not approve of their wives being 'out in the streets'.

not fully consider the content from the Western Cape and Natal, 'What do we mean by Women's Liberation?' and 'Women in a Post-Apartheid South Africa' respectively.

Men used to say to me - 'Don't interfere with these married women' when I invited women to... meetings. Many husbands also challenged me about this. They did not like their wives to go out at night. (Raghamat, 12).

We did not deal with women's liberation on the national scale but rather with the individual women's liberation because some husbands would never allow them to go out at night... (Wynberg focus group, 48).

Unsurprisingly, these patriarchal attitudes of control over women were prevalent not only in homes but also in the progressive organisations:

We know that X was raped by a UDF (United Democratic Front) comrade (Tambo Village 47).

This illustrates that violence against women is ubiquitous even among 'progressive' forces. What is interesting is that this problem did not lead to a campaign against violence against women in the UDF. The UDF programme of action was focused on 'national liberation' and probably, from their point of view, violence against women was not a national priority. The women's organisations also did not have enough negotiating power to demand such a campaign. Another example was when women harassed or raped by comrades in the late-1980s wanted to expose the facts publically. Senior women comrades persuaded the women not to, as the "Boere" (Afrikaners/police) would use this action against the movement. It was a very difficult time and the need for solidarity against a powerful enemy was overwhelming. Ethical choices had to be made and sometimes, in the interests of solidarity, corruption and unethical behaviour were camouflaged - 'closing the ranks within the movement'. Not much has been researched regarding this issue, or that of the violence against women in the military training camps of the liberation movements, both inside and outside the country.

Many men did not feel comfortable with the new public roles that women assumed. Hence these new political activities in which women participated were challenged by men. In the past, some women, especially members of branches with predominantly Muslim members and members of informal settlements, hardly ventured outside their

homes and seldom participated in community activities. 'Tribal relations' and warlordism⁵⁰ insidiously penetrated these informal settlements.

Women recalled the way in which tribal relations impacted on their work:

Do you remember how if we wanted to work with the UWCO Nyanga Bush branch we first had to announce our presence and seek permission from the self-made chief, Yameni? And other squatter branches first had to ask permission before they met? (Tambo Village, 47).

Similarly the UWCO Masicidane (informal settlement) branch reported to the General Council that their women had to seek permission for meetings (UWCO, October, 1987:4). This branch (with the majority of members recently arrived from rural areas) found themselves in an urban setting where traditional structures were unilaterally revived by some elders. Mamdani (1996) succinctly summarises the phenomenon of democratic structures that women initiated:

One only needs to look at the experience of self-initiated squatter settlements in South Africa: many began with an emphasis on participation and democracy and ended up with a warlord (Mamdani, 1996:299)

Women were not only constrained by tradition but also religion. Women in predominantly Muslim areas such as Wynberg also had to contend with Islamic patriarchy, sometimes reinforced by the women themselves. This, too, is common in all cultures; that women reinforce patriarchy:

She's a good friend of mine but she always used to say: 'We must remember that the men are just ... a little bit above us'. Now, I mean this is not my idea of equality... It should be more team work ... In Islam we have that. But these equality *shari'as* have been removed by men. Men made other rules. They don't like women to be radical. (Raghamat, 12).

⁵⁰

Traditional relations meant that women were minors in terms of power. They were not independent and had to ask permission for everything. This is a very complex matter and is changing under the pressures of urbanisation. In established urban branches such as Guguletu and Langa, women did not experience these problems. Most urban African women were community workers, engaged in wage labour and often were members of the Manyano women (church mothers) and thus had public roles. See Josette Cole (1990) and Temma Kaplan (1994) for the changing roles of women in informal settlements.

We did not deal with women's liberation on the national scale but rather with the individual women's liberation because some husbands would never allow them to go out at night...

The Qu'ran doesn't say that your husband must order you around ... so imagine the surprise when on reading and studying the scriptures women found out that they don't even have to cook for their husbands [lots of laughter and shouting]. (Wynberg 48)

Being in the organisation was a learning experience for women. More women started studying religious scriptures and, when they discovered that the patriarchal teachings that they were told were in the scriptures were not valid, they began interrogating them.

What the research participants said reveals that they underwent a remarkable change, as did the issues they focused on over the eleven-year period. The UWCO Wynberg branch was initially very proud that there were so many demands for them to cater. However, Raghmat later had this to say:

We did not want to just give input just as caterers. We are political beings and we wanted to give political direction as well and not just cater (Raghmat, 12).

In keeping with the UWO/UWCO policy of promoting African working-class leadership, most members expected that only the 'township'/black African women would give 'political direction' in UWO/UWCO. This statement marks an important change. Raghmat's assertion that they (Wynberg members) wanted to participate fully was indeed indicative of change. It suggests that they wanted to be fully engaged in the organisational activities, give direction and make decisions. I think it was also courageous of them to assert themselves politically considering the organisational motto of 'promoting African working-class leadership'. Wynberg was one of the first branches to initiate partnership with an informal settlement, the KTC branch, taking forward a non-racial stance independently of the executive.

However, it is ironic that a similar incident occurred *within* the Wynberg branch. UWO/UWCO believed in empowering members. Many invitations were received by UWO/UWCO for input at universities, unions and so forth. It was accepted practice to always send two speakers, one experienced and one not. By giving women the opportunity to do public speaking there was consequently a substantial number of

eloquent speakers in the organisation. During the Wynberg branch discussion about the issue of 'High English' one of the members explained a time when she mustered up the courage to speak:

'The only time I spoke in that meeting was when I half argued with Mrs Jaffer; I didn't want to be stuck with just *braaing* (grilling) chicken, I wanted to do more' (Wynberg, 48).

Wanting to 'do more' referred to doing something more directly political such as representing the organisation at public forums, acquiring in-depth knowledge of the political nuances of the period, and eloquently articulating this knowledge. During the mid-1980s there was a prolific growth of anti-apartheid organisations. It is significant that the majority of women leadership of these organisations were all members of the UWO/UWCO. Examples are Virginia Engel, who later worked in the trade unions, and others in the civics and the UDF as mentioned before.

Initially many women were anxious about their involvement in a more visible and public way although it was remarkable how women changed over the years. When asked what changes she had experienced, Nomajoni (30) paused for a long time before she mentioned 'politics'. She seemed cautious but also to have a subtle pride; she realised that she had broken through the barrier of public roles. Even though many women never mentioned the word 'citizen', it is clear from their responses and actions that full representation at all levels of a society free from apartheid and sexism is what they wanted. Their experiences in the various public offices, such as negotiating with town councillors about water or electricity issues, gave them the confidence to demand full participation in public affairs:

NOMAJONI (30) – I changed - I now will just stand up and speak about ... you know, politics.

SARAH (18) - I had more confidence to stand up and sometimes raised feminist issues.

Not only was there the general impression of how courageous UWO/UWCO women were (Hassim 2006, Meintjes 1998, Bernstein 1985) but the women themselves realised how they have changed.

With the government's declaration of the State of Emergency in 1985, women responded with defiance, militancy and creativity, exploring new and different ways to protest. UWO/UWCO was banned from any public activity, according to State of Emergency regulations. The formation of FEDSAW was both a response to the state of emergency as well as a national mandate from the ANC in exile to broaden membership of anti-apartheid formations.

One way of incorporating ordinary people to show solidarity with the anti-apartheid movement was the candlelight campaign. As a demand that the State of Emergency should end, and as a token of solidarity with those in prison whose release was being demanded, people in Cape Town were requested to light candles between 8 and 9 pm daily. The idea was that each house had one candle placed in a prominent place. Ordinary people in the community responded overwhelmingly and in some areas all homes had candles lit. The speaker from Wynberg stated proudly:

The action of the police made us more militant. .. It was 9 o'clock the candles had to go off but I let them burn ... I didn't have one candle; I had a string of candles on the wall, 20 in all. No I wasn't scared. I was alone. (Wynberg, 48).

The women, like many others, were incensed because of the actions of the police, such as arresting children on the way to the school or shops. And so cycles came into being: women became defiant due to their helplessness in the face of the all-powerful police; yet within the company of likeminded women, they became confident and defiant enough to go to the police station and confront them, demanding the release of people whom the women claimed were illegally arrested. Some went further:

I actually didn't care. I even physically attacked the police when they came to arrest my neighbour (Zwelethemba, focus group, 49).

Speaker 1: Ja (yes), an extreme political awareness also developed in our branch.

Speaker 2: Ja, we took, there were certain duties that were given to us like X was on the run that couldn't go to their homes, we had to find hiding places for him, or try to get him out of the country and that. So it was very challenging, very new...

Speaker 3: And you must know this was like ordinary women, mothers, that could grow to that level of hiding cadres... sometimes even if you're so close, we never knew who had who in their houses. It was just this security conscious[ness] . There

was a lot of planning and strategising, I mean if you go back to the newspapers of that time, especially of the Defiance Campaign[1980s], and see how many front pagesstories we made, generally, I mean, though ...like that time when we put the red paint on parliament, and when Louise went and chained herself to parliament...’ (Surrey Estate, 46).

As can be deduced from the above, Surrey Estate branch was responsible for hiding and facilitating escape out of the country. They were specifically responsible for Bonteheuwel youth and generally working ‘underground’. Thus the women's role of protecting their children was extended in a bolder way, demanding courage, since they could have been arrested and interrogated. Adding and abetting youth wanted by the police was treasonous and carried a heavy prison sentence. Some again stashed weapons in their homes while others joined the military wing of the ANC, Umkhonto we Sizwe (MK). Women's actions were transformed. Not only were they more militant but also very creative, for instance chaining themselves to the gates of parliament to get attention for their demands.

It was also affirming for these women to have their photographs in the national newspapers. They were taking and claiming public spaces and were being acknowledged for it:

Speaker 1: I would be very happy if you could highlight the important political role that the women played in that period of the Defiance.

Speaker 2: And if you look at all ... the TV news footage we have been in, I mean [talking together, inaudible] ...

Speaker 3: I've got clippings of all the events... I've sandwiched a few of them.

(Surrey Estate, 46)

The women also spoke about their private pains and fears on being interviewed by police, even as they encouraged other women and inspired them to take up the challenge of supporting the movement. They did not have full citizenship legally; they were second- or even third-class citizens after their husbands, but they were staking their claims and risking their physical and psychological wellbeing.

Hence the tasks and focus of the women changed over time. The New Cross Roads focus group had this to say:

The situation became more hectic; it was frightening but also a bit exciting. Even though we were scared we knew that it would change things for the better for our children. We do not want them to experience the hardships that we have experienced... (New Cross Roads, 44)

Apart from the national campaign to demand the release of Mandela, the members of the UWO/UWCO branches as FEDSAW arranged activities such as marches to demand the release of all women and children and to demand an end to the State of Emergency.

By 1988 there were so many women comrades in jail that we also organised a march to demand [their] release...

Many times the marches ended peacefully when a memorandum of the demands or petition were handed over to a representative of the Minister of Justice [or] ... the Bantu Administration Board complaining about the high rents and the poor conditions of houses.... However, as protests increased and the state started responding with brutality, marchers were shot at with pellets or rubber bullets, tear gas and baton charged.

It was quite frightening the first time... (New Cross Roads 44)

But women also equipped themselves in preparation for marches with bottles of water and scarves to wash the teargas out of their eyes. It was not uncommon to see many wearing Palestinian scarves. Even though the culture of bravado prevailed and people had to be 'strong soldiers' the women were able to speak to each other about their fears and apprehension. These were new and radically different experiences; and the women were scared too:

Speaker 1: 'Ja, we started off a Defiance Campaign and we had a meeting the night before.... And of course the women were trembling now because they had a few teargas... and water cannons experiences. ...They didn't want to go through that again. So now ... the women [had] ... to test the ground in the Defiance Campaign... [We] had to get as [many]... women involved... And they'd all kinds of excuses [[laughter] because they knew we're gonna go to jail ... and we knew that we [would]... be beaten up... Well some of them just didn't pitch up that day. But the majority of the branch members pitched. And also we had to ensure that those that are stronger must be on the outside [of the march]. And most of the women wanted to be on the inside because [there]...you're not going to be beaten by the batons

(Surrey Estate 46)

The women therefore acknowledged their vulnerability and did not condemn those women who did not turn up. They were also realistic, sympathetic, even humorous, about those who were more physically timid and so wished to be “on the inside”. They knew they were likely to be beaten and detained. Everything was planned in detail:

Speaker 1: And when they charged towards us, we all just knelt down and prayed...

Speaker 2: As we got down onto our knees which totally disarmed the cops, you know, and the next thing you heard, like ten different languages, all these prayers ... it's my favourite story...Most of the cops just stood there but one came towards Annemarie⁵¹ and dragged her...

Speaker 3: But we were on top of him, all ten of us. We knew we had to get him down and away from Annemarie. We were all arrested.

Speaker 4: Two hundred in a cell. They first wanted to separate us, Blacks and Whites into separate cells. We refused and just stood there until they agreed to put us into the same cell.

Speaker 5: That was the first time we had a night court in the country.⁵²

Speaker 6: We had a workshop in the cell - decided what we were going to say and do. We decided not to answer any of their questions. (Surrey Estate, 46)

In the moving extracts above we see how women adopted the contingency plan of praying. Thousands of women kneeling in the middle of the city with thousands of onlookers⁵³ witnessing them being beaten up by cops would harm the state's reputation. The police were already very unpopular in the country.

South Africans, the majority of whom are religious, took praying seriously. The decision on the part of the women to pray was thus a strategic one. But, as had happened many

⁵¹ A white woman. The majority were Black.

⁵² Because the women were too 'ungovernable' in the cells and the police could not cope with the women, the authorities decided to have a special night court at Caledon Street Magistrates Court, Cape Town, in order to release the women. A celebratory festive atmosphere prevailed outside the court. The proceedings started at 1a.m. and as individual women emerged from the court there were loud cheers and shouting of liberation slogans from the enormous crowds who waited outside.

⁵³ It was a lunchtime march. The invitation for the march was widespread. So not only did several people come to join the march, others came as spectators, some of whom later joined the march.

times previously in South African history, and as in other parts of the world, women did not hesitate to physically attack policemen. The women also stood their ground in refusing to adhere to the apartheid rules that Blacks and Whites should be accommodated separately, even in prisons. They refused to be intimidated by the police. Thus these women acted in ways completely contrary to what was expected of them. They were not obedient. They did not adhere to laws. They were courageous. They strategised and held workshops to plan their actions even while in the belly of the beast. They defied the police and court authorities, which expedited their release.

Another example of creative protests was the siege of the Robben Island ferry. Robben Island is the maximum-security prison where prisoners such as Nelson Mandela were incarcerated. As part of the campaign to demand the release of all political prisoners and an end to the State of Emergency, a group of UWCO/FEDSAW members decided to chain themselves to the ferry that goes to the island. They threw the keys of the locks into the sea. There was lots of media coverage, as the police tried to saw the chains off the women and because the women were able to penetrate the maximum-security ferry. Because it was newsworthy, the campaign to release political prisoners and end the State of Emergency was widely propagated.

On the basis of the above, I argue that women themselves changed and the focuses of their projects changed. To a certain extent the declaration of the State of Emergency also radicalised many women. It imposed restrictions on their activities; many were detained and, because of the new laws, holding meetings was illegal. Women responded with militancy and defiance as repression increased and explored new, different and creative ways to protest. This brought a new confidence and commitment to women's political activism.

Did women achieve the demands raised during the struggles of the 1980s and have they achieved full citizenship in the new SA?

SA was a highly polarised and antagonistic society. The way in which these women's organisations functioned contributed to building unity and solidarity among women, despite their diversity:

Women ...bridged some racial and class gaps through vigorous discussion and support. They built solidarity and raised consciousness about women's issues within anti-apartheid structures (Annemarie, 11).

Their important contribution was the broadening-out of national liberation to include women's liberation:

Women [kept] women's issues alive on the national liberation agenda...women made substantial contributions to the new South Africa (Cape Town Central/Sea Point 39)

The formation of the FEDSAW in the WC, and WNC women's intervention nationally and at the negotiations, ensured that women's and gender issues were prominent on the national agenda:

Getting together with women from all races in the UWO/UWCO, the Federation and the Coalition were all steps in the right direction - to have maximum intervention at the negotiation level (Tambo Village 47)

In keeping with the vision of building a new, equal society, the UWO/UWCO built non-racialism. Throughout the existence of UWCO, and despite the rigid apartheid laws, the membership of UWO/UWCO was mixed. One can thus argue that these are aspects of citizenship that women have achieved in the new SA.

Research participants believed that the women's involvement in the struggle for liberation from apartheid had contributed to an ongoing enabling environment for women:

Women's organisations lay the basis for strong gender content in post-apartheid South African politics, for example, the constitution. ... (Naledi, 53)

We ensured through our campaigns that the constitution is gender-sensitive (Oudtshoorn Focus group,43)

From the above it can be deduced that the research participants believed that through their actions they contributed to the new 'women-friendly' constitution. It contains various clauses addressing the historic oppression of women as well as mechanisms to promote women's equality:

Women gave input into the constitution and should be able to take their rightful place in society. The organisations have also built women's leadership; most women MPs [Members of Parliament] and MPLs [Members of Provincial Legislatures] come from our ranks. Strong exemplary non-racialism input in region; commitment to African Working class leadership; Grassroots campaign focus; Women's organisations gave input into post-apartheid South African politics e.g. constitution (Madeleine 8)⁵⁴

Black Sash did not directly contribute to end apartheid but women became aware of their potential strength and ability to act independently and in opposition to men (Paula 7).

Paula and Madeleine indicate that not only are the women currently participating in decision-making structures but that they are competent and confident. A crucial aspect of citizenship is to participate in decision-making structures such as government and that is precisely where some UWCO/UWCO women are. It also has to be emphasised that the very same grassroots women (former domestic workers and inhabitants of informal settlements) are now the new political elite, for example, Nomaindia Mfeketo and Nomatyala Hangana were both UWCO grassroots women living in informal settlements. Nomaindia was mayor of Cape Town for 8 years and Nomatyala is the current national deputy minister of local government.

Women who have moved into politics and the business world seem to have fared better in terms of attaining citizenship than grassroots women. My argument is for a citizenship that breaks down the private/public division and that all should share carework as citizenship responsibilities. Yet these very women in decision-making positions experience ambivalence. Women politicians are still expected to attend to the caring work of the household even if they have high profile jobs:

I often have to cook and feed hungry children, supervise their homework and do some cleaning as my home helper leaves at 5pm to cook and clean for her own family... this is after I've worked for 9 hours at Parliament on the *Promotion of Equality and the Prevention of unfair discrimination bill* ... (Anon 58, my emphasis)

Very late one night in 2003 I met one of the parliamentary woman chief whips at an all-night café:

⁵⁴ Verbatim from questionnaire

I had returned home at 10pm after a gruelling day at parliament. There was no bread in the house. But it is expected of me to ensure that there is bread in the house no matter what time I get home (Personal conversation, 1999).

The above captures the fact that many women, despite class and education, and even when there are laws regarding equality, do not experience equality in the home. To cook and oversee children's homework is the nurturing task of the mother, despite her other demanding responsibilities. The husbands/partners seem not to be taking any responsibility for these chores. This point concretely exemplifies my argument in Chapter Two, that social and gender relations in the home must be transformed, otherwise women's citizenship will not be achieved. With the new equality, women now have decision-making and high-profile jobs. This aspect of access to citizenship – public participation – has been achieved. But the context has not changed. Working women in the new SA still have the double burden of housework and wage labour. A woman may achieve a prominent position as a member of parliament but she has the extra burden of caring tasks. So, while the goal of woman as citizen-worker is being realised, the persistence of the belief that woman is sole carer often continues. Both the legislator and the domestic worker (in other words, irrespective of class), despite the burden of a full day's work, are expected to do carework as well.

Women in leadership positions also experience ambivalence from their families:

It was my father who encouraged me to drive and get an education. They were all proud of me when I became a member of parliament. But now when my marriage has ended, they blame me as I was not home 'enough' according to them (Surrey Estate, 46).

Apart from women being 'blamed' for not keeping marriages intact, they are also still *subjects* in terms of religion and customary laws. On the one hand the very father who taught Jean to be independent, expected her alone to hold the marriage together. The division of labour in the public sphere has changed and women have high-profile jobs, but the gender relations in the private sphere remain intact.

What also prevents women's substantive equality is culture. Nomaindia (52) elaborates on this. She points out the contradictions of South African society. Even though the

constitution and legislation spell out equal rights for all South African women, the reality is different:

It will take time [before] these traditions die out. These practices take [place]... under guise of tradition. Look at the lost [court] case of the woman who was supposed to become chief. Even the high court ruled against her. She was confident she would become chief- she has the constitution on her side. It just points [out] that we're still in a patriarchy. Even the Judiciary – they take decisions as men. [Not] as equals demanding work. Have they investigated in that area that the community has changed? No, they took the evidence of some elders only [because] she can't marry. But she can take a wife [but] her children won't become princesses or princes. I think of another case [where the woman] chief ...She took another wife... (Nomaindia 52)

Nomaindia refers to the case in which a woman was contesting the decision of the male elders that she could not become chief as she was a woman. I referred elsewhere to the fact that the South African legal system is still a bifurcated one. While Mamdani (1996) has argued that this was the case in colonial Africa, I argue that this is still the case in South Africa in terms of women who are all still subjects to culture and religion. Chapter 12 of the SA Constitution emphasises the recognition and endorsement of traditional chiefs in the SA Constitution. Bentley (2004) refers to the "tolerat[ion] of patriarchy as a national institution" (Bentley 2004:251). In support of this contention, Nomaindia uses the example of the premier of the Eastern Cape. She is the first citizen and most important decision-maker in the province and yet she is enshrouded by tradition:

Look at Nosimo⁵⁵ [when] she became premier. Her husband's family slaughtered a cow and then publicly gave her permission to use their surname (Nomaindia 52).

So women in SA have ambiguous positions: on the one hand some are legislators and top decision-makers, but still have to do the caring work. Others remain poor and unemployed, or locked in exploited positions as domestic or farm workers. However, no matter what the position – Premier, Member of Parliament or Minister – women are still subject to traditional and religious customs. Women have therefore

⁵⁵ Nosimo Balindlela is one of the four women premiers out of nine nationally. "Xhosa women are not permitted to enter the male dominated 'kraal' but last year the family elders showed their appreciation of all Balindlela had done for the family by awarding her an 'honorary doctorate', a blanket and permission to enter the kraal and use the family name in public. 'It was the elders' way of showing that I am a pillar of strength in the family, the mother of the family,' she said." ('Barefoot Premier gets down to earth', Lauren Cohen, *Weekend Argus*, January 22, 2005 page 19). It seems as if Balindlela is uncritical of the fact that she is treated as an 'honorary man'. Even though she is the Premier, she is still 'the mother of the family'.

not achieved full citizenship. As long as religion and culture with their inherent patriarchy remain uninterrogated, women will not have substantive equality.

A problem that many respondents have raised is that of escalating violence against women.

I chaired a meeting last week. There was a debate between Patricia De Lille⁵⁶ and Allison Lazarus. Patricia ... said in conclusion [that women's responses] to this domestic violence and violence [in general], is [that] they must fear nobody Then a woman from the New Women's Movement got up and said "I'm a domestic worker, I used to be a farm worker and when I'm the bread winner and I have ... a rude ...boss screaming at me ... I, in my heart, have no fear of this man. I think he's a shit but publicly I fear the loss of a job, I fear the loss of an income. I fear many things. So it's really easy for you to say you must never feel fear but if you are economically dependant and others are economically dependant on you, you feel fear. I feel fear." (Mercia 3).

The woman from the New Women's Movement articulated the daily reality for working class and poor women. It is very easy for middle-class and now-powerful political public figures such as De Lille to speak about not fearing anybody. The reality, when one is dependent on a husband or a boss for one's economic survival, is a different matter. One has to negotiate power or strategically assess what would be the best course of action. The speaker emphasised that not only was she dependent on the farmer for work but that others (probably her children) were in turn dependent on her. The extract also exemplifies what the divergent trajectories are for women in the new SA.

In conclusion: from the responses to my question regarding whether women have achieved what they demanded, the overall response was that SA women have achieved formal equality only. Therefore they enjoy aspects of citizenship such as voting, and some can participate in government as decision-makers. On the other hand, because the private/public division has been maintained, most women's lives have remained the same as regards carework and violence. Traditions and religion also impact on women's lives, and women remain subjects. Women in various roles have contributed to so many changes in SA, yet they do not enjoy full and comprehensive citizenship. Sophie's words encapsulate the ambiguity in which women still find themselves in the new SA.

⁵⁶

She is one of two woman leaders of political parties in the country. De Lille broke away from the PAC in 2003 and formed the Independent Democrats. They won 5 seats for National Parliament in the 2004 elections and have a few provincial and local government seats as well.

We as mothers are too powerful. We have too much influence on the one hand and nothing on the other (Sophie 14).

CONCLUSIONS

That women are not a homogeneous grouping, nor are they all by nature necessarily supportive, is exemplified by the diverse responses to UWO/UWCO's programmes of action (sometimes seen as not feminist enough) and the internal tensions within branches. They differed about the interpretation of the religious scripts – some thought men “were a bit above women”, and others admitted that some women oppressed other women. They had complexes about how they spoke, and felt inferior to others who spoke “High English”. Many white and coloured women deferred to black African women and would not take leadership or express their opinions as they supported developing ‘African working-class leadership’. Issues of class and privileges impacted on the way they organised and which tasks they were given. Punctuality was a problem because of the stark class differences between white and black women. It was easier for white and middle-class women who owned cars, or could share lifts, to be punctual. Despite all these differences women succeeded in uniting in the UWO/UWCO, and together worked for a new society.

Using women's own words and their interpretations of events, I argue that there were several different reasons why women united to work for change. The demands and complexities of women's personal lives and their diverse experiences meant that women had different reasons for joining political organisations and embarking on protest action. The majority of black African women lived lives plagued by passes; others were exploited mothers who, because of apartheid, struggled to feed their children. Many anti-apartheid activists emphasised women's liberation within the national liberation movement. In other cases women wanted to improve their own lives and the lives of their children, especially their daughters, whom they wanted to be assertive. Race, class, language groups and geographical location were also important factors influencing women's activism.

It was the severe curtailment of their personal lives brought about by traditional customs that galvanised others into action. Apartheid laws also exacerbated and interpreted customary laws in specific ways. Women in rural areas could not own land. Nomaindia

could not get a house because she was a woman. The experiences of the Wynberg women also revealed the differences among themselves in terms of language, their interpretation of Islam and their roles as women. Through subsequent study of the Qu'ran these women realised that many oppressive practices regarding the position of women were not scripturally justified. This led to their analysing personal liberation and gender relations in the home.

The Oudtshoorn women were spurred on by their unemployment, and violence in the local areas and in their homes. Many middle-class white women whose race/class position had cocooned them from the full effects of apartheid were in solidarity with black women against apartheid and they challenged women's oppression generally. Their lives in turn were enriched – as Annamarie explained: "We learnt about values and respect."

Hence women tended to organise on the basis of their immediate reality. Mercia summarised the reasons for organising against violence against women succinctly: "We were moved to action because of our own situation more than anything else". This confirms what I stated earlier. In Chapter Two I referred to Jayawardena (1985) and McClintock (1995) who emphasise that feminism was not imposed onto the Third World, but emerged as women responded to their own material and objective conditions and challenged their oppressions. My data supports this view.

Even though it has been argued that women's political agency was subsumed under that of the national liberation struggle, the reality of the diversity and differences in women's lives and their own testimony as attested, confirm that the situation was far more complex and nuanced for their agency to be entirely subsumed under just national liberation.

The majority of women were clear in their responses: they wanted to ensure that women too would be liberated in the post-apartheid SA. However, as the struggles intensified and broadened, even those who were not feminist at first developed a more feminist consciousness, realising that they too were oppressed by patriarchy. They did not necessarily use the word feminism.

Through their organisational experiences women become politically astute and strategised to work in coalitions. They gained confidence, and confronted the police and local authorities. Not only did the issues women focused on change because of their personal experiences, but also because of the political context. Once the state of emergency was declared, UWO/UWCO was not allowed to meet. With the increasing repression, detentions, torture and killing of people, women became more militant and defiant. As the Surrey Estate women instructed me: "People must be told that the women were the leaders of the Defiance Campaign of the 1980s." They also confronted the sexism of their male comrades in the UDF by forming the UDFWCO, and ensured that the UDF programmes were gender-sensitive.

Despite their bravado, women were sensitive to their differences and protected those who were scared of the police by allowing them to walk in the middle of protest marches. Even while in prison they strategised about how to respond in court. But it was also during these very repressive days of the State of Emergency that the FEDSAW was launched – a mechanism to ensure women could meet legally, which allowed them to broaden the base of women's activism.

Women were able to participate, through their intervention and efforts, in the negotiations and the constitution. Through the constitution women achieved formal equality. Because the first democratic elections signalled an end to legal apartheid, women's lives changed in many ways. This will be elaborated on in Chapters Five and Six.

Even though the citizenship debate was not part of the women's liberation discourse, it was implicit in it. In 2004, women were concerned that many women were still shackled by traditional and religious laws. Nomaindia was explicit, and emphasised the confidence the woman chief had in taking her case to court when the elders did not want her as chief:

She [the woman chief] was confident. She thought she was being protected by the constitution (Nomaindia, 52).

The above statement supports my argument: that as the South African constitution and legislation promotes both human and civil rights and traditional and religious laws,

women in SA are still subjects of religion and traditions. Premier Balindlela may be the first citizen of the Eastern Cape, but her husband's clan had to give her permission to use the family name. Hence traditions hamper women's full citizenship. What we also need to emphasise is that the cultures and traditions that oppress women must not be seen as a purely black phenomenon. White and coloured women are also subject to the patriarchal cultures of their communities. Culture must not be racialised to be seen as black or indigenous – this is a colonial construction.

Even though some women, such as politicians and business leaders, have more citizenship rights than those of working-class women, the fact that they have to return home to do the caring supports my argument that unless caring becomes part of citizens' responsibilities, women alone will remain responsible for it. This will curtail their functioning in the 'public world' and hamper their access to full citizenship.

Two of the tragedies of the new SA are poverty and unemployment. This means that the majority of citizens (and especially women) do not have access to the benefits of comprehensive citizenship with economic, political and social rights. In the interviews and focus groups, concerns were raised by research participants, especially from the rural areas, that they were still unemployed and poor. In Chapter Five I elaborate on the many changes in the new SA, and the legislation and numerous institutions introduced which were supposed to facilitate women's substantive equality and citizenship.

CHAPTER FIVE

TRAUMAS, TRIBULATIONS AND TRIUMPHS OF TRANSITION

1990-2004

'The experiences of other countries have 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 within our own organisation, the mass democratic movement and in society as a whole. ... (It is our task to) declare ... all laws, customs, traditions and practices which discriminate against women... unconstitutional'

Historic Statement on the Emancipation of Women (ANC
National Executive, May 2 1990)

Reading the above quotation, and recalling that the ANC at its formation in 1912 had prevented women from being full members, and that at the launch of the ANC Women's League (ANCWL) in 1943: "We women were making tea in the kitchen while the men were deciding on policy"⁵⁷, we need to acknowledge that the ANC has indeed radically transformed over the decades. Gouws considers the "National Gender Machinery ... as one of the most integrated and advanced set of structures worldwide" (Gouws 2005A:1). Geisler sees the situation in South Africa as "exceptional on a world scale" (Geisler 2000:605). Many refer to the South African transition as a miracle.

In order to explore how the above was achieved the key questions this chapter looks at are:

During this period of heightened political transition, how did women's political agency influence the transition?

How did the context and women's achievements globally influence South African women's demands and to what extent did they implement these lessons?

⁵⁷

Adelaide Tambo, Personal communication, Parliament, 1999

Given the apartheid context and the subsequent polarisation of South African women, what were the outcomes of their political agency?

In answering these questions I will briefly trace the various processes of women's agency and the historical trajectories that led to the participation of women in the constitution-making process. I will indicate that initially, at every level of the negotiations, it was a struggle to ensure the participation of women. The various forms of women's intervention directed the majority party, the ANC, to implement gender-sensitive policies, national gender machinery and gender-sensitive legislation. I examine the phenomenon and emergence of "state feminism" (Gouws 2005A:1). State feminism emerges when the governing party pre-empts the women's lobby and initiates structures and policies that usually emanate from the feminist movement.

This chapter bridges the transition from apartheid SA to a country with a new constitution, a bill of rights, equality and dignity for all, and extensive mechanisms for the promotion of women. The structure of the chapter is as follows: a brief contextualisation of the 1990-1994 period in part one. This will highlight the context and challenges that women confronted in forming a broad coalition during an opportunistic period, albeit one of turmoil. The second section will focus on the international dimensions of women's struggles, which includes lessons learnt from other countries. In the final section I discuss Gender Mainstreaming. Under this section women's representation, gender budgets and the establishment of the National Gender Machinery (NGM) will be outlined. In conclusion I assess to what extent the above have impacted on women's citizenship and the obstacles confronting a fledgling state.

THE CONTEXT OF CELEBRATION AND CONFLICT

The period 1990-1994 was one of radical upheaval, tension, optimism and scepticism (Lodge 2002:13-33; Jaffe 1994:217-227; Norval 1996:276-298). The ANC, Pan Africanist Congress (PAC) and the South African Communist Party (SACP), which had been demonised for decades, were unbanned. There were meetings between erstwhile enemies the ANC and the SA government, and talks to proceed towards negotiations for

the New SA commenced. However, the tension between the ANC and the Inkatha Freedom Party (IFP)⁵⁸ increased, KwaZulu-Natal being dubbed the killing fields of SA.

Talks about talks, negotiations and multi-party discussions commenced, all with the goal of achieving peace in SA. It has to be emphasised that this was also a period of immense opportunism, with a wide range of groupings jockeying for power and position. Various political and other interest groups were established in order to participate in the formal negotiations between the National Party (NP) government and the ANC. CONTRALESA (Congress of Traditional Leaders of South Africa) was one of these groups. This organisation has been one of the most significant ones in terms of challenging women's rights. CONTRALESA argued then, and still does now, that it preserves traditions and culture. Many of these traditions undermine women's integrity and independence. New religious parties too emerged. The African Christian Democratic Party (ACDP) has the most support, and has increased its number of seats at all three levels of government over the past thirteen years. This is significant for the women's movement as the agenda of the ACDP is to confine women within the family. This would be detrimental to the promotion of women's citizenship.

The formal negotiations, named Convention for a Democratic SA (CODESA), aimed at formulating the interim constitution for SA, were fragile most of the time and eventually broke down due to the Boipatong and Bisho massacres.⁵⁹ The assassination of the popular ANC/SACP personality Chris Hani in April 1992 also contributed to the temporary derailment of the negotiation process. However, it was also in April 1992 that the ANCWL had its first national consultation to propose the formation of the Women's National Coalition (WNC). Despite the then-current violence in the country, the WNC commenced its programme of nationwide consultation with women in both rural and urban areas. I want to highlight this event, as it reflects the determination of diverse women who participated in facilitating women's intervention despite the explosive context. It has been assessed that at least two million women were directly involved in this process and that six million women were consulted (Meintjes 1996; Geisler, 2000:614).

⁵⁸ The role of Inkatha in SA politics is very complex. See Jaffe 1994

⁵⁹ In Bisho, ANC marchers were shot dead by Bantustan police. In Boipatong an ANC march was attacked by the IFP (Jaffe, 1994:224, Van Der Westhuizen 2007).

Owing to the commitment to peace of the political parties in SA the talks were resumed in early 1993. During the negotiations in Johannesburg the participation of women also contributed to the often heated debates. What needs to be emphasised is that the very same women from the grassroots UWO/UWCO branches became ANCWL and South African Communist Party (SACP) members and then moved into positions where they represented women at national levels. Cheryl Carolus, one of the key UWO/UWCO activists, was one of the only two women in the ANC delegation that first met with the National Party to commence negotiations (Hassim 2002: 396,397).

But women's participation at the talks was not automatic. It was through lobbying and pressure from women themselves that delegations had women representatives. From February 1993, the ANC was spurred on by its Gender Advisory Committee (GAC). Zou Kota, a key UWO member, was a GAC member who liaised regularly with the ANCWL and the WNC. The GAC initiated the ANC proposal that one out of the two delegates of every participating group should be a woman (February 1993). This proposal was not accepted, as only two other parties, the SACP and the South African Indian Congress (SAIC), supported it. However, in March 1993, after extensive advocacy by the WNC, the women's lobby convinced all the delegations to accept the proposal (Update on Negotiations, Community Law Centre Newsletter 1993). The negotiating council agreed to an additional delegate for each participating party, and that at least one of the delegates had to be a woman with full speaking rights (Brigette Mabandla 1994:22). Research has shown that women's participation had a long-term impact, and that men were being sensitised as "some men began to correct the use of gender-insensitive language by other male delegates" (Finnemore 1994:19).

The WNC continued on its path of consultation with more grassroots women's organisations. Kemp *et al* comment on the expanding women's movement:

'What could not have been predicted, however, was the extent to which the unbanning and the political negotiations that followed ...would fuel the convergence of progressive women's movements and... put gender on the nation's political agenda. The growth of gender consciousness in SA... since 1990 has been phenomenal, so much so that it is quite common to hear ... of 'burgeoning' women's movements' (Kemp *et al* 1995:131).

In Chapter Three I outlined the strength of the women's grassroots movements. I want to qualify Kemp *et al's* statement that it was *precisely* the presence and infrastructure of these grassroots women's organisations in the 1980s⁶⁰ that facilitated the WNC and the "burgeoning of women's groups". The media played a key role in highlighting the interventions of women:

It was exciting to see us on the TV almost every day (New Cross Roads, 44).

Throughout the country women's groups were discussing what they wanted from the New SA (NSA), spurred on by the WNC. The same women who were members of UWCO/UWO were now in the forefront of mobilising broader groups of women to augment the WNC. Owing to the high profile facilitated by the media (see Abrams 2000, Hassim 2002), there was a stampede to join the WNC.

What was remarkable was the broadness of the Coalition. It was also a unique juncture at that historical moment. Meintjes (1996) asserts that women from other political parties seized the day to join the coalition as their parties were not addressing women's concerns.

INTERNATIONAL DIMENSIONS OF THE STRUGGLE

Introduction

The international expertise, skills and diplomatic experiences of the ANC Women's Section in exile, both as ambassadors for SA and also in engaging in feminist debates internationally (Mabandla 1994:22-29), enhanced and complemented the grassroots mobilisation and organisational experience of SA women 'internally'.

It must also not be forgotten that despite the restrictions imposed by the totalitarian regime, South African women (internally) did manage to travel internationally, engaging with feminist activists. Some South African women attended the UN Women's Conferences in Mexico City (1975), Copenhagen (1980) and Nairobi (1985) (Geisler 2000:607, Russell 1989). There was also constant communication between internal and external structures of the ANC via the underground. Meetings took place in the frontline

⁶⁰ Similarly, the 1980s women's structures built on the 1950s women's activism.

states of Botswana, Zimbabwe and Zambia where internal leadership met the external leadership of women's structures. Meetings were held in Gaborone (1981), Harare (1983), Lusaka (1983 -1990), and so forth (Alexander-Simons 2004).

Internally-based women were invited to address international forums such as the UN and the European Economic Community (EEC) and later the European Union (EU), and were to a certain extent *au fait* with many international feminist debates. Women were invited under the pretext, for example, of education workshops. Often the ANC Women's Section would have an event in partnership with a funding organisation that would invite South African-based women to report on current issues. The contents of these international debates were not always communicated to all layers of women in the grassroots organisations, especially regarding meetings with the banned ANC, for security reasons.

For the Nairobi meeting in 1985, the South African Council of Churches (SACC) coordinated the women's delegations from SA. On arrival in Nairobi, the external and internal South African women met to discuss strategy (UWO Minutes, November 1985). Often arrangements were also made with host countries to waive visa requirements, as in the case of delegates to the Post-Apartheid South Africa (Women's Section) Conference in Zambia in February 1988.

The first UWO workshop I attended in 1982 was a tape-and-slide presentation of the role of women in Mozambique before and after the liberation struggle. Women were relegated to the kitchen after participating on the frontline of FRELIMO, the liberation movement. Other lessons on women in liberation movements from countries ranging from Algeria, Angola, Cuba and Nicaragua to Zimbabwe strongly influenced the position held by UWO/UWCO: that the liberation of women does not automatically follow the attainment of national liberation. UWO/UWCO women were clear on this: they were going to be part of the new democratic society at all levels. In 1990, after the unbanning of the ANCWL, UWCO disbanded in order to join the ANCWL. During the discussions of the ANCWL on women's participation in the New SA, women had come to the conclusion that intervention had to be made. As broad a coalition as possible would reflect the 'voices' of all South African women. Hence, the formation of the WNC followed in September 1992. As part of the preparation for women's participation in

government, numerous conferences took place nationally, at which representatives from various countries gave input or presented case studies on the situation of women in countries such as Zimbabwe, Bangladesh, Sierra Leone and Uganda, among others. (*Agenda, Special Issue on Elections*, No 20, 1994).

Various institutions, for example the Community Law Centre at the University of the Western Cape and the Centre for Applied Legal Studies at Witwatersrand University, had regular workshops examining different models of women's participation in governments globally. These were analysed in order to assess which structures were most effective and which would suit the South African situation. Research trips were made to various countries. In the Western Cape (coordinated by the Cape Town Grail)⁶¹ the outcome from a field trip to Zimbabwe found that their Women's Ministry was not effective. According to interviews with women in the Zimbabwean ministry, it was under-resourced and had minimal staff, setting them up for failure⁶². Brigitte Mabandla, a former ANC exile and Justice Minister (2004-2009), made presentations demonstrating the various options for women's structures for participating in government (Mabandla 1994: 22-29). The Australian model of an Office on the Status of Women, OSW (Sawer 1990) with decentralised gender desks in each ministry seemed feasible for SA (Albertyn, 1995). In this way, gender concerns and women's empowerment would be mainstreamed. These debates took place throughout the 1990-1994 period.

The Interim Constitution, which included the equality clause as paramount, was agreed to in June 1993 (Jaffe 1994:227). There was consensus by the negotiating parties that elections should take place in April 1994, and that the final constitution be completed by May 1996 by a "Constituent Assembly of 200 members of parliament" to be elected from the new democratic parliament (Jaffe 1994:227). Various Transitional Executive Committees, of which one was on gender, were formed to take the negotiating process forward (Finnemore 1994:19). Mavivi Manzini from the ANCWL was on the gender committee, set up in 1993 (Manzini 1994:106). Simultaneously, the WNC head office in Johannesburg coordinated mandates from various regions. These demands were submitted as constitutional guidelines.

⁶¹ The Grail is an ecumenical Christian women's movement based in 21 countries and focusing on social justice, peace and feminist theology.

⁶² It was decided to discontinue the Women's Ministry in Zimbabwe after four years and it became part of the Ministry for Community Development (Grail Report 1992).

The emphasis during the functioning of the WNC was on research and formulating women's demands for the NSA from all regions for '*The Women's Charter for Effective Equality*'. Owing to the various tensions and major demands of that time, the deadlines for submissions from such a diverse constituency and the politically fragile context, it was indeed a challenging period.

Women lobbying: conflicts and coalitions

The importance of unity among women at the strategic period of negotiations was realised. Goetz summarises it thus:

Moments of political systems change when the distribution of power is in flux and offer great opportunities to women, provided that women are politically organised (Goetz 1995:11).

What needs to be highlighted is the way in which the various women's lobbies were functioning. Women's organisations at different levels were doing research and advocacy and consulting with grassroots women. For example, many women had multi-organisational membership. The same women would be advocating within the ANC, the ANCWL, the WNC and other organisations such as the Grail, Black Sash, and Rape Crisis, as well as setting up new organisations when it was deemed strategic. Input was collected tactically at places where masses of women were present, for instance at religious services. This was a stimulating period, with intense mobilisation of women, and the newly-formed WNC became one of the broadest coalitions in the country with 189 affiliates (WNC Minutes, 21 November 1992).

It has been emphasised that there were specific 'champions' who inspired and directed the WNC process (Meintjes 2003:146, Lowe Morna 2004:195). In this case the national leading roles of individuals such as Frene Ginwala, Pregs Govender and Debbie Budlender should not be underestimated. There was also a constant process of negotiating, and consultations within the ANC and the ANCWL. In September 1992 the WNC was formally launched with an interim steering committee (Abrams 2000:17; Meintjes 1996:48). National consultations took place to mobilise the maximum number of women. They were then asked what their demands for women were for the NSA. The most common demands would be enshrined in the *Women's Charter for Effective Equality* (hereafter Charter). However, the WNC was not without tension:

As levels of mistrust were high in this early phase of the transition, and ...many women's organisations were especially wary since the initiative had originated in the ANC (Abrams 2000:16)

Organisations feared that a Charter would emerge as an ANC document (Lowe Morna 2004, Meintjes 1996). The politically powerful trade union COSATU was very sceptical and it was one of the last organisations to join (Abrams 2000:24). But Ginwala's persuasive powers were formidable, and high-profile media coverage made it politically expedient to be part of the WNC. The Inkatha Freedom Party's Women's Brigade (IFPWB) was also a late affiliate, given the ANC/IFP conflicts referred to earlier.

Women of various sectors joined: the Social Workers' Forum and Disabled People South Africa (DPSA) women's section (Shanaaz Magiet, 1993:91-95), and professional women's groups such as Lawyers for Human Rights, NADEL (National Democratic Lawyers), the Black Lawyers Association and the Women's Lobby (Women's Lobby 1992:26). There were regional and national affiliates, and mandates had to be secured from the affiliates first before decisions were taken. Once again, because of the fast pace of the times, this was not always adhered to and there followed accusations of undemocratic practices.⁶³ Often regions and affiliates were informed about decisions via national television:

It was lekker [good] ...see[ing] ...us on TV. But sometimes... we heard some things on the TV for the first time that we didn't discuss. (Lydia 21).

One of the most contentious issues in the WNC which highlights the diversity of 'women's interests' concerned customary law. There was one white woman (from the NP) on the technical committee of the Negotiations team "who never argues on behalf of [rural] women" who were subjected to customary law. Albertyn argues that "she [did] not understand... the ... issues of customary law..., she probably thought it was fine... but we didn't think so..., so we had to fight from the outside" (quoted in Abrams 2000:49). What aggravated matters was that two white women lawyers from the WC Coalition sent a letter proposing a two year moratorium on the application of the Bill of Rights to customary law (Abrams 2000:49). Mabandla of the ANC challenged this letter and

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Abrams (2000; 20-22) reduces the political and ideological tensions, including different styles of working of the internal ANCWL and the exiled members, to personality differences. Govender (2007) highlights these tensions emanating from different styles of working.

indicated that it was “misdirected action [which] reflected the race and class divide of our society” (WNC 1993)⁶⁴.

Ann Letsebe, executive member of the WNC, recalled:

Some ... white women [said], ‘No ... it’s going to waste time, because of ... Negotiations ...there’s so much to do’. ... We said... if Black women’s issues are not taken on board at the same time with everything else, you can forget it (Quoted in Abrams, 2000: 49)

This situation was resolved by consulting with women from rural areas to allow them to decide for themselves. The WC was forced to withdraw their proposal. WNC affiliates nationally sent in objections against the moratorium and encouraged women not to support the CONTRALESA position that the equality clause be subject to customary law.

The above episode illustrates the volatility surrounding the issues of women’s collective or diverse interests, who represents and speaks for women, and how cautiously such situations should be handled, especially in terms of who should be accepted as ‘experts’. In this case, white urban women lawyers claimed to speak on behalf of African women from rural areas whose complex lives and needs they may not have fully understood. Waylen, in examining women’s roles from transition to democracy, emphasises that women’s organisations should link poor women’s needs with middle-class women’s needs (Waylen 1994:328). Maxine Molyneux stresses that the concept of citizenship implies commitment to equality and principles of universalism without assuming an undifferentiated public with identical needs and interests (Molyneux 1998:84). African rural women had little in common with urban professional white women. But as the above campaign illustrates, it is easy to sacrifice some interests in order to be pragmatic and ‘progress’. This event, and the necessity to ‘progress’, parallels what happened in WC WNC meetings when translations requested were disregarded as a ‘waste of time’.

So despite the many pressures, the WNC achieved the aims of “the two-pronged mandate [to broaden the Coalition’s base] and initiate the Charter Campaign” (Abrams 2000:16). Because of the diverse interests of women, the Women’s Charter is a

⁶⁴ WNC folder: ‘Info B Mabandla, 8 September 1993, ‘Letter to the Western Cape’, ANC Customary Law, 10 Oct 1993.

compromise document.⁶⁵ But gender awareness of women's needs was firmly on the national agenda. This was the major contribution of the WNC. Hence, the final South African constitution, accepted by the parliament in May 1996, is a gender-sensitive one.

The need for a strong and independent women's movement

With the institution of many government structures to fast-track women's empowerment, state feminism or femocracy⁶⁶ has become popular in many post-colonial states. The over-reliance on 'state feminism' is robbing women of their responsibilities as independent, participative and critical citizens as well as of the dynamic agency that was prevalent in the anti-apartheid struggles. Mama states that the challenge for feminist academics is: "feminist intellectual capacities have a key role to play in developing the capacity to think ... and work towards a more liberatory feminist praxis" (Mama 2004:124). However, she maintains that academics are constrained by "overextension and underfunding" (Mama 2004:123).

A democracy needs to have many independent critical voices. Many feminists "have warned of the dangers of political dilution and the dangers of co-option..." if women depend solely on the state to implement the feminist project of empowerment for comprehensive citizenship (Ramya Subrahmanian 2004:87). Usually with the introduction of state feminism there is an array of gender or human rights constitutions and legislation but not necessarily implementation. Hence Dzodzi Tsikata cautions feminists against over-dependence on the rights-based approach (RBA) as the blueprint for all feminist empowerment projects (Tsikata 2004:130).

The other structure on which there may be dependence on in promoting women's rights is the UN discourse of international treaties. Although some UN structures have played a positive role, I support Tsikata's view of the limitations of the UN:

Yet its current political weakness and its desperate alliances with transnational corporations and powerful governments to deliver some crumbs to the poor make it an unreliable ally in the fight for gender equality and development (Tsikata 2004:132).

⁶⁵ No definitive positions on *lobola* (bride price) and abortion.

⁶⁶ From femocrats, coined by the Australians "to describe feminists who take up policy positions in government" (Sawer 1990:22)

The UN has inherent weaknesses as a world body; it is dominated by the G8 countries, and is ambivalent regarding women's rights.⁶⁷ There is a demand for women globally to find out how they could be effective; how bodies such as the UN and its numerous international instruments could effectively be used by women for women. These international debates emphasise the importance of independent civil society and strong independent women's movements.

What is the situation in SA as regards independent women's critical voices? The absence of an independent women's movement was lamented by my respondents:

One of the major weaknesses today is that there is not a strong and independent women's voice coming from the ground, to support us as women in government, but more especially, to keep us in check and accountable (Lynne 51).

It is sad that we no longer have the broad grassroots organisations (Oudtshoorn 43)

Throughout the negotiations period many activists were concerned, especially those from 1980s grassroots women's organisations, that the WNC should work in such a way that ordinary women would be mobilised and empowered. It was imperative for a broad national independent women's organisation to emerge. At national level this concern was articulated by Budlender (former UWO) and Govender (former Natal Organisation of Women). Abrams outlines the tensions and subsequent resignations of both Govender and Budlender from the WNC (Abrams 2000: 24, 29-34). I stress that the WNC and the overall transition processes resulted in empowered women being more empowered and the grassroots structures being weakened.

Many SA women are aware that it was imperative that a strong women's movement emerge. Some had hoped the WNC might evolve into the beginnings of a national independent women's movement. Meintjes summarises this:

Some hoped that the Charter could become the focus of mobilization and organisation of a strong and effective women's movement in South Africa (Meintjes 1996:61).

⁶⁷ Rape and sexual assault perpetrated by UN Peace Corps in DRC (*The Guardian*, 25 April 2005)

So, too, were women hoping that out of the SA women's mobilisation for the Beijing Conference in 1995, a women's structure would emerge. Baleka Mbete, deputy-Speaker of the National Assembly (NA), parliamentarian (1994-2004) and Speaker of the NA (2004-2009) articulated:

The hope that events around the Beijing UN Conference for Women in 1995 could serve together across political, religious and social divides did not materialise (quoted in Geisler 2000:625).

Many women leaders of the WNC and other structures went into parliament and top corporate positions, weakening the women's movements. Some women activists had new interests:

It's my turn to study now ... All my life it was just struggle, struggle. The exiles ... came home with doctorates, it's now my time to study (Bridgette, 32).

We are actually exhausted after more than a decade of fighting apartheid. We want to rest and enjoy life...go to movies, theatres... (Wynberg, 48).

The AIDS project is very important to us. Young people are dying ... every day. This is where we give our energies to (Tambo Village. 47).

The above examples reflect the fact that many grassroots women now have new priorities.

Apart from the above factors, many anti-apartheid organisations, during transition, experienced dilemmas of identity or role-clarification. Some closed due to funding crises; others became consultancies or transformed their structures into development projects. There was also tension about whether the WNC should continue (WNC National meeting minutes, October 1995). The ANCWL and the trade unions, through COSATU, voted that the WNC should disband as its mandates had been fulfilled. Others argued that it was crucial to have a monitoring body to assess whether the demands of the charter and constitution were being implemented. They also argued that the contents of these documents had not yet been popularised. There was also a need for a united women's voice in civil society. The final decision was that each region would decide for itself which structures would be either maintained or initiated (WNC National meeting,

October 1995). In the WC it was decided to disband the WNC and form an independent movement, the New Women's Movement (see organogram in appendix).

Other bodies to materialise in the WC are the Gender Advocacy Programme (GAP) established to facilitate dialogue and close the gap between women parliamentarians and grassroots women. When Lynne became a member of parliament, the Women's College 'Women and Governance' project that she initiated and its funds were transferred to GAP (Women's College Minutes, May 1997).

Women also mobilised sectorally, with such bodies as the Network on Violence against Women (national), Women and the Law, Women's Law Centre, Women's Media Project, and so forth, being set up. My assessment is that in SA there currently is no feminist praxis such as characterised the earlier feminist movement in the 1970s between women academics and activists, which led to the advent of Women's Studies at universities. Hence in SA there is no national women's movement.

Because of this gap in the independent women's movement, Zanele Mbeki, the wife of the state president, initiated the South African Women in Dialogue (SAWID). There have been mixed responses to this South African version of 'First Ladies Syndrome' (Adomako Ampofo et al 2004). However, Gouws argues that SAWID is more a response to the demands to engender the African Union and New Economic Programme for Africa's Development, NEPAD (Gouws 2005A:3), than it is a substitute for an independent women's movement in SA.

In August 2006 the ANCWL initiated the Progressive Women's Movement of South Africa (PWMSA). Once again there was scepticism, as the women's wing of the ruling party may not be the critical voice that an independent women's movement should embrace. However, the aims of the PWMSA note that "patriarchy is so deeply embedded in all spheres of our lives from the family ... [to the] state including the judiciary and all other institutions" (PWMSA founding document, 5-9 August 2006:4). It is indeed progress to admit that the state is patriarchal. It is too soon to assess the development of PWMSA.

I assert that there is no need for a feminist lobby that works in isolation and would prefer to advocate a 'pro-poor coalition': a feminist lobby for social justice with other marginalised groups which could counter the overwhelmingly misogynistic and unequal global climate. The lessons from African feminist Awa Thiam (1978), that the women's struggle should be an international one, and from Mohanty, that women should work on a basis of "solidarity rather than insisterhood" (Mohanty 2003:7), and Goetz' argument "to think beyond gender equality" (Goetz 2004:140) are good starting points.

It is the task of the independent women's voice to ensure that women's effective citizenship is realised. Citizenship is not 'a fixed and bounded terrain' (Batiwala and Dhanraj (2004:15). I emphasise that, especially during transition, citizenship has to be constantly contested and challenged as there are so many competing South African transformation agendas. The transient nature of citizenship, with new and different aspects to be explored, rejected or adapted as the context changes, is inevitable. Citizenship is not fixed, but has constantly to be defended, and often reinterpreted and extended.

Women aligning themselves with a strong political party

Waylen has shown that "receptivity to issues of gender representation and to values that underpin 'good' policies is greater at the moment of transition" (Waylen 1994:329; Hassim 2002:347). Working within a political party during transition also means that it can be challenged from the inside as well as from the outside and, as Waylen and Hassim attest, intervention could be made effectively.

On the other hand, Dahlerup has shown that left-leaning parties tend to absorb women or minority issues. They "could alter feminist demands and use them for their own purposes ...and they ... could de-radicalise women's politics" (Dahlerup 1986:17). This phenomenon is also stressed by Subrahmanian (2004:89). From the above research it seems that as women's experiences have been diverse, there is no easy answer. Waylen articulates this dilemma:

Autonomy versus integration: Should women's movements work with the new institutions and parties and risk being co-opted... or should they remain outside, preserving their independence but risking marginalisation ...as power shifts toward the political parties? No definitive answer has emerged. (Waylen 1994:339-340)

Hope Chigudu and Wilfred Tichagwa(1995) question this impasse:

Do [women] have an alternative power base [to the party]? Would they survive if they relied solely on the alternative power base? To both questions the answer is probably no! (Chigudu and Tichagwa 1995:2).

So it may be that there are cases in which the women's movement has benefited from an alliance with a strong political movement. I argued earlier that the transition period in SA was an opportunistic one for new and marginalised groups to make interventions. Two new women's political parties, *The South African Women's Party* in the Western Cape (NewSnips, *Agenda*, 1994:107) and the *Women's Peace Party* at national level (Hassim 2003B:108) were formed just prior to the 1994 first democratic elections in SA in order to contest the elections. Even though their political programmes were specifically feminist, grassroots women did not join them:

Even though I'm a woman there is no way I will vote for the women's political parties. ... We have to get rid of apartheid and women's oppression and the ANC has a record in this (Plettenberg, 45).

Thus, during 1994, the choice of the majority of grassroots women was to align themselves with their historic allies, the male-led political parties which were often differentiated along racial lines.⁶⁸ The election for democracy was as much an anti-apartheid vote as a pro-women one:

The history of the ANC as the oldest political party in Africa with a women's rights agenda plus the popularity locally and internationally made it the natural home for most women (Mildred 16).

In the WC, ultra-left groups such as the New Unity Movement and the Cape Action League boycotted the elections, but many grassroots women from these structures supported a strategic vote for the ANC⁶⁹. In 1992-1993, ANCWL women active in the WNC stressed gender. But in the 1994 elections the choice was for the ANC as the champion of anti-racist struggles historically. While race, gender and other factors are inter-related, as Henrietta Moore has emphasised, "At one moment the

⁶⁸ The exception was the mainly unorganised grassroots women in coloured townships of the WC who supported the apartheid party, the NP. 'Better the devil you know' and 'Black Fear' (Swart Gevaar) were their slogans.

⁶⁹ Personal conversation, Mercia Andrews, 1994.

racial may take priority over sexual, and in another ethnicity may act as the defining difference" (Moore 1994:50).

I contend thus that the majority of South African women activists had historical relationships with existing political structures (such as the ANC, PAC and apartheid political parties. In Canada, Australia and Uganda, and initially in Zimbabwe, the women's sections of political parties were able to make feminist interventions. What lesson this indicates is that the majority of women aligned themselves with established political parties that had infrastructure and that real power lay with the mainstream or 'male stream'⁷⁰ political parties.

The election manifesto and party policies of the ANC were made gender-sensitive by the intervention of the mass of women with the support of some gender-sensitive men in the ANC. However, it has been argued that the ANC was not really gender-sensitive. Instead it realised that addressing the 'women's question' was crucial for the ANC to entrench its power and attain the majority of votes. These criticisms undermine women's agency and intervention within the party, which my data suggests. (see also Seidman 1993:316). ANCWL members wanted the ANC to win as they believed that the ANC was the only party with a transformation agenda. However, working within a male-led political party has limitations. What I will argue is that for women within a strong political party there may be times of conflicts of interest, that is, women's versus the party's 'interests'. Examples of this will be outlined in Chapter Six.

It is also crucial not to essentialise all women as gender-sensitive and promoting a feminist agenda. Nor do all men promote a patriarchal agenda. Meintjes (2003) traces the progress in terms of the Domestic Violence Act and emphasises not only the important part played by key women in making this a reality but also the crucial role of two males, the Minister of Justice, Dullah Omar (1994-1999) and the chairperson of the justice portfolio committee, Johnny De Lange (1994-2004). This Act (like the Recognition of Customary Marriages Act) is a concrete example of complementary work done by women and men inside and outside parliament, NGOs and by research institutes.

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Lowe Morna's coinage (2004:191)

There is no one position or strategic option for feminists. According to Hassim, in the post liberation period there are very few options for women's movements. Rarely, she says, "have women activists or oppositional social movements in general been able to build a successful movement outside the party, and where they do it is against enormous resistance from the party" (Hassim, 2003:379). I argue that the context and demands of the particular political moment will determine the strategy. I thus concur with Kawamara-Mishambi and Ovonji-Odida who emphasise that when women use various strategies at different moments, intervention will be ensured (Kawamara-Mishambi and Ovonji-Odida, 2003:184,185).

GENDER MAINSTREAMING

Introduction

Gouws, who has done extensive research on the SA gender machinery, argues that key to the "gender package" is gender mainstreaming, and this will facilitate the empowerment of women (Gouws 2005A:1). McFadden, however, who also has international expertise on these matters, is very sceptical of this "gender industry" and questions the commitment to meaningful transformation by "gender consultant divas" (McFadden 2003:4). Both raise valid concerns, as both scenarios have occurred. But what is the origin of gender mainstreaming and what has it meant to the South African feminist project for citizenship?

Gender mainstreaming is the outcome of a series of critiques of developmental approaches that over the decades have not meaningfully changed the position of or addressed poverty amongst women. The Women in Development (WID) policy framework resulted as a critique of development in the mid-1970s that ignored the needs of women. After an assessment of this approach, the Women and Development (WAD) model emerged. By the 1980s there was no appreciable difference in the status of women and the limitations of this model as an 'add women and stir' process were exposed. Woodford-Berger stresses that gender analytical frameworks are essentially political interventions and hence are underscored by feminist theories (Woodford-Berger, 2004:66). Feminist analysis concluded that for any development work to be effective there should be a disaggregation of who benefits: a stark deviation from the rather vague

articulation that 'the community' will benefit,⁷¹ that the position of women will not be redressed without challenging and transforming gender power relations, that the position of women cannot be transformed without transforming the position of men. Gender relations are complex and intersected by race, culture, class, location and so forth. This meant that the WAD framework had to be substituted by the Gender and Development (GAD) framework.

The definition of gender mainstreaming promoted by the United Nations Development Programme (UNDP) is as follows:

'Taking account of gender equity concerns all in policy, programme, administrative and financial activities, and in organisational procedures, thereby contributing to a profound organisational transformation...

...Gender analysis brings to light many of the gaps ... [and] strategies for possible action. ... (I)nvesting in poor women is the right thing to do ... because educated girls and empowered women are *untapped resources for economic growth and key change agents for poverty reduction* (UNDP, 2003 quoted in Lowe Morna 2004:193, my emphasis).

I agree with most aspects of the above, but caution that after decades of development, minimal difference has been made to the quality of women's daily lives. I stress though that women's citizenship should not only be seen in terms of "untapped resources for economic growth" but rather in terms of their inherent dignity and humanity. Women therefore need and must have access to education, development, and leisure, for example, in order to make meaningful choices in their lives and to be able to realise their full potential as human beings.

Prudence Woodford-Berger (2004) asserts that gender mainstreaming has multiple contested definitions, but emphasises it as a "long term strategy or systematic institutional approach for promoting/producing gender equality as a policy outcome" (Woodford-Berger 2004:66). She further adds that despite the confusion and contestation of the concept itself, the aims are unambiguous. She avers the transformative processes implicit in it and that the distinction between sex and gender

⁷¹ Naila Kabeer: Keynote Address at the conference on 'Women and Gender in Southern Africa', 30 Jan-2 Feb 1991, University of Natal, Durban (organised by the Gender Research Group)

needs explicit attention in all organisational work. She concludes that the outcome of gender mainstreaming should specifically be that of new values (Woodford-Berger 2004:66). Her definition is more comprehensive, including aspects such as transformation, values and attitudes (Woodford-Berger 2004:66,67). Through working in a holistic manner, as defined by her, gender and hierarchical power relations could be challenged. In other words women and men's roles should be interrogated in order to establish non-hierarchical roles.

Closely related to the WID/WAD/GAD processes are practical and strategic gender needs. Molyneux distinguishes between women's interests and gender interests. Women's interests are complex and often conflicting, depending on social classes and context (Molyneux 1985:232). However, she stresses that there may be certain general interests in common. These she refers to as gender interests in order to differentiate from the 'false homogeneity' implied by the notion of women's interests (Molyneux 1985:232). Gender interests could refer to the interests of both women and men that emerge out of their social and material reality as gendered beings. These needs could be either practical or strategic, each being specific in nature and each involving diverse applications and implications for women's subjectivity. Molyneux defines strategic gender interests (SGI) as 'deductively derived', that is, from the starting point of awareness and challenge of women's subordination, to the promotion of a transformed and improved alternative. These entail strategic objectives to overcome women's subordination, and "the eradication of the sexual division of labour and gender power relations" (Molyneux 1985:233). These are often seen as women's 'real' interests and termed as 'feminist'.

On the other hand practical gender interests are inductively derived, and stem from the material conditions in which women find themselves within the gender division of labour. Molyneux states that "practical gender interests (PGI) are usually a response to an immediate perceived need, and they do not generally entail a strategic goal such as women's emancipation or gender equality" (Molyneux 1985:233). They are influenced by class positions. She adds that when the livelihoods of their families are threatened, especially their children, "it is the women who form the phalanxes of bread rioters, demonstrators and petitioners" (Molyneux 1985:233). There are plenty of examples of these (see Kaplan 1997), in SA, for instance, women from the Food Committees in the

1940s (Walker 1982). I argue that in the case of UWO the PGI were determined by class and race positions and other locations. The white women in the Gardens branch, because of race and class privileges, did not require PGN and wanted to discuss more women's (feminist) issues, whereas the black women demanded an end to passes, decent houses (PGI) and equality for all.

Even though PGI are short-term they have the potential to lead to strategic gender interests (SGI), as seen in the struggles of the women in the 1980s in SA (see also Vargas 1991:32). SGI and women's awareness and desire for their realisation are not automatic. SGI are only effective when considered within the context and satisfaction of the PGI, as SGI could conflict with PGI. When the PGI are politicised as was the case with the Cost of Living and Bread prices campaign of UWO, it led to the analysis of the South African Apartheid budget and the amounts spent on the defence force. The fact that some women's husbands wanted to control their movements and did not want their wives to be involved with politics all contributed to women's taking up new and more strategic issues. In 1988 FEDSAW with UWCO women in the leadership organised their first night march against violence against women and vowed "to take back the night" (FEDSAW Minutes, August 1989). The grassroots women's struggles illustrate how the PGI gave rise to SGI.

Interests will vary over time depending on the specific political moment. Interests and unity among women can never be assumed and "such unity has to be constructed – it is never given" (Molyneux 1985:234), as in the case of the WNC. I agree with Molyneux, who emphasises that unity is conditional as it "tends to collapse under pressure of acute class (again in the case of WNC, racial and cultural) conflict" (Molyneux 1985:233). As much as many women assumed that the WNC could merge into the broad independent women's movement (Meintjes, 1996) their unity and common interests were too fractured. The current protests against poverty and non-deliverance by local government in terms of basic needs may have the potential for the emergence of a pro-poor coalition. The growth in membership of the New Women's Movement because of poverty and non-deliverance has shown a marked increase (Mercia, 3).

Representation

A key lesson learnt from other countries was the presence of women in decision-making. Phillips emphasises that the mere presence of women may not necessarily guarantee an increase in gender issues being raised, but that it may increase the *probability* that it would (Phillips 1993:16). However, she adds that "it is only when there are mechanisms through which women can formulate their own policies or interests that we can really talk of their representation" (Phillips 1993:50). One of the mechanisms is when a party is women-friendly (Phillips 1991:75). Furthermore, Phillips argues for a system of engendered democracy. This approach would take into cognisance the intersections between class, race and gender, and stresses that participatory democracy will resolve power relations across these sectors (Phillips, 1991:78). I agree with Phillips (1991) and Dahlerup (1998) that single mechanisms such as quotas or affirmative action are not enough, but that there should be a transformation of the culture of politics to one that is *engendered* at all levels.

Rai stresses that women's representation is crucial, but that it does not automatically translate into "improved representation of women's various interests" (Rai 1998:121). I need to emphasise, though, that the matter of 'which' and 'whose' interests and 'how' these interests are determined is crucial. Pringle and Watson (1992) succinctly articulate this construction of interests:

It is in the process of engagement with the arena of the state that interests are constructed. ...Interests are produced by conscious and unwitting practices by the actors themselves in the process of engagement... (Pringle and Watson 1992:68,69).

The diverse nature of 'women's interests' articulated by Pringle and Watson was reflected earlier in this chapter in the case of customary law and the case of the well-meaning white women lawyers is an ideal example.

Research has shown that one way to increase women's representation is through quotas (Dahlerup 1998). Denmark, Norway, Germany, and the Dutch and British Labour parties all introduced quotas to increase the number of women candidates (Lovenduski and Karam (1998:148,149). Dahlerup (1998) emphasises that in the Nordic countries they first strengthened the women's movement outside of political parties (Dahlerup

1998:100). It was as a result of this strong pressure that parties started using quotas. This process took place over the last thirty years. Uganda too has a special allocation for women (Josephine Ahikire 2004). Sushma Swaraj, MP India, emphasises the importance of reserved seats for women at local government (*panchayats*) (quoted in Dahlerup 1998:103). Here, quotas in partnership with NGOs have worked to strengthen women's participation and effectiveness (Mukhopadhyay 2003:48).

However, quotas remain controversial:

Quotas are a double-edged sword. On the one hand, they oblige men to think about including women in decision-making... on the other hand [men] will seek out women who they can manage – women who will more easily accept the hegemony of men (Anne Balletbo, MP, Spain quoted in Dahlerup 1998:95).

Christine Pintat (Inter-Parliamentary Union of Switzerland) again shares how quotas “have led to a ceiling” and that countries are not “develop(ing) a political culture whereby women are integrated into the political system” (quoted in Dahlerup 1998:101). Research has also shown that many women find that “domestic responsibilities, lack of finance, rising criminalisation of politics and the threat of character assassination” discourage their participation in formal politics (Rai 1998:115). Women indicate that there are minimal women in leadership positions within political parties and “women candidates are usually fielded from ‘losing’ constituencies where the party does not want to ‘waste’ a male candidate” (Rai 1998:115).

Research also shows that there was not a single country where the number of women progressed significantly without mechanisms of promotion. An example of what is purported to be the ‘oldest democracy’, the United States of America, has a very poor showing. According to research done by the *Center for American Women in Politics* (CAWP), since 1795 there have been 11907 Members of Congress and of these only 105 have been women (CAWP Newsletter, September 2002).

At the first national ANC conference after its unbanning in 1990, the ANCWL had a proposal of a 50% quota of women for all levels of decision-making. This resulted in a seven-hour debate. A consensus position of a quota of one-third women then became ANC policy (ANC List Process document 1993:4). This indicates that achieving the quota was indeed a struggle and many still are adamantly against it.

In studies of Western European legislature it has been found that there was a distinct gender pattern in portfolio allocations (Hassim 1999). Similarly Lovenduski and Karam state that women are generally allocated to 'soft' ministries like welfare, health, education and culture (Lovenduski and Karam 1998:136).

I find the analysis of the distinction of Goetz and Hassim (2003) between 'descriptive' and 'strategic' representation useful. The "descriptive representation" refers to the actual numbers of women/numerical representation, as opposed to the substantive/strategic position where women intervene and are effective; "from a feminine presence to a feminist activist in politics" (Goetz and Hassim 2003: 5). This coincides with Temma Kaplan's "feminine consciousness becoming feminist consciousness" (Kaplan 1995:146; 1997:186,187).

With women as "descriptive representation", the status quo in parliament remains the same. Goetz and Hassim argue that the distinction is misleading as it may overemphasise women's role as a political agent, focusing on women's failure to influence and impact on policy. What this means in concrete terms is that the culture of the institutions may be so patriarchal that they hamper women's strategic presence and limit women's participation to the merely descriptive. Segregating descriptive from substantive, they argue, detracts from the political institutions in which women find themselves. The design and culture of political institutions could largely influence how women's participation is determined - it could even be undermined. They hence argue that descriptive participation may be the "necessary first step required if substantive representation is to be achieved" (Goetz and Hassim 2003:5,6).

Incorporating women's participation into political institutions is a process. The performance of women cannot be isolated from the context of the cultures of the institutions. With the exception of a few changes (introduction of crèches, washroom facilities and hours of meetings brought about by women themselves), the culture and atmosphere of the South African National Assembly has not changed (Hassim, 2003:100). For many it is 'business as usual'. Mtintso, in writing about Parliament, echoes this:

Because parliament is so patriarchal and the power so obvious, women are in danger of being swallowed by its culture, its ethos, values and priorities. They get afraid of moving against the mainstream and in that way find themselves compromising and promoting the very patriarchal agenda (Mtintso 1999:39).

So merely adding women into decision-making has to be accompanied by the transformation of the institutions in order to facilitate women's effective participation.

Although both Dahlerup (1998) and Tinker (2004) raise the ambivalences of quotas, Tinker reminds us that all ten countries exceeding a 30% representation used proportional representation (PR) or quotas (Tinker 2004:535). On the other hand it is important to bear in mind that often women politicians do not necessarily take up women-specific interests (Karam 1998). Lowe Morna (2004), however, emphasises through her research in Southern Africa that women politicians specifically incorporated women's demands (Lowe Morna 2004).

One can therefore conclude that having women's representation in government increases the *possibility* that women's concerns will be raised. Women politicians encounter many difficulties and the private sphere of carework still largely remains their responsibility, thus increasing their workload. Within the parties themselves women experience sexism and undermining. Often their roles as nurturers and carers are reinforced by their being allotted 'soft' ministries such as education and health.

However, despite the many challenges, many grassroots women's organisations in SA are satisfied with the performance of some women politicians:

Lynne is always there for us. Whenever we need something to be raised or some urgent issues or we invite her to speak at our functions, she is always there (Mama Dalena, New Women's Movement Women's National Day, 9 August 2004, St Francis, Langa, Cape Town).

Gender responsive budgets (GRBs)

Does feminist rhetoric simply mask patriarchal intent, where male leaders claim to support gender equality but fail to provide resources or power to attain it? (Seidman 2003:542).

Seidman's question is pertinent given the research done by Goetz (1995) where she found that in all six countries analysed, the national gender machinery (NGM) failed as it was not sufficiently financed. As emphasised earlier, SA has learnt many lessons from other countries. Australia was the first country to initiate a gender budget in the 1980s (Sawer 1990). Through gender budgets one can assess to what extent money is allocated and spent on policies that would enhance the quality of lives of women and men, girls and boys. The South African team adapted the conceptual framework created by Rhonda Sharpe (Sawer 1990:151) for her work in the South Australian women's budget. According to this framework, there are three categories of expenditure:

1. Expenditure specifically targeted for gender issues;
2. Equal employment initiatives within the public sector;
3. General (mainstream) budget expenditure.

It is thus a way in which one can assess what the priorities and commitments are, for example, to gender equality, hence Seidman's question.

Another crucial aspect of GRBs is that through them the impact of government expenditure (and sometimes revenue) on different social groups could be examined (Lowe Morna 2004:215). GRBs are inclusive and thus do not ignore the 'productive work' and nurturing that (mainly) women do. In promoting an inclusive citizenship, GRBs are essential as they do not separate and ignore the so-called 'private' work from the 'public'. I argued earlier (Chapter Two) that if the division between private and public work is terminated and both women and men share carework equally, aspects of women's citizenship could be realised.

Through collaborative work between women parliamentarians and NGOs, the Women's Budget Initiative (WBI) was established in 1995 (*Gender Budgeting in Local Government* - GBLG CGE March 2004:6). Lowe Morna claims that since 1995 more than 50 countries have engendered their budgets "but SA is the only case study country with significant GRB activity in both parliament and civil society" (Lowe Morna 2004:216).

In 1995 the WBI team, the NGOs, Community Agency for Social Enquiry (CASE) and the Institute for Democracy in South Africa (IDASA) first worked with the Finance Portfolio Committee. Later when the *Joint Committee on the Improvement of Quality of*

Life and Status of Women (JMC) was established, it became the parliamentary partner (GBLG CGE 2004:6). The WBI was used, as opposed to GRB, for the following reasons:

- to emphasise that women are disadvantaged by gender relations and that the focus would largely be on improving the plight of women;
- so that the simpler English word, 'women' could be used, as there is no equivalent for 'gender' in the vernacular;
- Despite the name, women's budget, the solution to gender discrimination is mainstreaming gender issues rather than having separate budgets, policies and programmes for women only (Budlender 1996:4; GBLG CGE 2004:7).

In the first year the focus of the WBI was on Education, Housing, Work (Departments of Labour, Trade and Industry, Public Works and the Reconstruction and Development Programme) and Welfare (GBLG CGE 2004:6). As argued earlier, a key point of my analysis is that of women's unpaid labour. Doing unpaid labour limits the opportunity and power of women, but equally importantly it subsidises the formal economy. I asserted that there should be a balance between women's receiving state benefits and the state providing employment for them. Furthermore, for effective citizenship the private/public dichotomy should be terminated and carework should be acknowledged as all citizens' responsibility. Women can thus be employed, be independent and enjoy the benefits of full citizenship. Through assessing the work of the above departments the WBI was strategic as these departments are crucial to addressing the aforementioned theoretical issues for the achievement of women's citizenship. If women benefit from education, training and job opportunities and accessing grants, it could realise their citizenship. The WBI illustrated the post-apartheid government's commitment to promoting gender equality. Through this work the WBI realised the budgetary constraints of the SA government and thus saw this project as a way of "assisting government to realign budgets in line with its non-sexist vision" (Budlender 1996:2).

By using the categories (identified by Rhonda Sharpe) central to the analysis of gender-sensitive budgets, the WBI analysed each vote. The majority was according to the last category, 'general mainstream budget', as this was where 99% of budget is (CASE Draft Report to CGE, December 2003). This is in line with the principles of gender mainstreaming. It is vital to note that the WBI did not allocate a completely separate

budget, but rather wanted to ensure that the entire government budget comprehensively addressed the needs of SA women equitably and adequately.

The WBI found that the state budget format had limited information. The WBI therefore recommended initiatives for transparency and more detailed budgets. It stressed linking budgets to policy instead of budgets merely being an accounting practice. This resulted in a Medium Term Expenditure Framework (MTEF) that includes a 3-year projected expenditure figure. The MTEF is a comprehensive, detailed budget document at national and provincial levels.

Some concerns raised by the *Second Women's Budget* (1997) are:

The Commission on Gender Equality had an extremely low budget - only enough to cover salaries;

Most of the gender units and focal points limited their critiques to working conditions within the departments rather than what government was doing for 'ordinary' women and men;

An earlier commitment by the Finance Department to create a gender post did not materialise;

The CGE Commissioners were placed at a lower level than those of the South African Human Rights Commission and recommended parity in salaries and budgets.

It needs to be noted that government responded selectively to these proposals. The MTEF was accepted but not the recommendation to increase the budget for the CGE. The CGE budget in 2005-2006 is still nearly one tenth of the Human Rights Commission budget:

Table 2 CGE Budget 1999-2005

| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|---------------------|--------|--------|--------|-------------|--------|--------|------|
| Treasury Allocation | R8m | R10.7m | R12.2m | R13.05 m | R14.9m | R17.3m | R24m |
| Donor Funds | R0.62m | R1.2m | R0.25m | R0.25m | R1.5m | R1.7m | R2m |
| Annual Budget | R20m | R22m | R25m | R30m | R34m | R39m | R44m |
| Shortfall | R11.3m | R10m | R12m | R16m | R18.5m | R20.1m | R18m |

Source: CGE Submission to Parliament October 2004:11

The above reflects the serious constraints under which the CGE operates, including the lack of gender skills as noted by Lowe Morna (2004:211), Serote (2004:3) and Gouws (2005A:3). The CGE has never had its full complement of staff and so is not as effective as it could be (Gouws 2005A:2).

The government ended the WBI pilot in March 1998. The Budget Review did indeed indicate how the project had influenced the budget. The Director-General of Finance introduced the Budget Review by noting that "it contains gender-disaggregated information where available and appropriate, to permit an informed analysis of the impact of the Budget on women and men" (Budlender, 1998:2). The tabloid, *'Your Guide to the Budget'* was produced in 11 languages and also contained a section on *'Women and the Budget'*. However, what is really of concern is that this has not been repeated.

According to Lowe Morna, the National Treasury dropped the WBI when the Commonwealth Pilot Project came to an end (Lowe Morna 2004:218). This is of major concern and indicates a similar pattern noted by Goetz (1995) in the cases of Bangladesh, Chile and the other countries she assessed; that all or most gender work undertaken by governments was donor-financed (Goetz 1995:3).

Positive outcomes are numerous. The Gauteng Provincial legislature has gender budgets and programmes (Lowe Morna, 2004:219). One of the projects Statistics SA produced was *A Survey of Time Use* (2001), which provides the basis for including unpaid labour as part of the gross domestic product. The WBI has had a positive effect on most who were introduced to it as councillors, and women MPs found it a very

empowering process, though a steep learning curve in terms of demystifying the budgetary processes (Evaluation, GETNET 2002). The other very important contribution is that all the workshop material has been documented and the lessons learnt have been articulated.

But despite this women-friendly SA, there does not seem to be the enthusiasm to embrace new gender-sensitive practices:

The South African Minister of Finance is reluctant to engage with what it sees as interference with conventional models for calculating Gross Domestic Product (Lowe Morna 2004:216).

This once again reflects indecisiveness about embarking on systems enhancing gender awareness. There is also an impasse around implementing feminist concerns. Differences arose between parliamentary leaders of the WBI and the government when the former criticised government on aspects of the budgets and policies concerning the defence budget, eradication of poverty among rural women and the budget for HIV/AIDS. These tensions continue.

National Gender Machinery

One of the concrete outcomes of the Decade for Women (1975-1985) was the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) in 1979. CEDAW specifically states that "States Parties... shall ensure that women ...hold public office" (CEDAW Article 7). This is elaborated on in the Beijing Platform for Action (BPFA) in the promotion of Institutional Mechanisms for the Advancement of Women in decision-making (BPFA 1995, section 2.8). Practically, this translates into the creation of National Gender Machinery, NGM (BPFA 1995, section 2.8.2.2). Many countries adopted these programmes. The Philippines introduced Development Plans for Women, 1989-1992 (Mabandla 1994:26). Australia included the Women's Electoral Lobby in 1977 (Sawer, 1990:1) and the Office on the Status of Women by 1983 (Franzway et al 1989:45).

South African women assessed these global examples during the negotiation phase in order to decide what would most suit SA:

In the period leading up to the finalization of the South African constitution, women added their contributions to more than one million submissions put forward. These included suggestions for National Gender Machinery for Women, and were the consequence of the long and ongoing debate about what such machinery should look like, or whether women's issues should be located in a Women's Ministry rather than a set of mechanisms. A consensus emerged among women that gender should be mainstreamed (Gouws 2004A: 1).

There were also increasing concerns about the burgeoning of traditional and religious bodies, their growing influence and the impact this could have on women's rights. During negotiations, the Congress of Traditional Leaders of SA (CONTRALESA) insisted that customary law supersede the equality clause. This would mean that black rural women, whose lives are mostly dictated by customary law, would remain minors. Hence the women's lobby, with the support of leading ANC male comrades,⁷² devised an independent body:

A Commission on Gender Equality (CGE) was included in the final draft of the constitution. This was due to the acceptance of the involvement of the Congress for Traditional leaders of South Africa (CONTRALESA) in the determination of customary law; the idea was to provide women with a power base to counter the traditional leaders. (Gender Research Project 2000:256).

Between 1994 and 1996, when the final constitution was being drafted, there was immense lobbying to retain the CGE as a mechanism to counter the powerful CONTRALESA. The existence of the CGE is meant to ensure that the gains women have made are not easily reversed. It was thus a triumph for the women's lobby and citizenship project that the CGE was retained in the final constitution.

The primary task of the Commission on Gender Equality (CGE) is:

to promote respect for gender equality and the protection, development and attainment of gender equality and the principles outlined in the constitution (South African Constitution, Act 108 of 1996, Chapter 9, clause 187 (1).

Further tasks of the CGE are outlined in the CGE Act No 39 of 1996. The CGE also monitors compliance with international instruments, and it reports annually to Parliament and makes recommendations. The main form of media used is community radio stations broadcasting in all the indigenous languages. In this way people who are not literate or

⁷²

see Lowe Morna 2004:149-166

who are in remote parts of the country all have access to this information (CGE Report 2004).

The NGM, of which the CGE is part, emphasises mainstreaming. For this reason there is an Office on the Status of Women which is the apex of all mainstreaming and there is no one centralised point, as in a ministry. The Office on the Status of Women (OSW) was established in the Presidency in 1998 (SADC Country Report 2004:20). It should ensure gender mainstreaming in all ministries and their departments and each department should have Gender Focal Points/Persons (GFP) or units. The Gender Focal Person should be positioned at a decision-making level and have access to budgets.

Figure 1 Structure and Components of the National Gender Machinery

| Government | Parliament | Independent | Civil Society |
|--|---|-------------------------------|---|
| Office of the Status of Women Provincial Offices on the Status of Women Gender Focal Point in Line Departments Gender Focal Points | Portfolio Committees (including The Parliamentary Joint Monitoring Committee on the Improvement of the Quality of Life and Status of Women Women's Empowerment Unit Gender Caucus in Parliament (dysfunctional) | Commission on Gender Equality | Non-Governmental Organisations Women's Organisations Religious Bodies South African Local Govt Association (SALGA) |

Revised from in the National Policy Framework of the OSW (2000)

Some of the main OSW tasks have been to ensure gender mainstreaming in the departments through advancing national policy on women's empowerment and gender equality, and to advise and brief the presidency on issues pertaining to the empowerment of women and gender equality (Hassim 2006:218,219). It also has the

vital task of being the principal co-coordinator of all NGM (National Policy Framework for Women's Empowerment and Gender Equality, NGPF 2000:27).

At provincial levels the NGM is supposed to mirror national structures and operate from the Premier's office. This is not the case in most of the provinces as OSW is either in the Director-General's office or in the Human Resources Development Directorate (CGE Monitoring Reports 2002, 2003). Gender Focal Points or Gender Units have been established in all departments. These structures assist in the formulation and implementation of all action plans to facilitate the empowerment of women and the promotion of gender equality.

The creation of the Joint Monitoring Parliamentary Committee on the Improvement of Quality of Life and Status of Women (JMC) is also the result of committed women and intense lobbying over a three-year period. A Joint Standing Committee on Finance Working Group on Gender and Economics was formed with Pregs Govender as Convenor. This working group later became the Ad Hoc Joint Committee on the Improvement of the Quality of Life and Status of Women (JMC) established in 1997 (SADC Country Report, 2004:19). In 1998 it became a permanent portfolio committee (SADC Country Report, 2004:19).

At the national parliament the JMC has an oversight role of all legislation, and annually calls ministers to account on how they have promoted gender equality. The JMC monitors progress with regard to improvement in the quality of life and status of women in SA with special reference to the commitments to, for example, the BPFA and CEDAW (Rep of South Africa Beijing +10 Report, SAB+10 Report, 2005:132). It also monitors compliance with all international protocols such as the Southern African Development Community Declaration on Gender and Development (SDGD) ratified by SA in 1997. The JMC makes recommendations to both houses at national parliament, the National Assembly and the National Council of Provinces. Hassim, applying the analysis of Kathleen Jones (1990) states that SA "institutionalised" women's politics; it could therefore be categorised as 'women-friendly' (Hassim 2006:219).

The effectiveness and intervention of the JMC under the leadership of Pregs Govender is legendary (Lowe Morna 2004). The interaction with civil society was constructive and effective:

It is the one place in parliament you can go and you are actually acknowledged even as an observer. The members are not arrogant. They welcome you and the work you do. Here are women who work hard and who have a purpose (Western Cape Focus Group, quoted in Lowe Morna 2004:113).

The JMC displayed commitment to women's empowerment and challenged government: "It is the only official body to have publicly opposed the Mbeki government's policies on arms acquisition and the provision of antiretrovirals to pregnant women and rape survivors" (Hassim 2006:264). Formal politics lost a dedicated feminist activist with the resignation of Govender in May 2002 (Hassim 2006:262). This was due to the irreconcilability between the role of the state and her vision for transformation (Govender 2007:249).

A prerequisite for the staff of the NGM is that they should be independent. However, in SA most are members of the ANC, and this compromises their independence. For example, it was claimed that the CGE was reluctant to call an ANC woman minister to account. The minister apparently 'protected' an ambassador accused of 21 cases of sexual harassment ('Gender body accused of failing women', Edwin Naidu, *The Sunday Independent*, 28 August 2004). Gouws, too, supports this position: "here is a reluctance... to call government to account" (Gouws 2005A:13). Gouws adds that there is no visionary or strategic leadership, and emphasizes that by having strategic leadership, the NGM 'personalised politics' contributing to conflict could be transcended (Gouws, 2005A:14). The ambivalence regarding the effectiveness of the NGM has prompted debate about whether all the Chapter 9 commissions of the constitution (which includes the CGE) should not amalgamate under the Human Rights Commission (Kader Commission 2006).

Despite the OSW being located at the highest echelon of power, the president's office, it has no access to the cabinet; its power to influence policy agendas is minimal. Furthermore, most NGM meetings were irregular, seldom were there constructive outcomes and because of the minimal resources of the OSW, effective coordination of the NGM did not always materialise. Hassim's analysis is that apart from the above the

OSW just “lacks authority” (Hassim 2006:225). She refers to the NGM as “The New Institutions for Policy Access: Representation without Power” (Hassim 2006:225).

I agree with both Gouws (2005A) and Serote (2004) that the comprehensive nature of the various structures, a lack of coordination, overlapping mandates and lack of skills, resources and communication among the structures have contributed to confusion and conflict resulting in that they are not as effective as they could potentially be. The lack of capacity Gouws blames on the fact that party loyalists were rewarded with appointments:

In some cases political acumen in general replaced the qualification of gender expertise in specific when it came to appointments in the NGM' (Gouws 2005:4).

CONCLUSIONS

In this chapter I have outlined the emergence of the ‘women-friendly’ state that resulted from women’s political agency through a range of diverse women’s organisations in the 1992-1994 period. The Women’s National Coalition (WNC) was formed by women to ensure women’s interests in the NSA. It was not without conflict. That this coalition was born out of an apartheid past aggravated the differences. Conflict inevitably emerges from such diverse groupings as ‘women’ are not a homogenous group. The commitment to focus on what affects the majority women resulted in *The Women’s Charter for Effective Equality* (1994).

The strategies used by women were strengthened by lessons from other countries. Various principles were adapted and resulted in ‘state feminism’ evolving in SA. In this way women’s agency influenced the transition. However there is the concern that femocracy dilutes feminist demands; in fact, independent women’s and civil society voices have been weakened as a result.

Another lesson that emerged was the importance of a strong independent women’s organisation. Many women activists are now in parliament, and what has occurred is that

there is an over-reliance on 'state feminism'. Again, independent women's and civil society voices have been weakened as a result.

During the transition period it was also incumbent upon feminists to align themselves with a strong political party. This was clear from the experiences of women from Australia, Uganda and elsewhere. In the ANC especially, women were able to influence the party from both inside and outside. Goetz refers to women's 'infiltration' into political parties (Goetz 2004:138,139), and initially women's lobbying within the party was successful.

One of the key strategies and concepts emerging out of the UN Women's World Conferences is that of gender mainstreaming. This entails, among other concepts, women's representation, gender-responsive budgets and national gender machinery. A means of improving representation is the controversial use of quotas. However, research indicates that nowhere in the world has women's representation increased substantially without it (Tinker 2004, Lowe Morna 2004). Some impressive achievements resulted from the ANC's 'one third women quota', and even more so at cabinet level. That South African women ministers have 'hard' portfolios is remarkable. Globally, women usually get 'soft' portfolios such as education (Dahlerup 1998).

Even though the extent of women's representation in SA is laudable, many argue that numbers are not enough (Ginwala 1998, Dahlerup 1998). Goetz (2004), Tsikata (2004) and others argue for a change in the 'culture of the institutions.' If this does not happen, women may not be as effective, as they would then be 'descriptive representatives' as opposed to 'substantive or strategic representatives' (Goetz and Hassim 2003:5) and able to make major interventions.

The concrete gender mainstreaming structures in SA are lauded as being notable and most advanced (Geisler 2004, Seidman 2003). However, there is a lack of capacity and skills in the country (SA B+10 R 2005:7; SADC 2004:5). This plagues not only SA but many of its neighbouring countries. However, the culture of the institutions has not changed and in many cases, in terms of the administration, it is 'business as usual'. I agree that the picture is a very uneven one, as Gouws asserts (Gouws 2005:11).

I also focus on the South African version of the GRB – the WBI and its achievements and shortcomings. Government accepted the recommendation to introduce the MTEF, which links policy to the budgeting processes, but not the recommendation that the budget of the CGE should be on par with that of the Human Rights Commission. CGE commissioners are on a notch lower than other Chapter Nine institutions. The message this sends out definitely emphasises that gender equality is not as important as human rights. What is lamentable is that this project only lasted while there was donor funding, which makes one question the state's commitment to gender equality.

The fact that the gender structures are seriously under-resourced, makes Seidman's words "that feminist rhetoric mask[s] patriarchal intent" prophetic (Seidman 2003:542). But the situation in SA is much more complex than to classify it as merely 'masking patriarchal intent'. The institutions set up to promote gender equality are far-reaching and impressive. But facilitating citizenship for women needs more than just NGM. Transformation has to be holistic, and the private/public divide and gender hierarchy dispensed with.

A source of disquiet concerning the feminist project of citizenship is that through the NGM there is an emphasis on the government structures and policies of the 'public' world. There is also no evidence to date that the NGM has made any appreciable difference to all women's lives. It has to a certain extent benefited those employed in this new 'gender industry', but again only in their 'public' worlds. The outcome of women's agency is that women have contributed to the new democracy and gender-sensitive constitution but despite these, women are still polarised. New contradictions have emerged in the New SA. Apart from the residue of the black/white dichotomy, new class divides developed among Blacks as government, including the gender industry and corporate positions, creates the *nouveau riche* while the majority remain poor.

Gender mainstreaming reinscribes the public/private divide into citizenship, as the emphasis is on the role of the state and its structures. But the state is not homogenous. Elements within the state may be dedicated to making gender equality a reality, but there are also sections that do not accept it. The bifurcated legal system with its radical Bill of Rights, juxtaposed by the constitutional acknowledgment of conservative traditional chiefs and customs, concretely symbolises the *impasse* of reconciling

multiculturalism with democracy and full citizenship. Apart from these diverse interests there are also competing demands on the state. Extreme poverty and underdevelopment, apartheid debt and other anomalies inherited from the apartheid state compound the problems of reconstruction of the New SA. The goal of citizenship for all, which entails the transformation of gender relations and carework being validated and acknowledged as the responsibility of all citizens, will not happen overnight.

CHAPTER 6:

WOMEN'S DEMANDS ACHIEVED, AND CURRENT CHALLENGES

In Chapter Five I outlined the transition from an apartheid state to one of democracy. I highlighted women's strategic intervention in forming the Women's National Coalition (WNC), an intentional alliance that managed to unite erstwhile enemies. A concrete outcome of the national consultations of the WNC resulted in the *Women's Charter for Effective Equality* (hereafter 'Charter'), which was used for lobbying. This and the progressive policies of the African National Congress (ANC) created an awareness of gender-sensitivity nationally, and influenced the constitution. As a result South Africa (SA) became known as a 'women-friendly state'. I then traced the achievements and challenges of the New SA (1994 to 2004).

In this chapter I briefly summarise the demands of Western Cape (WC) grassroots women. In most cases these demands include those regarding girl children. I then consider key post-1994 policies in order to assess to what extent these demands have been addressed, and whether this 'women-friendly state' facilitates women's citizenship. Through this assessment I am able to deduce which demands of women remain unaddressed and to what extent the feminist project of women's citizenship has been realised.

Firstly I will argue that grassroots women's demands are addressed comprehensively in the constitution. However, my concerns are firstly that implementation has been fragmented, and secondly that this human rights constitution also promotes the freedom of culture and religion. This does not necessarily coincide with the feminist project of citizenship. The 'private' world of family and traditions has not altered, and women are still primarily responsible for carework. Women as workers have not been sufficiently promoted. I therefore argue that despite women's many achievements, there is a major schism between these policies and the reality of women's lives. I will conclude by arguing that citizenship is still largely male and racialised. I assert too that South African women themselves are diverse. After the first decade of democracy the positions of the

many women femocrats/politicians and poor women in rural areas have become increasingly polarised.

WOMEN'S DEMANDS

In assessing to what extent the demands of grassroots women of the WC have been achieved, I will use the Charter as a guideline. The WC grassroots women were key agents in the formation of the WNC and the consultation about and drawing up of the Charter. It contains the minimum demands of women for the new SA.

Minimal research has been done on the realisation of the goals of the Charter, the exception being Hassim (2006:148-152). She outlines the process of formulating the Charter and the 'Differences and Agreement on the Content of the Charter' (Hassim (2006:148). Geisler refers to the debates surrounding the drawing up of the Charter (Geisler 2004:82) while Ndashe (2005) and Jobson (2005) each make one reference to its content. Most literature focuses on the miracle of uniting diverse women and the intervention made at the negotiations (Abrams 2000, Seidman 2003, Mtintso 1999, 2003, Meintjes 1996, 1998). Through comparing all policy documents of the UWO/UWCO, what women themselves said, and the Charter, I conclude that the Charter and its demands coincide with the demands of WC grassroots women.

In my interview with Sheila Meintjes (Chair of the drafting committee of the Charter) she outlined the thorough processes the WNC engaged in to ensure a national mandate. The Charter consists of twelve critical articles of demands (See appendix). I summarise these articles under the sub-headings of equality, women as workers/receivers of benefits, and governance.

Equality

Equality was the *leitmotif* of the South African women's movement, and key to the demands of the WNC. The articles I examine under this section are education, health, family life and partnerships, culture, custom and religion, violence against women and media.

The equality article stresses a significant element of citizenship: that of one's self-image. It emphasises the centrality of a human rights gender-sensitive education and the complexity of women's internalisation of patriarchy. To counter this, demands for mechanisms for women to internalise and assert their constitutional rights are outlined. The article also accentuates values and principles for guiding interpersonal relationships concomitant with a society respecting women.

Linked to human rights education is the formal education system. Given the historic neglect of education of black women and girl children, the education article pays particular attention to correcting this and demands special funds for facilitating women's education (Charter 1994:4).

Inherent in women's citizenship is the right to be treated with dignity. Hence, the health article emphasises the retraining of medical personnel in order to facilitate the humane treatment of women (Charter 1994:7). Cock (1997) argues that controversial issues such as abortion are marginalised in the Charter. This article demands that "women ... have the right to control over their bodies, including the right to make reproductive decisions" (Article 11, Charter 1994:7). This is vague because of the diversity and sensitivity of different women's views. I interpret the above as ambiguous, giving women the flexibility to make decisions about their bodies.

As much as the above argues for women's independence as citizens, this cannot be done without transforming current families, with their heteronormative and unequal gender relations. Therefore the Family Life and Partnerships article demands that women should make decisions pertaining to ownership, finance, choice, tasks and other matters within the family (Charter 1994:6). It emphasises that women should be free to establish relationships and have the right to decide on the nature and frequency of sexual contact within relationships (Point 4, Charter 1994:6). The Charter requires that all family types be recognised and respected. Throughout, reference is made to gender-neutral 'partners'. This could be interpreted as moving away from heteronormative hierarchical relationships and patriarchy, which are major obstacles to women's specific citizenship.

Central to my theorising women's effective citizenship, I highlight the importance of changing attitudes and challenging aspects of religions and cultures that reinforce women's oppression. The Charter emphasises that custom, culture and religion "shall be subject to the equality clause in the Bill of Rights" (Charter 1994:1, 7). The point that women living under customary law shall have the right to inherit is also repeated because of its centrality. Compared to other articles, this is the shortest. This may be so because of the complexity of dealing with and the contradictory views on culture and religion. The Charter is hence a compromise document, achieved through consensus by diverse women.

Despite diversity because of race, class, location and other axes of oppression, what seriously impairs all women's equality is violence against women. Article 10 demands that there should be no violence against women, whether psychological, emotional, financial or physical (Charter 1994:7). This article highlights the integrity of all women, and holds the state accountable for ensuring that women's lives are free from violence.

The media is often a major player in reinforcing violence against women through the construction of images of passive and vulnerable women. The final article on media (Article 12, The Charter 1994:8) demands that media affirms the diversity of women's lives and contributions. It challenges negative and destructive images of women. It is emphasised that media should be monitored and that women should be trained and represented at all levels of the media.

From the above it can be seen that women's substantive equality is demanded at all levels. Because of the historic, social, economic oppression of women, corrective action is required. The Charter therefore demands mechanisms to facilitate this. Equality is simultaneously similar to men's citizenship, but also different because of women's specificity as citizens. Key, too, is that race, class, location and other axes of oppression impact on women's citizenship. Policy formulation should be such that it addresses women's diversity in order to realise feminist citizenship.

Women as Workers/Social Services Beneficiaries:

Of significance is that Article 3 on Economy has the most demands; 16 points compared to customs, culture and religion with only 3 points (The Charter, 1994:4). Economic inequality was probably common to most women. Because of women's diversity, demands are comprehensive, ranging from "national accounts to be expanded" to informal, subsistence and all forms of unpaid labour, to "prostitution shall be decriminalised" (The Charter, 1994:4). By demanding the inclusion of unpaid labour into national accounts, cognisance is taken of women's unpaid carework and its contribution to national economy. By implication the article challenges the artificial gap between private and public work – a crucial point in my argument for women's substantive citizenship.

Other demands include that gender relations be changed, and that *family* responsibilities and *parental* rights are emphasised. When analysed, all the demands fall under two distinct categories: general worker demands, and women specific demands, coinciding with the analysis that women are a specific sort of citizen with explicit needs.

General demands include provision for parental rights, including childcare facilities, reorganisation of workplace and flexible working hours to accommodate family responsibilities. These address the concern that carework traditionally is women's only work. The inclusive language used – 'parental' rights – makes both men and women responsible for carework. Another demand is for equal pay for equal work. This addresses the historical inequality of women earning less than men for equal work done.

In terms of women's specific citizenship the demands seek to redress the discrimination that women experience. Recognition for women breadwinners addresses the existing and diverse family forms and the centrality of women's roles. There should be no sexual harassment and violence at work, no categorisation of jobs on basis of gender or reinforcement of gender stereotypes. Maternity benefits with job security are specified, redressing a previous inequality. If all the above are implemented they would promote women as workers.

According to Article 6, access to social service benefits is a right (Charter 1994:5). This coincides with Marshall (1965, quoted in Hassim 1999:7) who states that citizens should

have access to rights and social benefits. The Charter demands they should be accessible, affordable and developmental in nature.

Specific mention is made of services for those with special needs; the disabled, the elderly, single mothers and rural women, again emphasising women's diversity. Effective citizenship should take cognisance of these categories. Appropriate, accessible and affordable mental health is demanded, provided for by "both state and private sector in accordance with ...social justice, appropriateness and accessibility" (Charter 1994:5).

When one analyses the women-friendly states of Australia and Scandinavia, the promotion of women as workers was limited, but their access to social benefits for childcare advanced: "The development of the welfare state has seen a partnership between state and family which compromises women's labour force participation" (Pringle and Watson, 1992:62). Hence women were not effectively promoted as worker-citizens. This serves as a lesson to the South African citizenship project that there should be a balance between promoting women as workers and as recipients of social welfare. This will occur if all take responsibility for carework. Key to citizenship are independence and the right to work – These are also demanded by the Charter.

Good Governance

In this section I focus on Law and Administration of Justice, Political and Civil Life and Development, Infrastructure and the Environment. Article 2: Law and Administration of Justice (Charter 1994:2) again emphasises equality. This section stresses the representation of women as decision-makers in all judicial structures and traditional structures. As I argued in Chapter Two, tradition and culture severely reinforce women's secondary status. Hence the demand is for the transformation of all decision-making structures in order to accommodate women's effective participation.

Article 7: Political and Civil Life notes the leadership, decision-making roles, equal representation and equality of women in all political and civil structures (Charter 1994:6). Another demand is that institutions should be transformed in order to facilitate women's participation and democracy. Ginwala (1998) and Rai (1998) argue that this is imperative for women's effective participation. Women's equality will not be automatic, and

subsequently special mechanisms must be established to ensure fairness and justice for women complainants and accused in the justice system. Women's representation at higher levels of the judiciary is also stipulated. Citizenship is a practice (Siim 2000:4) and this practice implies participation in the political system, hence these demands will contribute to women's active citizenship as decision-makers.

Article 5 on Development, Infrastructure and the Environment outlines the requirements for women in rural and informal settlements. Specific references are basic conditions and services for all. Liebenberg (1999) and Chirwa and Khoza (2005) note that women cannot enjoy citizenship if they are poor. All research participants emphasised that for effective citizenship women had to be economically independent and participate as decision-makers. The Charter addresses this through "women shall participate in designing and implementing development programmes to meet their needs" (Charter 1994:5). Demands include infrastructure, safe transport; secure housing for all women and especially those living under customary law. Women must have access to land and security of tenure. Historically, women living in the rural areas and under customary law were dependent on husbands for access to land. On the death of husbands, land reverted to the eldest male relative (through the practice of primogeniture). By addressing these customs, women's access to economic independence and inherent dignity as citizens would be enhanced.

In summary, equality is demanded that appreciates the differences between women and men and between women and other women. To this end specific mechanisms should facilitate women's citizenship, and special mention is made of women living in rural areas, for example. In promoting this equality there should be a balance between women being seen as beneficiaries of social welfare and affording women the opportunity to be employed. My arguments around private/public polarity stress that if carework is acknowledged as a task of citizenship, both women and men will participate in it. Women will then be free to enjoy equality as workers. But citizenship does not only consist of the rights to work and receive benefits, but also the obligation to take responsibilities. One of the key aspects of equality is to participate in decision-making. If tasks are shared, women will have more time, and subsequently other aspects of citizenship, such as participating in decision-making, will be facilitated.

ACHIEVEMENTS

According to Albertyn it was clear during the 1980s-1990s in the women's movement that within the New SA, the democratic transformation process should address gendered social and economic inequality in public and private spheres (Albertyn, 2004:13). This is illustrated through the demand for "a programme for equality in all spheres of public and private life" (Preamble, Charter 1994:2). The Charter emphasises *effective* equality, by accentuating women's particularity and ensuring that rights would address the actual conditions of women's lives. It was also presumed that the right to equality would be adjudicated by the courts interpreting and applying it. The issue of 'sameness' in equality that characterised early national and international human rights instruments (including the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), on practical application, often turned out to entrench inequality. What women learnt was that 'sameness' reinforces inequality as it fails to take cognisance of the distinctiveness of women's lives (Albertyn 2004:14). Therefore the Charter calls for *substantive* equality, as women are a specific sort of citizen. As Siim articulates:

The concept of citizenship becomes a central problematic for the analysis of gender in modern democracies because it expresses a contradiction between the universal principle of the *equality* of men and the *particularity* or *difference* of women and other excluded groups (Siim 2000:3).

I concur with Siim (2000) and Hassim who state that this equality is not sameness with men but rather that there should be differentiation (Hassim 2006:239). Hence the theoretical argument in Chapter Two emphasises women's specific citizenship.

Equality

A major achievement is the South African Constitution (Act 108 of 1996) and its far-reaching Bill of Rights (SA Constitution, Ch 2, section 9[1]). The Bill of Rights is acknowledged as one of the most comprehensive in the world (Hassim 2006, Gouws 2005A). It allows no discrimination on various grounds including sexual orientation (Ch 2, Clause 9. (3). The Preamble and the Founding Principles of the SA Constitution (Act 108 of 1996, 1(a) and 1(b), p1, 3) refer to the human rights, dignity, non-racism and non-sexism that the Charter demands. The demand for special mechanisms to be established to promote and educate people on these issues is realised through institutions promoting equality and democracy, for example, the Commissions on

Gender Equality (CGE) and Human Rights (Chapter 9, SA Constitution). Another Charter demand is for special legislation dealing with historically disadvantaged people and affirmative action in order to correct historical gender injustice. The constitution allows for positive discrimination in order to fast-track women and other historically disadvantaged persons (Liebenberg 1999; Albertyn 2004).

Constitutionally and legislatively SA is free from apartheid laws and sexism. There is universal franchise for those over 18. The ANC-initiated quota of 33% national and provincial women candidates in 1994, 50% local government women candidates in 2000 increased women's political participation (Hassim 2006; Meintjes 1998). In December 2007, the ANC national conference will ratify the proposal of 50% women on all party delegations (Lynne 51). My research participants all emphasised the importance of the constitution for their equality and supported quotas as a mechanism for increased women's participation.

Several constitutional court judgements have advanced the equality of women and marginalised persons. Primogeniture⁷³ is a precept of customary law which was disputed by the Bhe⁷⁴ sisters when they were prevented from inheriting their father's estate (2005 1 SA. 580CC). The court ruled that "primogeniture is ...discrimination that entrenches past patterns of disadvantage among a vulnerable group, exacerbated by patriarchy... incompatible with the guarantee of equality under this constitution" (para 91, 2005 1 SA.580CC). Same-sex couples have claimed their constitutional rights and challenged the heteronormative nuclear family in order for them to adopt children. The judgment found that sections of the Children's and Guardianship Acts were unconstitutional and granted the adoption of children to both parents and "all permanent same-sex partners wanting to adopt children jointly"(para 42, CCT 40/01).

CEDAW and South African Development Community (SADC) Declaration on Gender and Beijing Platform for Action (BPFA) are but two of the many international instruments

⁷³ Primogeniture is a problem for women as on the death of husbands all power and property are transferred to the eldest living male relative. It may even be the son of the mother. Hence with primogeniture women remain minors.

⁷⁴ The Women's Legal Centre acted on behalf of the Bhe sisters, who were allowed to inherit their father's state according to the judgment.

ratified by SA. They encapsulate more than the Charter demands⁷⁵. One of the results of pro-women policies is the establishment of the National Gender Machinery (NGM). South African women demanded NGM, in contrast to the majority of developing countries where the NGM was imposed through donors (Goetz 1995). This also is in concert with a gendered approach – addressing and subsequently correcting hierarchical relationships of power between women and men. Once again this conforms to the Charter demands.

Many other demands have been achieved. Some are:

- The restructuring of various bodies from parliament to local government, facilitating democracy and representivity;
- The Domestic Violence Act goes beyond the demands, creating an enabling environment by including psychological, emotional, and economic violence in the definition of violence;
- All marginalised workers' rights have been legislated: women in informal sectors, rural areas and those with disabilities are included;
- The Procurement Policy Framework of 2003 legislates preferential procurement to benefit women, black people and persons with disabilities.

Women's rights to have power and control over their bodies, including the right to free reproductive health education, are included in the Choice of Termination of Pregnancy Act 92 of 1996. Within the Employment Equity Act of 1998 the definition of family includes same-sex partnerships.

The substantive and differential equality that women as specific citizens required and demanded through the Charter has thus been outlined in the constitution and new legislation. The special mechanism stipulated by the Charter to facilitate this effective equality has been achieved through the establishment of specific institutions promoting democracy (SA Constitution, Ch 9). Through legislation and policy the NGM was instituted, the sole mandate of which is ensuring women's substantive equality and facilitating women's specific citizenship.

⁷⁵ Including trafficking, migrant and refugee issues.

Women as Workers and Welfare Beneficiaries

Women workers:

I have chosen to juxtapose women as workers and beneficiaries of grants as it is central to my analysis of women's citizenship that there should be a balance between promoting women as workers, and their welfare benefits and the sharing of carework. There have been major achievements in this area. The National Economic and Labour Advisory Council (NEDLAC) was initiated to promote dialogue between government, business and trade unions in order to promote employment and the economy. Job Summits were held, facilitated by NEDLAC, to address unemployment. Further progress is the direct response to the Charter demands that there be no discrimination of workers; that is, the establishment of the Commission for Employment Equity. It monitors wages, ensuring no discrimination on the grounds of race, sex, gender, disability or any other grounds (SA Beijing +10 Report 2005:94, SAB+10R 2004, Poggenpoel et al 2004, Budlender 2004).

The "main thrust of Department of Labour (DOL) interventions" was to open "the enclaves of the labour market [to women] that have earlier been closed to them" (SAB+10R 2005:90). This is endorsed by the Employment Equity Act (SAB+10R 2005:91). The incidence of women working in historically male areas of work is increasing (SAB+10R 2005:92). There have been formations of networks facilitating women's participation in traditional male areas such as South African Women in Mining (SAWIMA) and Women in Oil and Energy in South Africa (WOESA), (SA Beijing +10 Report 2005:102).

Laws regulating wages contributed to the increase of earnings in traditionally female occupation sectors, for example, domestic and agricultural (Budlender 2004:22). Domestic work employs the largest number of black African women. All employers have to register domestic workers so that regulations may be monitored. By including regulation of domestic and agricultural workers, I assert that the DOL has conceded to the demands of the Charter by protecting exploited sectors of majority black African women.

In an attempt to redress the lack of skills among black people and women in particular resulting from apartheid laws, specific skills development goals have been set by the National Skills Development Strategy (NSDS) in 2001. Targets include that most trainees should be black women with at least 45 with disabilities (DOL 2003B:53; Budlender 2004:17). The Basic Conditions of Employment Act (1997) prohibits discrimination on grounds of pregnancy, protects maternity leave and job security and criminalises sexual harassment and violence at work.

From the above it is clear that legislation, the creation of specific structures monitoring the implementation of policies promoting women, their working conditions and equal salary all contribute to an enabling environment for women as workers. These all coincide with the demands of the Charter to ensure women's specific citizenship in SA.

Women Beneficiaries of Welfare:

As emphasised earlier, I propose a balance between women receiving social welfare, poverty alleviation and women's employment to ensure their citizenship. In this regard I interviewed the Deputy-Minister of Social Development (DOSD), Jean Benjamin. I wanted to juxtapose her responses to those of the grassroots women I interviewed. According to her, social welfare is a major means of poverty alleviation in SA.

The Charter demand is that social services have a developmental and empowerment approach. The Department of Social Welfare and Population Development (DW&PD) changed its name and focus to the Department of Social Development (DOSD) in 2000 (White Paper 1997:2; Budlender, 2000:34, Lowe Morna 2004:162) in keeping with its developmental approach. The White Paper emphasises strategy to address gender inequity and focuses on women in relation to poverty, marriage, ownership, violence, reproduction, caring responsibilities and developmental programmes (Departmental White Paper 1997:5ff). One of the initial gains for women was the replacement of the apartheid Maintenance Grant, limited to white, Indian and coloured women, to the Universal Child Support Grant, guaranteeing that all women receive financial support. All pensions, such as old age pensions and disability grants, were equalised for Whites and Blacks. In the past Whites received the highest pensions.

An achievement raised by the Minister in keeping with gender mainstreaming is the creation of Gender Focal Units (GFU). The GFU are mainstreamed and part of the highest decision-making, by being in the Director-General's office. Transformation has

also taken place, increasing women's participation in middle and top management during 2003-2004.

There is concern in the Charter about violence against women. The Charter demands that the state take responsibility for the prevention of violence and support mechanisms. The introduction of one-stop service centres for abused women and children responds to this need. They are located throughout the country and in 2003 new centres were established in remote rural areas of the poorest provinces. The Deputy-Minister explained further:

The purpose of the policy is to provide a strategy for establishing safe shelters for victims of domestic violence. The main aim is to prevent secondary victimisation and to break the cycle of domestic violence, ensuring the survivors' safety and security (Jean 50).

Other projects are the Victim Empowerment Programme, Shelters for Women and the Poverty Relief programmes (PRP). Each province is provided with funding according to needs. Consequently, poorer provinces get more funding (Poggenpool et al 2004:31). Discrimination in housing allocation (previously only men got houses) has been corrected (Housing Act, 1997).

In conclusion, the DOSD has had many positive outcomes: nationally, social assistance remains the largest direct intervention aimed at alleviating poverty, the majority of recipients being women. According to the DOSD Annual Report (2003/2004) grant beneficiaries have increased from 2,5 million in 1997 to about 7,7 million by 2004 (DOSD Annual Report 2003/2004: 29; SAB +10 Report 2005: 6). That the budget for DOSD has increased annually exemplifies the concern for poverty alleviation.

Good Governance:

Achievements include an increase in women's political representation at all levels of government. Many women ministers specifically advanced women's citizenship. Between 1994 and 2004 there have been two Deputy Ministers of Justice and one Minister of Justice and Constitutional Development (DOJ&CD) who instituted women-friendly legislation. There is thus access to justice and decision-making for all women.

In order to improve service delivery, especially in the context of violence against women, the DJ&CD created new structures such as the Thuthuzela Care Centres (TCC) and Specialised Sexual Offences Courts. Thuthuzela Care Centres (TCC) are 24-hour one-stop service centres where survivors have access to comprehensive services. Major concerns were low conviction rates, a high percentage of dismissal of cases, and withdrawal of charges (UCT Institute of Criminology, 2002). This was often the result of poor evidence processed by police (GAP 2000:10). Extra training of police personnel in supporting rape survivors (JMC 2004:47) and the establishment of 54 Specialist Sexual Offences Courts (SOCs) have been introduced to improve services (SA B+10 Report 2004:67). The average conviction rate is now 62% as opposed to 42% at other courts. Earlier-established sexual offences courts have between 75% and 85% conviction rates. In November 2003, research findings indicate that the average length of court proceedings decreased from 285 days to 142 days, and case withdrawals have also decreased (SAB+10 2005:66, 81). This is supported by Parenzee (2004:15). The aim is to establish Specialised Sexual Offences Courts nationally (SAB+10R 2005:67). New legislation is also being passed to ensure more convictions and stiffer sentences for rape and violent crimes (SAB+10R, 2005:131).

The Charter (Article 5) specifically demands citizenship for women in rural areas. The Department of Water and Forestry (DWAF) has innovative projects such as '*Working for Water*', targeting 60% women for job creation in rural areas. It entails removing alien vegetation responsible for the lowering of the water table. DWAF, in its drive to supply water and sanitation services to rural communities, established water and sanitation committees of which at least 50% were women (DWAF Policy Document/White Paper 1995, Lowe Morna 2004:235 and Joint Monitoring Committee 2004). Through this rural women have accessed decision-making in their areas.

Before 1994 25% of the population lacked access to clean water. Currently 91% of South Africans have access to water (SAB +10R, 2005:48). This is not disaggregated by gender and rural/urban location. In August 1998 "more than 2,5 million people had been given access to fresh safe water" (Lodge 2002:57). By March 2000, this increased to 5 million people in the poorest provinces. As the poorest provinces have the largest rural areas and the majority inhabitants of rural areas are women, this implies that women specifically have benefited.

In 1994 the ANC came into power with its Reconstruction and Development Programme (RDP), a partnership between government and civil society. RDP committees determined development priorities of communities, and women's groups were key representatives on these committees; hence they became the decision-makers in the communities. Women were the most active participants in RDP Committees (Tambo Square focus group, 47).

In response to my question about what has been achieved, all women agreed that in terms of women's political representation, "We went beyond our demands" (Elsabe,9). The current Deputy-President is a woman. With the quota system of 33% for national and provincial and 50% for local government representatives by the majority ANC, women's representation increased dramatically. What has also to be emphasised is that contrary to other countries where women have 'soft' portfolios, the New SA is lauded internationally because of the significant number of women in 'hard portfolios'.⁷⁶ (See appendix; table 1). Women's representation at cabinet level is 43% (Lowe Morna 2005).

An example of partnership between women in rural areas, academics and Members of Parliament (MPs) was the formulation of the Recognition of Customary Marriages, RCMA (No 120 of 1998). The Rural Women's Movement (RWM) approached the Centre for Applied Legal Studies (CALS) at Witwatersrand University to research and advocate with them to address the negative impact of customary marriages on women. Women MPs worked with the RWM to reform customary marriages in order to empower rural women (Albertyn 2004, Mukhopadhyay 2003, 2004). This act attempts to reconcile traditional practices with constitutional and legislative rights for women (SAB+10R 2005:v; Lowe Morna 2004). Through this law rural women are no longer minors, and have access to rights such as inheritance and land ownership (Lowe Morna 2004:263). Many rural-specific structures and laws pertaining to rural women were introduced, radically altering their lives and potentially promoting their citizenship.

In terms of the achievements by women, most of the Charter demands are in the constitution, legislation and policies. They highlight women's particularity relating to their specific citizenship, and thus affirmative action and other mechanisms were instituted to

⁷⁶ Lowe Morna (2004:12) distinguishes between 'soft' portfolios like Education and Health, seen as an extension of women's nurturing roles, as opposed to 'hard' portfolios such as Finance. (Also see Dahlerup 1998)

promote women's particularity. This also applies to the promotion of women as workers and receivers of benefits. The discriminatory manner in which benefits were paid out previously was corrected and equalised.

In conclusion I reiterate that what is most impressive and has been acknowledged internationally is the representation of women in politics. SA became known as a women-friendly country as the new constitution and innovative structures could potentially realise women's effective citizenship (Geisler 2004, Seidman 2003, Govender 2007).

CONCERNS

There is a gap between the reality of women's lives and SA's impressive constitution. Hence I agree with Albertyn who asserts: "Theoretical or jurisprudential development of the right to equality, security and freedom has not occurred in any feminist sense in SA" (Albertyn 2004:23). Many writers including Budlender 2004, Parenzee 2004, Seidman 2003, Grant 2005, Geisler 2004 and Hassim 2006 share this view even though they do not use the term 'feminist'. I concur because many policies promote a feminist women's citizenship stressing women's particularity, and acknowledge that unless there is radical transformation in gender relationships, women will not achieve substantive equality. However, there is dissonance between these remarkable policies and the praxis. Hence there is gender equality rhetoric in SA. The reality of the majority of South African women's lives has been transformed in some ways, but in others has not changed substantially from their apartheid past. Poverty, unemployment and violence against women are extensive.

It is a concern though that the critiques of Albertyn and Hassim (2006) state that 'women' have not achieved equality. They make no references to class/race or other intersections of oppression. This I qualify by stating that most women, and especially those in the rural areas, have not achieved equality. Women in politics and other influential positions have achieved many rights and, to a certain extent, some equality. Goldblatt (2003), Vasu (2006), Ndashe (2005) and Fester (2006, 2007) refer to constitutional court judgments that were legal victories for equality for girls, women and gays and lesbians. However, access to the constitutional courts is a protracted,

expensive and complicated process not accessible to the average women unless an NGO undertakes it on their behalf.

In my assessment of what has been achieved I will emphasise what grassroots women say about their achievements: in other words, emphasise voices from below. This addresses the concerns raised by Jobson(2005). According to her, very few voices of ordinary women have been heard on how the past decade has affected their lives (Jobson 2005:14-23). In this section I discuss the obstacles to women's citizenship, retaining the existing divisions: equality, women as workers/receivers of benefits, and governance.

Equality

In discussing what obstacles impede women's equality and citizenship I limit my discussion to three key areas: culture and religion, heteronormativity and gender-based violence.

When we compare the demands of the Charter to women's reality in 2004, the areas of the 'private spheres' of Family Life and Partnerships and Culture, Custom and Religion (The Charter, Articles 8,9, 1994:6,7) have been maintained. The impressive constitution and legislation such as the Equality Act did not transform hierarchical gender relations at all. The Charter demands that housework be shared. Lydia(21) explains that even though her 'comrade' husband sometimes helps in the kitchen, when he does it, he thinks he is doing her a favour. The private sphere of the family with its gross inequalities remains intact in most cases, as most of my research participants asserted.

Religions, culture and customs are powerful and promote patriarchy, thus reinforcing women's subordination. Nomaindia refers to the woman heir to chieftainship and how the courts rejected her chieftainship after consultation with male elders only. She also pointed out the ambivalence experienced by the woman Premier of Eastern Cape Province as provincial first citizen and her subjectivity to culture. Most cultural practices and all religions promote patriarchy, and many women have internalised this. Raghmat (12) quotes examples of women who argue that men "are just a bit superior to women".

The much-lauded constitution contains contradictions. Chapter 9 of the Constitution makes provision for institutions to promote democracy. The task of the Commission on the Promotion and Protection of Culture, Religion and Linguistic Communities (the CRL commission, another Chapter 9 institution) is to promote “the historically diminished cultures” (CRL Act of 2000). This may contradict the mandates of the Human Rights and Gender Equality Commissions, also Chapter 9 institutions. This indicates the complexities of human and women’s rights and the interaction with culture and religion. It also illustrates the state’s attempts to appease all interest groups, even though they may be conflicting. Mbatha highlights the difficulty of transforming principle into practice as far as custom and tradition are concerned (Mbatha 2005:42).

Culture also promotes heteronormativity. Bentley and Brookes concur: “Discrimination against gays and lesbians is often justified with reference to culture and religion and is normalised and dismissed.” (Bentley and Brookes 2005:3). Mkhize avers: “The constitution is only a government document – the King’s rule is considered supreme” (quoted in *The Mail & Guardian*, 13-19 Oct 2006, p 8). The Zulu king Goodwill has repeatedly condemned homosexuality as un-African. This area of sexuality, despite some references to partnership and the constitutional judgments of the legality of same sex marriages, remains largely unexplored and outside of the discourse of human rights. Homophobic attitudes, curative rape and killing of homosexuals persist, as noted by research participants.

Another major concern is violence against women⁷⁷. “Gender-based violence (GBV) is embedded in systems, norms, values and actions within South African communities. It is a national disaster...Understanding GBV within the framework of culture and rights is key to achieving gender equality.” (Bennett 2005:24-35). The Gender Advocacy Programme’s (GAP) research found that there was no budget to implement the Domestic Violence Act (GAP 2000). Research shows that one woman is killed by an intimate partner every 6 hours (Medical Research Council Policy Brief No 5, June 2004). Shelters are not sufficiently funded to assist battered women (Paula Meth, 2001:113). All research participants emphasised the above. The NGM and other

⁷⁷ There are no reliable, comprehensive State statistics. Contact crimes are not disaggregated.

institutions are all set up in the 'public' world but there is little being proactively done to address violence in the 'private' world of the home.

Poverty persists in rural areas, as land reform failed to integrate food security and the needs of rural women (Bob, 2002. Focus groups I interviewed from rural Kwanokathulo and Zwelethemba have complained that they are still worse off than urban women.

The above contrasts strongly with the noble aims of the South African constitution. For women's citizenship to be realised, special efforts need to be made to address women's specificity. Treating women 'equally' to men and not interrogating factors such as culture that negatively impact on women's equality will perpetuate women's subordinate status. In conclusion, the public terrain has been transformed while the private remains the same. The areas of gender-based violence, heteronormativity and the pre-eminence of culture and religion are major factors contributing to women's continued secondary status in SA.

Women workers and women receiving welfare

Mechanisms such as the National Development and Labour Council (NEDLAC) promoting employment and partnerships are male-led bodies reflecting the upper echelons of business and trade unions. Even the government representative is a white male. NEDLAC did not represent or promote women's issues either in content or in outcome. My criticism of the various NEDLAC job summits and mining, growth and development summits is that they were big and high profile but with minimal impact. Budlender establishes her scepticism: "...the job summits ... mean very little for the existing and potential women and men workers of the country" (Budlender 2004:29).

A concern is that the unemployment rate has increased: in 1994 for black African women it was 50%; for white women, 9%; in 2003 the rate for black African women was 55,5% and white women 11,2% (see appendix, Stats SA: 2003 Table 2.3.2). The rate of increase for women in top management has increased by 1%; for senior management by 7%, and for middle/professional level by 1,4% over a nine-year period, in spite of affirmative action. This does not bode well for the feminist project in terms of promoting women as independent workers. After disaggregating these figures the picture for black

women is worse (see table 7). Currently white women are still more skilled because of past privilege, hence black women have unequal access to the benefits of citizenship in terms of their rights to paid employment. Women politicians/femocrats and the new black elite women in the top echelons of the corporate world are closer to full citizenship. Middle-class women of all races employ black women as domestic workers at very low wages.

In 2005 the percentage of employment for women in every race category was lower than for men. White women in senior management outnumber black African men, by 14,9% as opposed to 10,2% (Fourth Annual Report: Commission for Employment Equity 2005: 3). Hence citizenship for South Africans is still highly gendered and racialised. Another major concern is that despite the various enabling and non-discriminatory legislation, when women do equal work, they are paid less (Goldblatt 2004:118; Budlender 2004:16). The Oudtshoorn (Bongolethu) focus group confirmed that in the past only Whites got jobs; now some Coloureds are getting jobs, but no Africans. So even though there is no legal apartheid, race is still a determining factor. This is unconstitutional and does not enhance women's citizenship.

Apart from unemployment, poverty is rife. According to Chirwa and Khosa (2005:138) 45% of South Africans (the majority being women) live in poverty on less than \$2 a day, and yet:

Poverty Relief Programme funding has not been spent since 1997/98 with the exception of 1999/2000 and 2000/2001 (Parenzee 2003:18).

This is of major concern. Poggenpoel et al challenge the DOSD to put systems in place "especially since this project of the department is one of the few which focus explicitly on women" (Poggenpoel *et al*, 2004:31).

More than 20% of the population depend on social grants. Of these, the majority are women and children. This is a short-term strategy to alleviate poverty but it does not empower women. As I noted earlier, for the feminist project of citizenship, women's employment is imperative and this should be balanced with grants.

Social grants too are problematic. Dorothy Mfacu, veteran women leader, still has not received a special pension after ten years of attempting to get it (Interview). Many women from rural and informal settlement areas shared their frustrations about the inaccessibility of and corruption involved in the social grants. The Minister is aware that her department has tremendous limitations:

In examining the effectiveness of the administration of these grants, the key shortcomings were highlighted. Continuous training should also be given for officials based on other countries' best practice models in order to improve service delivery (Jean, 51).

There have been some strides in promoting women's entry into previously male-dominated areas. However, legislation cannot change attitudes. Anglo-Coal has a 'Women in Mining' (WIN) project, but women still experience negative attitudes:

The first time we started, our male colleagues had an attitude. They kept on saying that we weren't going to make it.... but we get a lot of support from management (Lindiwe Mofokeng and Nancy Makhaza, *The Star*, April 27, 2005, page 5).

Other achievements, such as the DOSD's increased numbers of women at management level, are countered by the fact that the bottom scale of unskilled workers consists of 100% black Africans; 29,17% are male and 70,83% female (Jean, 51). Obstacles and challenges continue.

I argue that many women are not being employed despite affirmative legislation. There is over-dependence on social grants. However, these are not efficiently distributed. There is no balance between promoting women as workers and women receiving benefits. Women's unemployment robs them of the independence that citizens should enjoy.

Governance

As is to be expected of a country in transition, there are constantly many changes to promote maximum effectiveness. However, some changes are detrimental to women's participation. The Reconstruction and Development (RDP) and Water and Sanitation Committees promoted women's participation and decision-making. But the replacement of the RDP by neo-liberal structures in 1996 was detrimental to women (Hassim

2002:472; Gelb 1999:102; Taylor 1997:30). During the period when local government took over the administration of water and sanitation from national government, the local effective water and sanitation committees, that were 60% women, disintegrated (Lowe Morna 2004:235). Hence I assert that the first two years of the new SA were very positive for women. However, during the latter part of this period this fluctuated.

Poverty prevents the maintenance of new equipment. Rural communities are so poor that they cannot afford the technology to maintain water systems (Lodge 2002:61). According to Mvula Trust, between 50% and 90% of the water projects failed. One cause was tension between the local government and chiefs. Another was the speed with which the officials insisted projects be completed, despite local communities' concerns about sustainability (Mvula Trust 2000). Hence, even though there are positive developments as related above, lack of effective infrastructure and maintenance jeopardises projects.

The women Minister (2004-2009) and Deputy Ministers of Justice and Constitutional Development, DOJ&CD (1994-2004) initiated substantial women-friendly legislation. However the implementation thereof is sorely lacking. Two of the most ineffective, which directly affect women's lives, are the Maintenance Act and the Domestic Violence Act (Parenzee 2004, Institute of Criminology, UCT 2003, CGE Research on Maintenance Courts 2003). This is confirmed by my interviews. Another obstruction to rural women's equality and citizenship, despite the vociferous lobbying and women-friendly submissions to the Justice Portfolio committee, are the Traditional and Governance Framework and Communal Land Rights Acts of 2004. These reinforce the powers of the chiefs (males only) and gaining access to land is a protracted and complex process that will not facilitate women's accessibility. They thus reinforce the patriarchal powers in the rural areas.

From Table 8 (appendix) it can be seen that the Human Rights Commission of SA (HRCSA) budget is almost double that of the Commission of Gender Equality (CGE). This may indicate that Human Rights are more of a priority. Another observation from Table 8 is the budget of the Legal Aid Board (LAB). It provides legal services and/defence for alleged criminals, for *criminal* and not *civil* matters. As Parenzee emphasises, 'the focus on criminal matters means that the bulk of the services are

provided for male offenders' (Parenzee 2004:18). "Perpetrators of crime (men) are prioritised above the victims of crime (mostly women)" (Ibid 2004:18). The table also reflects that the LAB had a 20% increase in 2003/2004. Parenzee concludes that "it would seem that services offered to offenders are far better provided for than for... gender equality" (Parenzee 2004:18), with which I agree. This does not give equal access to justice for women as demanded.

Many women in the rural areas still do not know about the Recognition of Customary Marriages Act (RCMA). This is so despite the involvement of the Gender Directorate of the DOJ&CD in ensuring that the regulations were amended to facilitate women's registration (Joint Monitoring Committee, JMC 2004:49). According to my interviews, little has changed for women in the rural areas. Thus this impressive act has not impacted on rural women's lives. In order to access these rights, customary unions must be registered. My concerns are: where are these registration offices? Given the poor transport in rural areas, how do women access these registration offices? Usually the chiefs have transport, but given their opposition to the equality clause superseding customary law, how eager would they be to register these unions? There are very few non-governmental organisations (NGOs) in remote rural areas that could facilitate the registration of customary unions. The situation women in the rural areas find themselves in is that they have rights but they cannot always access them (Ndashe 2005). Even if they could, Mbatha (2005) notes with concern that the RCMA is still lacking in that equality is limited to formal equality (Mbatha 2005:46).

Many women politicians have energetically promoted women-friendly legislation and policies. But this does not mean that all women do so. Extensive research indicates that most women do not necessarily support other women, and/or they are loyal to their political party agenda sometimes at the expense of women's issues (Karam 1998). One such case in SA was the introduction of the Child Support Grant by the women Minister of Social Development (1994-1999). The Minister had the same budget that in the past had been used for only white and coloured women. Post-1994 this same amount had to be used for all women in SA, almost ten times the earlier number. The Community Law Centre (UWC) argued that the proposals meant that "disadvantaged... women ... will bear the costs of remedying past injustices" (*Mail & Guardian*, 16 October 1997). The question confronting one is: Was it not possible for the Minister to negotiate an increase

in her budget with Cabinet? Could she challenge Cabinet priorities that made room for the national budget to cater for an increased arms deal costing billions and yet allowed no increase for the childcare budget? It may be that the Minister could not negotiate for a bigger budget, which could be interpreted to imply that she did not have any power. One wonders whether the women in cabinet could not have united and challenged this. Simultaneously, the woman deputy Minister of Justice submitted a Maintenance Bill. There was no indication of how these two bills could complement each other. The aim of the Maintenance Bill was to ensure that fathers take more responsibility for their children. The situation degenerated into animosity among women. There were no references to the majority male cabinet that determined budget priorities or recalcitrant fathers who did not take responsibility for their children. It was a conflict between a woman minister with limited power, and poor mothers. No gender analysis of the context took place within this gender-sensitive country.

I reiterate that since 1994 there were women ministers in significant portfolios that could enhance women's citizenship. However, as the above example illustrates, this did not necessarily always happen. It may be that women ministers are beholden to the parties that put them there and/or they do not have the power to challenge the status quo. This is the conclusion of extensive research globally (Goetz and Hassim 2003, McFadden 2003, Ahikire 2004, Ibrahim 2004, Karam 1998). However, Lowe Morna (2003) has a more positive analysis of women politicians' contributions in Southern Africa.

I argue that the contributions have been mixed. There are, for example, too few women to make a critical intervention. This can be deduced from legislation such as the Traditional Leaders' Governance Framework Act (2004), which reinforces the power of chiefs. Women advocates are concerned that crucial legislation such as the Sexual Offences Bill has taken more than ten years to finalise and still does not address secondary victimisation (Smythe and Artz, 'Sex Offences Bill a step forward but still flawed', *Weekend Argus*, 11 August 2007, p 19).

CONCLUSIONS

Constitutionally and publicly, women have formal equality, but it is the application thereof that is problematic. The equality women received is within a patriarchal paradigm, as the divisions between private and public remain. Women are still largely responsible for carework, hampering their effective participation in public office. Also, gender relations in the private sphere of the home remain mostly untransformed. A minority of women have positions of power in public office but that does not absolve them from their care duties. Women's tasks, therefore, have increased. Furthermore, this citizenship of women is hampered by cultural and religious norms. Within the SA citizenship debates there has only recently been an interrogation of human and women's rights in relation to culture and religion (Mbathe 2005, Ndashe 2005).

When we examine the areas of labour and social welfare, we see that women as workers/receivers of benefits have not received substantive equality. Despite various policies to fast-track women to top management, there has been only a 1% increase in 10 years. White men still populate the majority of the upper echelons. Consequently employment practices in the New SA still remain highly racialised and gendered.

I argue that it is crucial to balance women's benefiting from social welfare with employment. There is an over-dependence on grants. More than eight million people (20% of the population, mostly women and children) depend on grants for daily sustenance. The very training policies that the Department of Labour created to facilitate employment and privilege black women have failed. For effective and specific citizenship for women, a balance between women as workers and women as receivers of benefits has to be balanced.

Poverty relief for women has been erratic. The selfsame grants that are supposed to improve poor women's lives have been jeopardised by bureaucratic bungling and corruption. The Minister of Social Development has acknowledged this as well. New systems are to be created to facilitate the efficient dispersal of grants and alleviate corruption.

In terms of governance, again there are ambivalences. The impressive numbers of women in government has been lauded. However, as Goetz (2003) reminds us, the politics of presence must be translated into politics of power. Women do not form a separate voting block, nor are they the majority. Women are tied to the party agendas according to which they vote. One aberration was when Pregs Govender abstained from voting in favour of the Arms Bill. She subsequently resigned from parliament in 2002 (Govender, 2007:247).

During the first years of democracy lots of women-friendly legislation was passed. Recent legislation such as the Communal Land Rights Acts of 2004 reinforces the power of the chiefs. The Sexual Offences Bill, which could potentially promote equality, has been in process for ten years.

Because of widespread poverty, poor service delivery and continued violence against all women, the majority of South African women have not achieved citizenship. A few elite politicians and businesswomen have gained aspects of citizenship. Hence I agree with Manicom (2005) that the "citizenship [project] ...result[ed] in emergent class and elite formation, in the re-marginalisation of certain categories of women and in producing new modalities of power and forms of hierarchy among women in SA" (Manicom 2005:25). However, I contend that even these elite women are still subject to culture, tradition and religion.

Bentley and Brook (2005) refer to the post-1994 SA as "a significant victory for women's rights at the level of policy" but a "paralysis" at the level of practice and implementation; hence they refer to the decade as a "great leap sideways" (Bentley and Brookes 2005:4). I agree partially with this as the majority of women's substantive equality and active citizenship is limited. I propose that progress rather resembles a jagged line – improvement in some areas and stagnation or retrogression in others.

CHAPTER 7

CELEBRATING ACHIEVEMENTS AND CONFRONTING CHALLENGES

At the beginning of this study I set out to explore to what extent grassroots women in the Western Cape (WC) organised for women's and national liberation during the 1980s. This study reveals that through women's strategic unity, and directed and determined planning despite obstacles, their political agency progressed from practical to strategic issues. Their focus and forms of struggle developed, culminating in their intervention at the negotiations forum in 1992 to put women's substantive equality firmly on the national agenda of the New South Africa (SA).

The New SA is internationally acknowledged as 'women-friendly' for its constitution, through which women have notional citizenship. Other positives are SA's high representation of women in government, gender-sensitive legislation and advanced gender machinery (Gouws 2005C, Geisler 2000, Seidman 2003, Hassim 2006). I have explored precisely what this has meant for women's citizenship. I embarked on this project by analysing the extent of women's agency and the accompanying demands regarding citizenship during the 1980-1994 period. I then compared the demands in the Women's Charter with the current rights and obligations of citizenship that women enjoy, to assess the progress women have made in this sphere.

In this chapter I will firstly define what the obstacles are to women's achieving effective citizenship. Secondly I will outline the strengths and limitations of the research, while the next section outlines lessons derived from current policy and potential future policies that could improve women's lives. I also reflect on women's current agency with regard to an independent women's movement and in what ways this agency manifests itself within the context of a women-friendly state. I will reflect on my own positionality as an activist/researcher and the underlying methodological strengths and weaknesses of this study. I conclude with the theorisation of women's citizenship, the questions it poses about how citizenship is theorised in the North, and the way forward.

OBSTACLES TO AN ENABLING ENVIRONMENT

One of the major obstacles to realising women's citizenship in the New SA is the legacy of apartheid that resulted in the deliberate underdevelopment and poverty of black people. All women were oppressed by patriarchy, but black women were poorer, whereas white women enjoyed apartheid privileges. Sachs (1992) assert that patriarchy is the only non-racial institution in SA. The apartheid bureaucracy included ethnically exclusive departments (for example, 19 education departments), which were amalgamated in 1994. Before that, budget priorities were directed to promoting and protecting apartheid in the entire sub-continent. In 1994 SA had a starkly differentiated population: a privileged white minority, an uneducated black majority and a small black elite. Transformation for women in order to gain full citizenship within this context faces enormous obstacles.

The overriding poverty is also a major obstacle. Because SA has taken the neo-liberal route, ANC policies have over the past decade created larger black elite. The gap between the 8 million rich Blacks and the 20 to 25 million poor Blacks "has become dangerously big" (Terblanche 2007)⁷⁸.

SA's progressive constitution promotes comprehensive rights and equality; nominally, therefore, all enjoy the status of citizen. However, it also promotes cultural and religious rights which may, and often do, conflict with women's rights. The constitutional court has the power to decide on constitutionality (SA Constitution, 167[3b]), and any person may 'appeal directly to the court' (167[6b]). The groundbreaking role of the constitutional court has in many ways challenged cultural practices (Ndashe 2005A, B, Fester 2006A, B, 2007, Vasu 2005, 2006). In Chapter Six I outlined constitutional judgements in which heteronormativity and primogeniture were deemed unconstitutional, thereby asserting equality for same-sex relationships and that girls could inherit. It is too soon to know "whether this ... precedent will be sustainable in practice" (Ndashe 2005:91). Many communities and women themselves also reinforce women's oppression on religious grounds (Surrey Estate focus group).

⁷⁸ 'From White power to white wealth: The unresolved moral crisis of white South Africans', speech delivered at the launch of C. Van der Westhuizen's *White power and the Rise and Fall of the National Party*, IDASA, Cape Town, 1 November 2007.

A further concern relates to the implementation of SA's remarkable legislation intended to benefit women. Former Minister of Minerals and Energy, Mlambo-Ngcuke asserted that it is mostly black men who are benefiting from the Economic Empowerment Law, and not black women (Speech, Bushbuckridge, 9 September 2004). There are also loopholes in some laws. The Employment Equity Act No 55 of 1995 emphasises that discrimination is allowed in order to "distinguish, exclude or prefer any person on a basis of inherent requirements of the job". This ambiguity is open to abuse and may even prevent women from getting jobs traditionally seen as male, as Budlender (2004) points out. During the period of transition, conservative elements may abuse this ambiguity and still remain within the law.

During the transition to democracy there is regular restructuring in order to create optimal structures. However, some restructuring had negative consequences for women's citizenship. I have delineated how various institutions, once restructured, have further marginalised women decision-makers, as in the cases of the Reconstruction and Development Programme (RDP) becoming the neo-liberal Growth, Empowerment and Redistribution Strategy (GEAR) in 1996. The same applied to the dissolution of the water committees, 60% of which constituted women participating in decision-making (Mvula Trust 2000, Lowe Morna, 2004).

South Africa's economic policy is increasingly pragmatic. It aligns itself, on the one hand, with Bretton Woods institutions and their neo-liberal economics. Contrastingly, it lobbies with the Non-Aligned Movement to challenge the hegemony of the North and the G8 countries for a New Economic Order. However, the neo-liberal policies of the international financial institutions have resulted in the decrease of social services and support services for the frail and vulnerable, with consequently heavier burdens on women performing carework in SA. In terms of promoting women as both workers and beneficiaries of welfare, the emphasis has been on women's receiving benefits. The budget of the Department of Social Development has increased by 5% whereas the Education Department's has increased by 3% (National Treasury 2003). On analysis it was revealed that welfare grants have increased, but not budgets for training facilities. Despite extensive affirmative action, women in management have increased by only 1%

since 1994. Hence there is no balance in promoting women/worker with women/receiver of benefits, which is essential for women's effective citizenship.

It is in terms of women's political representation that SA has been most lauded. Women are represented at all levels of government (the Cabinet is made up of 43% women), including that of the Deputy State President. The use of quotas and the creation of the National Gender Machinery (NGM) has been praised (Gouws 2005C, Geisler 2004), but the outcome has been uneven and sometimes ineffective. The challenges to women members of parliament have been numerous and there was hardly time for the women's parliamentary caucus to meet (Lowe Morna 2004:211). Between 1997 and 1999 there were no meetings. It was a woman member of parliament who stressed the patriarchy of Parliament (Mthintso 1999) although she later said she saw positive changes (Mthintso, 2003). There have been some cases of alleged sexual harassment and rape within Parliament itself (Ndvihuho Mafela, 'Accuser collapses under questioning', *The Sunday Times*, 29 July 2007). Parliament has transformed minimally. The culture still remains a patriarchal one, not always facilitating women's participation. Research has shown that institutions need transformation before any meaningful change can take place, for example, that women can have influence as a group (Rai 1998, Goetz 2003). Goetz refers to the 'old boys club' of many political parties that make them "uncomfortable places for women ... [and] they are not designed to forge connections between women politicians, feminist politicians and a feminist constituency" (Goetz 2003: 57).

Women politicians do not necessarily promote a women's agenda. It was a woman minister whose actions resulted in national protests by women around the Child Support Grant (Hassim 2003). However, even if women ministers want to initiate a feminist agenda their staff are often hostile towards it. Hence, Deputy Minister Benjamin pointed out: "You are accused of being a lunatic if you are a feminist" (Interview 2004). There seems to be little or no internalisation of national gender-sensitive policies by the officials.

The core of women's inequality – violence against women – is prevalent in SA. The inter-relatedness and associated complexity of power, patriarchy, culture and religion have not adequately been addressed in SA. Government and religious and traditional

leaders meet regularly to discuss ways of combating crime, but they do not disaggregate crime and refer to violence against women. This may be caution on the part of government not to interrogate the oppressive aspects of religion and culture. Granted, these are complex and sensitive issues. One nevertheless wonders whether this silence is linked to retaining the electoral support enjoyed by chiefs and religious leaders.

This reticence to raise misogynistic aspects of religion and culture is closely related to the continued divisions between private and public spheres. These need to be terminated in order for effective women's citizenship to take place. Not only have these divisions been maintained but there has been minimal or no transformation of gender relations within the private sphere. Hierarchical gender divisions of labour ensure that carework remains the women's domain.

In conclusion, although there have been major changes in terms of democracy in the New SA, the feminist project of women's citizenship is incomplete. Women have nominal citizenship, as the constitution, legislation and national policies all promote this. Some women (politicians and the corporate elite) have achieved partial citizenship in public places in keeping with liberal democracy. Yet even such women still remain subject to patriarchy, especially in the private sphere. A key observation by my research participants (corroborated by Bennett 2005, Brookes and Bentley 2005, Ndashe 2005) is that women have become more polarised. Elite women have many aspects of citizenship, but the majority of women remain trapped in unemployment, poverty and powerlessness. What affects all women, however, irrespective of race, class, location, and whether grassroots or elite, they all are subject to violence.

THE STRENGTHS OF THE RESEARCH

This study is the first of its kind⁷⁹ to use empirical data in documenting grassroots women's organisations in the WC. It explores pre- and post-apartheid women's political

⁷⁹ It complements Scanlon (2007), writing of UWO women leaders, pre-1976, and Hassim (2006), who focuses on the 3 largest 1980s organisations in SA: UWO/UWCO, Natal Organisation of Women and Federation of Transvaal Women. Hassim interviewed women leaders and one from UWO who was a member for a limited time.

struggles and gender policies *vis-à-vis* one particular group of women, 'from below'. The interviews reflected voices from grassroots women and the women of the new political elite. Interviewing women from a range of rural and urban areas and using three language groups contributed to a more rounded recollection of the WC struggles. The sample, albeit from a restricted geographic region, thus reflects a range of diverse positions in which women currently find themselves.

This is the first study to make a systematic comparison between the demands contained in the Women's Charters and what has been achieved. There is one reference in Jobson (2005:15), Ndashe (2005A:32) and Hassim (2002; 2003A:81), in which emphasis is mostly focused on the process of the formation of the WNC.

As a member of the organisations examined, I had access to all the available documents. This gave me insight into the changes and challenges experienced by the organisations over fourteen years. Media resources of the organisations also plotted their evolution from grassroots organisations, with basic pamphlets and minimal resources, to sophisticated bodies participating in the negotiations and about 60 members directly participating in the new government at all levels. Of particular help were the pamphlets, posters and newspaper cuttings that corroborated the participants' recollection of events. Because I was acquainted with all the women, trust and confidence quickly developed. Women readily and eagerly shared their opinions and emotions. They were eager to have these publicised.

A possible weakness of the study also encapsulates some of its strengths: this is the matter of memory. Memory may be determined by our current values, and it may be manipulated to serve and promote a positive image of our historical selves. The collective memory of the diverse women interviewed formed a tapestry of interpretations; nevertheless, a story could be pieced together, following the famous formula of the novelist, Milan Kundera: "The struggle of a people against power is the struggle of memory against forgetting" (quoted in Nasson 2004:5,8).

LIMITS OF THE RESEARCH:

One limitation of the study is that it 'speaks' for a limited group of women in the WC, all supporters of the African National Congress (ANC). No farm workers, white working-class women or women with disabilities were interviewed, indicating the gap in UWO/UWCO membership.

It is also limited in that it reflects what the demands were of women linked to the WNC campaign, even though there was broad consultation at the time of the formation of the Women's Charter. There may have been some women who felt silenced by the majority. Another weakness is that in moments of extreme excitement women spoke simultaneously. What they said then could sometimes not be discerned; and the gems they spoke are forever lost.

There may also have been weaknesses in the translations of the data. The cultural richness and idiom of Afrikaans and Xhosa may have been diluted once translated. English lacks the warmth and intimacy of the vernacular – apart from my own linguistic weaknesses. My own role as insider/outsider could have contributed to methodological vagueness.

My thesis does not address all policies. Notable omissions concern, for example, education and land. These may have added valuable insights into continued poverty, oppression of rural women and women's citizenship. I was also not able to secure interviews with specific ministers. Within the scope of my enquiry and determined by the development of my research on citizenship I focused primarily on labour, social welfare and women's access to justice and equality. These were most pertinent to my analysis of prerequisites for citizenship.

POLICY LESSONS

There are numerous policy lessons which, if applied, could contribute to women's citizenship. However, it is important to sketch the context within which policies are made.

I also examine the limitations of policies, the limitations of over-reliance on the rights-based approach (RBA), and core omissions.

It is crucial to differentiate between whether gender equality is to be demanded within the present economic context, or whether there is to be a demand for radical transformation of the current economic and cultural milieu, in other words how women's rights are 'framed and fought for' (Molyneux 2004:115). What is most marked about the present global context is the proliferation of debate concerning gender politics which impact profoundly on SA. There are numerous international instruments, the content of which was negotiated by delegates from diverse countries. This is thus the era of the gender and development industry with 'gender divas' (McFadden 2003) making decisions on behalf of grassroots, poor and rural women. Many gender-related projects in SA and other African countries are mostly externally funded. Often, when funding ceases, the project ceases (Goetz 1995, Standing 2004). Mukhopadhyay illustrates this with examples from Ethiopia, Yemen and Cambodia (Mukhopadhyay 2004).

Another aspect of the global context is the rise in neo-liberal economics (Salo 2005) and religious fanaticism (Molyneux 2004:114, Mama 2005:3). All have a negative impact on women's rights, especially in relation to basic sexual and reproductive rights. Subrahmanian reminds us:

While rights may have proliferated, the conditions under which women are exercising these rights are not necessarily improving.

(Subrahmanian 2004:94).

Concretely illustrating this is that CEDAW "has the distinction of ... having the most reservations or 'bracketed clauses'" (Molyneux 2004:114) of all international conventions.

Although many countries ratify the international instruments, there is no popularisation of content to draw them to the attention of ordinary people; hence most do not even know about these conventions and therefore cannot access them. Globalisation and World Bank recommendations result in a decrease in social services budgets. The gaps left by

these reduced budgets simply mean that once again, women are doing the extra carework.

How do these international trends of marginalising women play themselves out in SA? Despite the very positive reportage of women's contribution to the negotiations about women's rights (Finnemore 1994, Abrams 2000), there were many incidences of women being subtly undermined. Baleka Mbete⁸⁰ (current Speaker of the National Assembly) said many women delegates were undermined during negotiations. More recently Govender (2007)⁸¹ referred to the misogyny that characterises SA and Meintjes (2006)⁸² to the androcentrism in SA in general. The increasing power of traditional chiefs and religious leaders and the subsequent vociferous voices against women's rights are also of concern (Ndashe 2005A:41; Lesejane 2005:79).

In analysing the context of the promotion of policies on gender equality in SA, the above leads me to the conclusion that it is clear that the South African state is transforming unevenly. While the rhetoric is definitely that of gender equality, the cultural and economic status quo is not being interrogated. I argue that as much as women were given the vote in 1994 and that the constitution promotes equality, the state, through its neo-liberal agenda, is not able to translate these rights into reality.

In terms of policy lessons the notion of rights as universal standards of human dignity camouflages the inherent potentially conflictual and political nature of rights. Some people's rights may conflict with women's human rights, and whose rights are then paramount? This and other related questions are what Miller *et al* (2005A; 36) are posing generally. Clarke *et al* argue that "deep-seated social and cultural beliefs and biases are more significant than laws in preventing women and other marginalised groups from exercising their rights" (Clarke *et al* 2005:78). These debates contain pertinent policy lessons for SA. I assert hence that whatever policies are formulated to promote women's citizenship, cognisance must be taken of the complexity of reality and the centrality of culture and religion.

⁸⁰ Speech at the launch of Pregs Govender (2007), *Love and Courage: A story of Insubordination*, Centre for the Book, Cape Town, 21 August 2007)

⁸¹ Speech, Women's Day, 9/8/2006, Community House, Cape Town.

⁸² Meintjes on "Ethical Leadership" at the Moral and Regeneration Movement Conference, University of Cape Town, 13/9/2006

Many see the rights-based approach (RBA) as a panacea for women's citizenship problems (Ndashe 2005). Tsikata (2004:113) argues that the language of the RBA has been appropriated by institutions such as the World Bank, and through them using it; its potentially transformative qualities are diluted. Clarke (2005) sees positive potential in the RBA on condition that it is critically dealt with. From this one learns that there is not only one RBA, and that other strategies should complement the RBA.

Another lesson is that policy cannot be formulated by bureaucrats in isolation. There has to be active engagement with those who would benefit from these policies. Miller *et al* (2005), Hughes (2005) and Clarke *et al* (2005) all emphasise that there should be greater participation, accountability, people-centredness and non-discrimination towards groups at risk. Rights should be understood as a political process, as a "work in progress" that is "forged and refined through social struggle" (Miller *et al* 2005A:33). It has repeatedly been found that the top-down approach has not resulted in social transformation (Clark *et al* 2005, Miller *et al* 2005 and Blackburn *et al* 2005).

That policy alone cannot be transformative needs to be borne in mind. Standing refers to the "naïve notion [that] policy [is] a route to transformation" (Standing 2004:85). Structure and policy are emphasised in isolation. Even though SA's NGM is most integrated, it is increasingly becoming technocised. As more 'tools' are being developed, gender mainstreaming "becomes a hollow term" (Suprahmania 2004:90) and transformation is forgotten. Acquiring and exercising rights is a political project and political parties, marginalised groups and civil society should all be key players in making rights real. Bureaucracy and policy alone are transformative. Beall and Todes (2004) indicate the importance of politicised communities. It is not always gender policy that has transformative results *per se*, but a politicised group of women (Beall and Todes 2004:43,49).

Through this study I have tried to show that despite the notable constitutional and legislative changes (rights and policies), the majority of women in SA have not gained the benefits of full citizenship. My data, specifically of women in the rural areas, supports this. Reddy emphasises: "We have a wonderful jurisprudence and legal protection but

these amount to nothing if they don't come to justice" (Reddy quoted in 'Being Gay and Zulu' by Tolsi, *Mail & Guardian*, October 13-19 2006).

Others argue for the importance of legal literacy but the outcome is diverse. In Latin-America and Asia, it enhanced women's achievements (Miller *et al* 2005A:56). This was not so for Africa (Tsikata 2004:131). In the case of SA, as I have outlined, there are positive Constitutional Court judgments; however, the majority of women cannot access this expensive and protracted process.

Many rights remain theoretical. The RBA can be effective if strengthened and complemented by other strategies. This calls for women's active intervention. Claiming rights could be done through "engaging and reform[ing] institutions" (Miller *et al* 2005A:33). Given the increasing femicide rate (Medical Research Council Policy Brief No 5, June 2004), institutions such as the family, police service, judiciary and the courts are key institutions requiring transformation. Because rights are not popularised, many women are not aware of their rights. Women and communities need to know, understand and internalise these rights in order to claim them.

In terms of women's agency and citizenship, the highly-politicised women's movements of the 1980s and 1990s have declined. The initial period after the democratic elections was characterised by positive partnerships between government and NGOs, and women-sensitive policies resulted. There were also many powerful women in strategic positions in SA. But the presence of these women has not translated into a feminist lobby. Decisions made by the African National Congress are increasingly becoming centralised.

This dependence on, and active support for, 'state feminism', resulted in weakened or even non-existent independent women's movements. What has increasingly become clear is that there is no substantial collective women's position in formal politics. The Joint Monitoring Committee has, since the resignation of Govender in 2002, ceased to be the voice of women. But this waning of women's influence in formal politics is common. Hassim refers to the "decline of women's policy effectiveness after the initial

upsurge following women's entry into [the South African] Parliament [as] not unusual" (Hassim 2006:264). Hassim quotes Ann Harvey's research on women's diminished efficacy in the USA over the 50-year period after suffrage. Sawyer (1990) and Franzway *et al* (1989) recount similar experiences in Australia; so much so that Franzway *et al* conclude that "changes to the political environment are now such that the women's movement needs to reconsider the focus of strategy" (Franzway *et al* 1989:168).

In SA, as in other African countries, it was soon apparent that liberation movements turned political parties, with their women's wings, have many competing priorities. Another revelation was that the women's increased representivity did not have the expected result. The new woman deputy president has not brought a more particularly women-centric perspective to her work (interviews 2007). Nomatyala Hangana, former UWCO member, now national deputy minister of local government, has been tasked with spear-heading the '365 days of no violence against women'.⁸³ After a very high-profile launch conference in May 2006, the campaign has still not taken off. Bureaucrats have been involved in planning workshops, at great expense, for more than a year.

It is essential to analyse power in order to understand the above and then develop strategies to enhance women's citizenship. As stated earlier, in terms of conflicting rights, forces of power will privilege some rights over others. Clark *et al* (2005:77) and Hugh *et al* (2005:65) distinguish between various aspects of power. Clarke refers to three aspects of power: public power is visible power; as it affects people in their jobs, public life, legal rights and other spheres of public life. Private power refers to relations and roles within families, and with friends and sexual partners. Intimate power refers to one's sense of self, personal confidence, one's psychological relationship to body and health (Clark *et al*, 2005:77, 78). Hugh *et al* (2005:64, 65) distinguish between visible or 'open' public power and hidden power. Hidden power upholds the status quo and decisions such as who is included and excluded from decision-making (Hugh *et al* 2005:64). Hugh *et al*'s "invisible" or "intangible" power coincides with "intimate" power, which could account for negative self-image and internalisation of powerlessness by individuals. Private or intimate power contributes to one's identity and is complex.

⁸³ Many are again sceptical of one more 'top-down approach' and hope that it will not pay only "lip service" to women's interests (Pillay 2006).

Women's intimate power and their self-concept can lead to their oppressing other women – by internalising patriarchy. All have multiple identities that are fluid, sometimes contradictory, and relational.⁸⁴ Miller *et al* (2005) and Clark *et al* (2005) stress the importance of identity and how this affects rights. Women can be ambivalent about which identity to privilege and as Moore emphasises: "At one moment the racial may take priority over sexual, and in another ethnicity may act as the defining difference" (Moore 1990:5). On the other hand it is important to note that these aspects of power do not operate in isolation.

What has been verified through research is that state feminism de-radicalises the feminist agenda (Gouws 2005, Hassim 2003, Goetz & Hassim 2003); this has been confirmed in SA. Women may have public power (as Members of Parliament) in society and within cabinet or parliament collectively, but not as a women's caucus within government.

The public sphere has changed but not the private. In their private lives women may have to accept sole responsibility for carework. Nomaindia (interview 2004) referred to the ambivalence of the woman Premier of the Eastern Cape who was given honorary male status by her husband's clan. This confirms Clark *et al*'s statement: "The experience of power may be contradictory in ... different realms of life" (Clark *et al* 2005:77).

There are no independent women's voices. In Chapter Six I have referred to the South African Women in Dialogue (SAWID) initiated by Zanele Mbeki, wife of the president. Another important formation is the Progressive Women's Movement SA (PWMSA) launched in Bloemfontein on 9 August 2006. Again many are sceptical, as women from the majority political party in SA are in leadership. Affiliates to the PWMSA are government-supporting structures. It is too soon to say whether a dynamic critical voice will materialise.

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Barbara divorced because of violence. She remarried when threatened with excommunication. As beatings resumed, she divorced again, accepted her church's disapproval and started her life anew (Interview 2004). Shah Bano applied for child maintenance. She refused it when she realised it contradicted her identity as a Muslim (Clark *et al* 2005:77, 78).

National networks of sector-based structures exist. The most organised are those on violence against women. Men's movements since 2003 have grown, and these too work in partnership with government and women's structures in opposition to violence against women. My respondents all assert that civil society is very weak. There has been a dissipation of women's energies at various levels. As a result of reduced funding many structures have dissolved.

Persistent lobbying resulted in the majority political party accepting the 50/50⁸⁵ policy; hence there is definitely an emphasis on increasing women's representation in the state. Yet Hassim (2006) warns that a danger to leaving "policy formulation and priority-setting to state feminists..." is that gender issues in SA "may become the domain of academics and technocrats" (Hassim 2006:265). It is therefore imperative that more poor and other marginalised women be included within a transformed state with vociferous and strong independent women's movements supporting them.

It must be stressed that various strategies should be used to enhance women's movements in order to strengthen women's citizenship. I support Goetz's proposal that sometimes infiltration and assimilation should be used as tactics. However women's infiltration will only work if institutions such as parliament are transformed. Other prerequisites include partnerships between state and civil society and a strong independent women's movement. I therefore concur with Kawamara-Mishambi and Ovonji-Odida's (2003) statement that no one strategy works all the time.

MY POSITIONALITY

In reflecting on my own positionality as activist-researcher I have acknowledged my ambivalence. I adapt Collins's "outsider within" (Collins 1991:35), which reflects my multiple positions, as I was a member of the organisations studied as well as the researcher.

⁸⁵ 50/50 campaign initiated by Gender Advocacy Programme and Commission on Gender Equality in 2002. The ANC will ratify the 50/50 proposal at their national conference in December 2007.

The methodological limitations also revolve around the outsider/insider position. As a participant, I have personal experience of most aspects of what my interviewees recalled, but simultaneously my closeness to the experiences they recounted may have clouded my perspective. Many others and I personally worked for both women's and national liberation. However, I therefore have to be cautious about not imposing my interpretations and understanding of events onto all these struggles and assume that these were shared by all the members.

I was close to UWO/UWCO/FEDSAW leaders Zihlangu and Mfacu from the 1950s and to 1980-2007 leaders such as Nomaindia Mfeketo and Lynne Brown. My proximity to them may have lent me 'an authoritative voice'. Participants immediately confided their excitement and frustrations that they might not necessarily or initially have shared with an outsider. The fact that I was an executive member of all the organisations, and a regular public speaker, contributed to my standing. Having been a Member of Parliament in the first democratic government and subsequently a commissioner on gender equality also contributed to my public position. My class, education and profession, my having been detained several times culminating in a high profile treason trial, all added to my political profile, enhancing my 'outsider/insider' status and perhaps contributing to the women respondents eagerly sharing their views.

A limitation of my 'outsider/insider' position could be the fact that my passion for women's liberation is well known. Women therefore may have shared or emphasised what they knew I wanted to hear. However, my data is corroborated by mainstream and organisational media. I therefore see my work as contributing to new knowledge by providing 'women's voices from below'.

When I interviewed women in 1997, they lamented that they saw their former comrades, then politicians, only on television. When I returned in 2004, the same was said about me. Being a gender commissioner amplified the differences in our lives. I was challenged by the inevitability of the vicissitudes of our realities as women. I continuously have to reflect on how I work: I need to learn to understand women's oppression in order to challenge it.

I accept that I have a subjective understanding of the events and am aware that I may not have the emotional tools to understand the depth of women's anger, pain and poverty. In writing this thesis I may be 'speaking for the grassroots' yet I am not one of them. Inasmuch as I am using their own words, I had the power of selection of those that adequately suit my interpretation. I therefore acknowledge that this is but one version of the 1980s WC women's struggles.

THE WAY FORWARD

Throughout this study I have explored grassroots women's demands for citizenship and attempted to assess to what extent this 'women-friendly' SA has realised their active citizenship. The complexity and nuances of the post-apartheid state and patriarchy, interfaced with a human rights culture, prevent a definitive 'yes' or 'no' to the South African feminist project of citizenship. The deployment of rhetoric is obvious, but the implementation of policies is uneven.

The competing rights of traditionalists, the human rights instruments, the underlying patriarchal values deeply embedded in the general culture of all communities and the ambivalence experienced by multiple and contradictory identities complicate this feminist project. It is by dialogue, negotiating conflicting rights and struggles for dignity and humanity that this quest for gender equality may be promoted. No one strategy will suffice; rather a combination of those explored earlier, depending on the historic juncture; strategic and practical gender interests; these all need to be weighed and negotiated. This project is as much an international one as it is a national one. Local conditions are influenced by the global stage, hence Mohanty's call for a "Feminism without Borders" (Mohanty 2003). Feminists in the North, for example, could lobby for equitable North/South trade agreements.

My theorisation of citizenship, using the distinction between citizen and subject (Mamdani 1996), emphasises that various factors such as religion and culture impact on women's and some men's access to citizenship. This applies to the position of women

and men in the South, but it also raises a question about how citizenship is theorized in the North. Just as women and marginalised groups should not be homogenized in the South, so too should they not be in the North. First Nations in the USA, Canada and Europe also do not have the benefits of citizenship as theorised by Patemen (1992), Phillips (2000), Lister (2002) and Fraser (2000). Importantly, Yuval-Davies (1999) raises the issues of migrants and immigrants. Differentiated citizenship incorporating people into citizenship on the basis of group interests (such as women), to some extent illustrates the heterogeneity in the North. This is increasingly relevant as Northern societies become more diverse, and conflict over racism and Islamophobia become more frequent. Travellers, Sami people, people with disabilities and lesbians, gays, bisexual, transsexual and intersexed persons (LGBTI) have always been discriminated against as the 'other' in the North, and this continues.

Challenges thus exist regarding how to promote rights, responsibilities and a culture of respect for differences. In terms of strategy and the overwhelming power of culture and religion in SA, it may be time for "new cultural [and religious] conversations that draw on the development of indigenous cultural concepts of equality, freedom and autonomy" (Albertyn 2004). Inherent in religions and culture are alternative norms and values that could emerge into new, equitable practices alongside older ones. These new practices may eventually supersede older discriminatory practices. Feminists should engage with religious leaders and together with them explore what in reality the sanctity of humanity, that each person is created in the divine image of the creator (the essence of all religions) means. Culture and religion are characterised by continuous changes and have been reinvented throughout history (Tripp 2002, Mbatha 1997, Bozzoli 1991). The positive aspects of religion and culture may be the basis of partnerships between religious and cultural leaders and feminists in order to contribute to exploring various strategies on how to attain active citizenship for all.

In SA there has been an emphasis on the state machinery and women's representation. But this representation should include poor and marginalised women, and be committed to transformation. A range of strategies should be used, as Kawamara-Mishami and Ovonji-Odida (2003) emphasise. These include transnational feminism (Tripp 2005, Mohanty 2003), also including Africa-wide advocacy (Tripp 2005:60). Already feminists in

Botswana, Uganda and Ghana have Women's Charters inspired by the SA Women's Charter (Tripp 2005:51). If an active citizenship is achieved by means of which the private/public dichotomy ceases and carework is valorised as a task for all citizens, women and men may contribute to all tasks. This could enhance some aspects of citizenship for all. There would thus be time for the other aspects of citizenship: respect, research, ritual and recreation; as Fraser states: "leaving time for some fun" (Fraser 2000:27).

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APPENDICES

APPENDIX A – QUESTIONNAIRE - SURVEY

Please fill in your name so that I can follow up/check with you if I don't understand something:

NAME:.....

BRANCH:.....

CONTACT NO OR ADDRESS:.....

If I use the information you give, I will use your name in my description of the organisations only if you give permission.

Please tick which you agree with:

I have no problems if my name is used in the study or book _

OR

I do not want my name to be used in the study or book _

N.B. A copy of what I write will be sent to the organisations.

1. What is your age?

30 or younger _

31- 39 _

40- 49 _

50-59 _

60-69 _

70-79 _

80 or older _

2. Please indicate by ticking the corresponding block whether you were a member of one or more of the following organisations as well as the dates:

Women's Front Organisation _ From 19... to 19...

| | | |
|---|--------------------------|---------------------|
| United Women's Organisation | <input type="checkbox"/> | From 19... to 19... |
| United Women's Congress | <input type="checkbox"/> | From 19... to 19... |
| Women's Alliance | <input type="checkbox"/> | From 19... to 19... |
| Federation of South African Women (Western Cape) | <input type="checkbox"/> | From 19... to 19... |
| Women's National Coalition | <input type="checkbox"/> | From 19... to 19... |
| African National Congress | <input type="checkbox"/> | From 19... to 19... |
| Women's League | | |

3. The following are general questions about any one of the organisations.

Indicate by ticking the appropriate box which organisations you are going to refer to:

| | |
|---|--------------------------|
| Women's Front Organisation | <input type="checkbox"/> |
| United Women's Organisation | <input type="checkbox"/> |
| United Women's Congress | <input type="checkbox"/> |
| Women's Alliance | <input type="checkbox"/> |
| Federation of South African Women(Western Cape) | <input type="checkbox"/> |
| Women's National Coalition | <input type="checkbox"/> |
| African National Congress Women's League | <input type="checkbox"/> |

4. Did you belong to any other political organisations before 1980?

Yes ☐ No ☐

5. Why did you join political organisations? Tick one or more blocks.

| | |
|-----------------------------------|--------------------------|
| I wanted to get rid of Apartheid | <input type="checkbox"/> |
| Others advised me to | <input type="checkbox"/> |
| To work for a better South Africa | <input type="checkbox"/> |
| My friends were all members | <input type="checkbox"/> |
| To improve life for my children | <input type="checkbox"/> |
| Any other reason | <input type="checkbox"/> |

.....

6a. If you were a member of both a women's and a mixed(men & women) organisation, what did you expect would be different in the women's organisation from the mixed one?

.....

.....

.....

6b. If your answer was yes to the previous question, in which ways were your experiences in the women's organisation different from those in the mixed organisation?

.....

.....

.....

7. If you were a member of both a women's and a mixed(men & women together) organisation, which did you see as more important and why? Tick the box

The women's organisation was more important ☐

The mixed organisation was more important ☐

Both were equally important ☐

Give a reason for your answer:

.....

.....

.....

8a. Did you think you developed and changed over the years because of your political involvement?

Yes ☐ No ☐

8b. If your answer was yes to the above, in which of the following did you change. Tick one or more:

Became politically more confident ☐

Questionnaire 2**September 2004:****QUESTIONNAIRE for women in Government:**

1. What were your aims in joining women's orgs or any other organisation in the 1980s?
2. Women organized on the basis of motherhood. What do you think, were the issues that women organizing as mothers gained?
3. Were these aims realised?
4. In terms of vision for New SA, what are the most significant achievements for women?
5. Can you say women achieved full citizenship in the post 1994 period?
6. If yes/no explain why you say so?
7. What, if any, do you think are the failures of the NSA?
8. How can the above be rectified?
9. Have gender relations changed in public life?
10. Have gender relations change in Private life?
11. Give reasons for you answers to 9 and 10?
12. What do you think are the major challenges for the future for women?
13. There are discussions in some quarters that there are too many women's structures like the OSW, JMC and the CGE. What are your thoughts on this?

Thank you very much for your time and attention to this matter.

APPENDIX B - FIELDWORK INTERVIEWS

Respondents/Informants

1. Pearl AFRICA, Domestic Worker, coloured, from rural area but works in urban Sea-Point. Member of the ANCWL
2. Ray ALEXANDER-SIMONS, veteran activist and Trade Unionist since her arrival in South Africa from Latvia in 1929. Was responsible for the establishment of the Food and Canning Workers' Union and the Federation of South African Women. She and Hilda Watts (Bernstein) drew up the draft Women's Charter. Was active in women's structures until her death in September 2004. Was part of group that decided the WNC should dissolve and the New Women's Movements be formed in 1996.
3. Mercia ANDREWS. coloured activist, member of the former Cape Action League but has always had a working relationship with women from the Charterists women's organisations. A leading member of the New Women's Movement and was chairperson of SANGOCO.
4. Nomvule BAM – member of Rural Walter Sisulu ANC WL Branch, White Location, Knysna.
5. Debbie BRADSHAW – White, Biochemist/Researcher, Gardens Branch, Middle class, Urban
6. Zubeida BREY, Urban coloured, Member of predominantly Muslim UWO coloured Wynberg Branch, middle class. A Bio –Technician by profession, currently a councillor in local government
7. Paula CARDOSA, White, middle class, urban formerly from Angola. As a member of the Black Sash⁸⁶ (BS) she participated in the Women's Alliance and FEDSAW.

⁸⁶ **BLACK SASH** is a White middle class women's organisation, which started in the 1950s in 'defence of the enfranchisement of black people.' White women would wear black sashes and have a silent protest along main roads. Apparently conservative whites in support of Apartheid policies abused them. Some members recall being pelted with eggs and fruit during these protests (Black Sash focus group and personal conversation with Merle Mindel). The Nationalist government was in the process of removing the qualified franchise that some coloured men had.

8. Madeline FULLARD was a member of UWO, UWCO, FEDSAW and WNC; hence a member of all the grassroots organisations in W.Cape (from 1985 - 1991) except the Women's Alliance. Louise Naude and Madeleine are of the younger⁸⁷ members in UWO/UWCO and both after a few years became assistant secretaries. They became close friends and both are now active in the Communist Party. Both admit that through UWO/UWCO they are now confident and 'senior' cadres in the Communist Party.
9. Elsabe GELDERBLOEM. White Afrikaner, member of Rape Crisis which became an affiliate of FEDSAW. Elsabe was an active member of FEDSAW and media co-ordinator. A successful business woman.
10. Elizabeth GOLIATH, coloured domestic worker in Sea Point, from rural area and works in urban area
11. Annemarie HENDRICKZ, white , member of United Women's Congress, Federation of South Africa and Black Sash, urban, middle class
12. Raghmat JAFFER, Member of predominantly Muslim UWO coloured Wynberg Branch, middle class. Was key in establishing the branch and personally had altercation with the husbands of women about going out at night.
13. Rhoda JOEMAT, coloured key member of Surrey Estate UWCO Branch. Interviewed in 1998.
14. Sophie KIRSTING, coloured medical doctor, Interview September 2004. School of Public Health, Occupational and Environmental Health, UCT

Over the years Black Sash radicalised taking up various issues including having advice offices in rural areas and according to many, supported or facilitated black people to challenge their 'endorsement' out of white South Africa. Black Sash assisted many women and later it started taking up more women's issues. Cape Western Black Sash (in Cape Town) had a women's issues group.

⁸⁷ Although it was never openly discussed, younger women (below 35) were encouraged to join the Youth groups. There has been some criticism of the UWO/UWCO that they never seriously addressed younger women's issues. Often younger women (especially coloured and White) felt they were not taken seriously in the organisation. Lynne Brown recalls that when she first joined UWO and ventured to speak in a meeting, the older women often never commented on her contribution but rather commented on 'how cute she was'. However after considerable time these 'young women' became secretaries. Lynne too became secretary of the UWO in 1986 and Joint secretary of UWCO with Mampeli Ramotsemaai (from the Women's Front) when UWO and WF merged. .

15. Alison LAZARUS, member of Centre for Conflict Resolution, interview October 2004. Was facilitator to NGM to attempt to resolve issues .The process stopped midway.
16. Mildred LESIA, Black African veteran ANC WL member since the 1950s and was the impetus behind the formation of UWO. Black African Guguletu (township) based. Is currently an ANC Member of Parliament.
17. Elise LEVENDAL, coloured activist in health sector. Director of AIDS Vaccine Research Unit, Medical Research Council. Initially from rural area.
18. Sarah LINKS- coloured, from rural area but works in urban area, Cape Town Central Branch. Was on the ANCLW executive. Has been an assessor since 1995.
19. Carl LOTTER, worked for Umgeni Waters and gave valuable insight into how the water projects work but fail to address the needs of young students
20. Mavis MMTHANEKA, Black African, member of KTC branch (informal settlement) in Guguletu. Mavis did various courses including a photography course and was together with Primrose Makalene the first Black African women residents of Guguletu to have a photographic exhibition of their areas. This exhibition was also shown in London as poart of the Zabalaza Festival in 1990. Mavis still does domestic work despite all her courses. Because of violence the KTC community erected their houses in another area in Guguletu and established the Tambo Square informal settlement. She now lives in Tambo Village. Tambo Village is built in a former 'coloured group area' after intervention from women at various levels former president Nelson Mandela facitated their acquisition of the land from the City council. The women planned the area according to their needs. They named the streets after key activitsts in UWO/UWCO like Jenny Schreiner and Dorothy Zihlangu.
21. Lydia MHLANGA, coloured working class woman from Atlantis, a very poor coloured area 30 kms from Cape Town. Was a key member of the Atlantic Women's Organisation which afiliated to FEDSAW. Lydia became the organizer for FEDSAW. Married a Black African ANC comrade and then lived

in Tambo Village informal settlement. Is a key member of the Tambo Village community and runs a support project for people living with HIV/AIDS.

22. Evelyn MEHL, coloured former teacher who was contracted for the by the Dept of Water Affairs and Forestry to remove alien vegetation as part of the 'Working for Water' project. By removing alien vegetation which uses lots of water, the water level in the ground in increased. Her contract and those of many other women were summarily ended when the project prematurely closed. (See chapter 5 how women's committees from the rural areas were initially closely involved with Water projects until water became the local government competency).
23. Dorothy MFACU, Black African veteran woman activist from the 1950s. Was Chairperson of UWO and UWCO and second president (after Dorothy Zihlangu) of the relaunched Federation of South African Women (Western Cape). She and Dorothy Zihlangu were key activists in building non racism in the Western Cape and were imprisoned several times. One example of their inexhaustable energy and commitment is the following incident: on their release from prison in 1987 they immediately walked to Crossroads from Guguletu as the women there needed their support.
24. Mizana MATIWANA, Black African, director of NGO, DELTA Formweer chief diretor in Department of Social Welfare.
25. Mavis MAGALELA – Black African member of rural Walter Sisulu Branch, White Location, Knysna
26. Dr Merle MINDEL, White Middle class activist since the 1950s worked in Palestinian/Israeli and Nicaraguan camps. Was a member of Black Sash.
27. Beauty N. MGYIWNA, Black African, Camps Bay, from rural but works in urban area
28. Louise NAUDE – White, middle class, urban member of Observatory UWCO. She did not belong to any political organisation before 1980. Louise was secretary of UWCO in 1989 and then joined Communist Party.
29. Nokugcina NDLANGA, Black African member of Walter Sisulu ANC WL Branch, White Location (an informal settlement in Knysna Hills), Knysna

30. Nomajoni Yvonne NGUTA, Member of Camps Bay ANC WL, Domestic Worker, Black African from rural area but works in urban area, Xhosa speaking
31. Nokuzola Sylvia NTSALUBA- Black African member of ANC WL Branch in Camps Bay, Domestic Worker, initially from the rural area but now works in urban area. Xhosa speaking.
32. Bridgette PRINCE, coloured activist from Kensington UWO branch and the Kensington Civic. Kensington is a lower middle class area. The Kensington UWO was one of the first branches of UWO to close as the activists felt that the work of the UDF was more important and would encompass UWO work as well.
33. Barbara RASS, coloured working class activist from Atlantis and chairperson of the ANC Women's League of the area. Has been very active in supporting women who were battered and set up a shelter for battered women and children in Atlantis. She often spent weekends at the Atlantis police station, supporting battered women and monitoring the cases. She has built a constructive relationship with the police and often do joint projects in the area.
34. Mavis SMALLBERG coloured, urban cultural worker/performer at UWO/FEDSAW Rallies
35. Carol SMITH, White urban middle class member of Federation of South Africa, Black Sash and African National Congress Women's League urban, middle class. She was part of the Democratic Party earlier.
36. Anne SCHUSTER, White middle class member of Black Sash and subsequently the Federation of South Africa. Urban. Creative Writing Facilitator and together with Annamarie facilitated the writing of autobiographies of Mirriam Moleleke and other activists from Zwelethemba township
37. Amy THORNTON White middle class urban veteran activist since 1950s. Member of the 1950s Congress of Democrats. Pioneer of United Women's Organisation
38. Minnie VENTER HILDEBRAND, Mvula Trust, Umgeni Waters

Focus Groups:

(number in brackets after area indicates the number of women in the focus group.)

39. Cape Town Central/Sea Point (20) Sea Point is a coastal suburb of Cape Town and mainly Whites only. Pearl, Sara, Nokuzola, Nomajoni, Elizabeth and Beauty are all from Cape Town Central Branch. They are all Black African with the exception of Sarah. They work as domestic workers.
40. Gardens/Observatory (focus group consisted of 15 members). a White middle class, initially University of Cape Town student base. Observatory has the reputation of being 'progressive' and even at the height of apartheid; it was a mixed area although the branch was White only. These branches sometime met together and formed joint projects.
41. George – (20) Rural area which boasts a famous Fan Court golf course where the Tiger Woods of the world play. Again like the other rural towns. George is geared towards tourism and the areas where Black people live are well hidden from the main luxurious town. Most of the members live in the informal settlement and many were unemployed. Black African, rural.
42. Guguletu, Section 2 –Urban. An African large township outside Cape Town; hence the UWO/UWCO branches were divided into four sections. Home of many struggle veterans like Dora Tamana, Dorothy Zihlangu, Dorothy Mfacu and Mildred Lesia. Branch members were earlier mostly unemployed or worked as domestic workers. There was one teacher in Gugs section 3. Some members are now in government. Mildred Lesia is an MP and Phumzile Mlambo –Ncguka is deputy President
43. (Bonguletu/ Coleridge View) Oudtshoorn- (22) a rural area in the Southern Western Cape Province. It is an area with a high unemployment rate and poverty despite it being a booming tourist attraction. Oudtshoorn is famous for its Cango Caves and ostrich farms, again quite popular with tourists. The coloured community were forcibly removed in the 1960s from the town to an arid area quite far from the town. This is typical of South African rural towns. The main town is White with Blacks coming in as service workers. The coloured township would be about 5 to 10 kms outside the main town and the Black African about 15 or even more kms away. Oudtshoorn now boasts a

flourishing Afrikaans Arts and Cultural festival which most of the Black residents claim marginalises them once again to the fringe.

44. New Cross Roads-(15) Black African urban. Residents from former informal settlement of Crossroads. This area is adjacent to Guguletu and consists of fairly comfortable two bedroomed face bricked homes. New Crossroads resident from the beginning embarked on a rent boycott as the rent was too high for them. Branch members are mixed in that a few are teachers, others unemployed and some own shebeens (taverns).

45. Plettenberg Bay – (10) the township is in a luxurious holiday resort of Plettenberg Bay. Like Knysna it is on the coast with luxurious hotels geared specifically to tourists. Black people that are employed are mostly in the service industry. The township is about 15 kms away from the main town and consists mostly of informal settlements and RDP and small council houses. The only new building was the crèche.

46. Surrey Estate -22. A branch like Surrey Estate, a lower middle class area of mostly Muslims (coloureds), was launched during the state of emergency in Oct 1985⁸⁸. As women (mostly older with teenage and older children active in the struggle), they were concerned about the young people from their area, some who were members of *The Call of Islam*, a progressive Muslim movement affiliated to the UDF. Many of their key leadership members were detained. A neighbouring area, Bonteheuwel, a working class area consisting mostly of people who had been forcibly removed from areas like what are now white areas, District 6 and Claremont, had a very radical underground movement, the BMW (Bonteheuwel Military Wing). . The reason for the Surrey Estate mothers getting involved so quickly in underground activities was two-fold. A seasoned activist, Cheryl Carolus started the branch, She lived nearby in a township called Silvertown. Cheryl was also working with the youth of Bonteheuwel and may have been part of or even initiated the Military Underground. Bonteheuwel was also very close to Surrey Estate. The

⁸⁸ Langa branch with 300 members was also launched during this period. There was a sense of defiance and enthusiasm to be part of the struggle and it was easy to recruit members. As an executive member I had to launch Langa branch. It was done at the St Francis Catholic hall. It was always easier to meet in a church as if police came we would just pretend it was a women's prayer service.

majority of women from Surrey Estate were really very religious; all wore scarves and observed all the Muslim customs. The fact that some of their children were in the *Call of Islam* and were being persecuted or detained by the police, being custodians and support to the famous *Bonteheuvel Military Wing* and the dynamism, charisma and the high political profile of Cheryl Carolus really catapulted the Surrey Estate Branch into the forefront of the struggle. A singer and writer Jean Benjamin(now National Deputy Minister of Social Welfare) was also a member of this branch. With the First Women's Cultural Festival(1988), organized by FEDSAW as the UWCO was banned, the Surrey Estate women were in a play directed by Jean Benjamin. They, themselves were overwhelmed by the fact that 'yesterday they were quiet ordinary mothers and today they're acting, singing and dancing on stage in front of thousands'.

47. Tambo Village is now located outside of Guguletu in what was previously a coloured area. It has predominantly African membership with some coloured members since 1992. The majority inhabitants had previously lived in the informal settlements of KTC and then moved to Tambo Square due to violence. Many of the members of these branches were either unemployed or worked as domestic workers. A few had jobs in NGOs and there are a few primary school teachers. What was very impressive about these members is how articulate they were on political issues and such seasoned activists with skills and ability to organize.
48. Wynberg Branch- Urban, middle class coloured established community of mostly professionals and business people. 12 Wynberg women, majority Muslims were interviewed. They became famous for their 'rap' songs which they performed regularly at rallies in Cape Town
49. Zwelethemba, Worcester Rural, African – Black Africans living in the township of Zwelethemba about 20 kms outside the rural town of Worcester. Some are employed as farmworkers, others service industry and others are self employed. High unemployment rate and only new structures in the area are the Multi-purpose centre, school and crèche. Worcester is 150kms from Cape Town. Plettenberg Bay, Knysna and George are exclusively African with the exception of Oudtshoorn. Bonguletu Women's Organisation

(Bonguletu is the African township of Oudtshoorn) had a working relationship with members of the coloured areas of Bridgton and Coleridge View. There were no white members belonging to these grassroots organisations in the rural areas. The majority of these women had minimal education and worked in the service industry, farms or domestic work or eked out a living working from small plantations. However, because of their political experience and interaction with others, they are formidable and confident group of women. Members like Miriam Moleleke would confidently address international conferences. Four of them decided that they wanted to write their autobiographies and approached two writers from Black Sash to assist them. The autobiographies of Mfengu, Moleleki, Ngcwecwe and Mroxisa were written as a project which was facilitated by Anne Schuster and Annemarie Hendrickz (from the Black Sash). 'Over an extended period their stories were workshopped using drawings, role plays singing, tears and laughter...' (book blurb). The four women all come from the rural community of Zwelethemba,

Ministers, Deputy Ministers and Mayors:

50. Jean BENJAMIN (written responses to questions as personal interview could not be arranged). coloured former member of Surrey Est UWCO and later Bellville UWCO. Academic, artist (musician) and activist and often composed and played 'struggle songs' at meetings. Made a film of 1980s women activists. Currently deputy minister of Social Development at national level. coloured middles class from middle class Bellville
51. Lynne BROWN – initially part of Mitchell's Plain Youth Movement. Joined UWO in 1981 and in 1986 became secretary. Since then she has held key ANC positions and have been in provincial legislature as Speaker and currently as Minister of Finance for W.C Provincial legislature. Is treasurer for the ANC (W.Cape). coloured urban. originally working class
52. Nomaindia MFEKETO. Mayor of Cape Town, the only Executive Unicity Mayor in SA. Was a resident of the KTC Informal Settlement in the early 1980s. Was Chair of UWCO and played a leading role in the civics and UDF. Black African urban.

53. Naledi Pandor - was in exile focused mostly on education. Member of Parliament and was chief whip in NA and later Chair of National Council of Provinces. Currently she is national Minister for Education. Black African urban and Muslim
54. Angelina Lakay- Mayor of Oudtshoorn (rural town). Was initially a teacher and later joined the women's organisations in Coleridge, coloured township in Oudtshoorn. Middle class rural

Officials

55. Pat SEPTEMBER, Office on the Status of Women, W.C Provincial Legislature. Was a bureaucrat in old regime. coloured urban.
56. Debbie VAN STADE as an official in the old pre-1994 Apartheid structures as a social worker has really internalised the values of the New South African constitution. coloured urban
57. Mizana MATIWANE, Director of DELTA women's empowerment project. Former director of Social Service (W.C. Provincial legislature)

APPENDIX C - LEGISLATION AFFECTING WOMEN POSITIVELY

(FROM BEIJING PLUS 10 REPORT 2005)

The table below provides an overview of the most prominent legislation passed, amended or reviewed that specifically impact on women's lives and empower them.

| Legislation | Summary |
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| Children's Status Act, 1987 (Act 82 of 1987) | This Act amended the law pertaining to paternity, guardianship and the status of certain children. Provision is, among others, made for a presumption of paternity in respect of extra-marital children and a presumption of paternity on refusal to submit to the taking of blood samples. The Act also provides for guardianship and custody of extra-marital children; legitimization of children by a subsequent marriage; effects of artificial insemination; and the safeguarding of interests of dependent and minor children of voidable marriages. |
| Mediation in Certain Divorce Matters, 1987 | This Act provides for the appointment, powers and functions of Family Advocates. The principal function of the Family Advocate relates to mediation in certain divorce proceedings, and in certain applications arising from such proceedings, in which minor or dependent children are involved, in order to safeguard the interests of such children |
| Intestate Succession Act, 1987 (Act 81 of 1987) | This Act regulates the law regarding intestate succession. |
| Independent Broadcasting Act 153 of 1993 (as amended by the Broadcasting Act of 1999) | This Act contains a specific code which addresses gender concerns in that the identity of rape victims and other victims of sexual violence may not be revealed without the proper consent of the person concerned. |
| Guardianship Act 1993, Act 192 of 1993) | This Act made further provision for the guardianship of minor children and provides, among others, that a woman is the guardian of her minor children born out of a marriage unless a High Court, as upper guardian, directs otherwise. |
| Restitution of Land Rights Act 22 of | The aim of this Act is to promote equity for victims dispossessed their land by the apartheid state, |

| Legislation | Summary |
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| 1994 | particularly the landless and the rural poor by restoring to them their land or equivalent. |
| Criminal Procedure Amendment Act 75 of 1995 | <p>This Act brought about numerous and comprehensive changes to the Criminal Procedure Act, 1977, relating to bail. The Bill of Rights contained in the Interim Constitution gave every accused person the right to be released on bail unless the court found that it was in the interests of justice that the accused person be kept in custody. These amendments set out comprehensive guidelines for the courts to take into consideration when deciding whether it is in the interests of justice that the accused person be kept in custody, and these guidelines also have a bearing on violence against women. Some of these guidelines, for instance, include the following:</p> <ul style="list-style-type: none"> ❖ Where there is the likelihood that the accused person, if he or she were released on bail, will endanger the safety of the public or any particular person or will commit an offence referred to in Schedule 1 to the Criminal Procedure Act, 1977. (Schedule 1 offences include murder, culpable homicide, rape, indecent assault, kidnapping, child-stealing, assault when a dangerous wound is inflicted and malicious injury to property); ❖ Where there is a likelihood that the accused person, were he or she to be released on bail, will attempt to influence or intimidate witnesses; ❖ Any threat of violence, which the accused person may have made to any person; ❖ Any resentment the accused person is alleged to harbour against any person; ❖ Any disposition to violence on the part of the accused person; ❖ The prevalence of a particular type of offence; ❖ Any evidence that the accused person previously committed an offence referred to in the above Schedule 1 while out on bail; ❖ The nature and gravity of the charge on which the accused person is to be tried; ❖ The fact that the accused person is familiar with the identity of witnesses and with the evidence which they may give; and ❖ The relationship of the accused person with the various witnesses and the extent to which they could be influenced or intimidated. |
| Labour Relations Act 66 of 1995 | This Act aims to support labour peace, democracy and worker participation in decision making in the workplace. It applies to all employers, workers (including domestic workers), trade unions and employers' organisations, except the excluded sectors due to security reasons. |

| Legislation | Summary |
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| Child Abduction Act, 1996 (Act 72 of 1996) | This Act provides for the application in the Republic of the Hague Convention on the Civil Aspects of International Child Abduction. Provision is also made for the application of the Convention and the designation of a Central Authority. |
| The South African Schools Act 84 of 1996 | This Act aims to provide for a uniform system for the organisation, governance and funding of schools and to promote universal access to schools. The Act stipulates that schooling is compulsory for all learners aged 7 to 15 years. In compliance with BPA |
| South African Citizenship Act 88 of 1995 | Citizenship may not be lost or gained due to marriage, giving effect to obligations under CEDAW. |
| South African Qualifications Act, 1995 | This Act establishes a National Qualifications Framework and provides for the parameters for assessing and recognising prior learning at the workplace to strengthen the role of vocational training and continuing education for the workforce. |
| Land Reform Act 3 of 1996 | This was passed to protect farm-workers and labour tenants from arbitrary evictions. |
| National Education Policy Act 27 of 1996 | The Act provides for the determination of national policy for education. The Minister determines national policy which is directed towards objectives such as the right to every person to be protected against unfair discrimination within or by an education department or educational institution and the right of every person to basic education, as well as redressing past inequality in educational provisions, including the promotion of gender equality and the advancement of the status of women. |
| Commission on Gender Equality Act 39 of 1996 | Provides for the establishment of an institution, as set out in Chapter Nine of the Constitution that will promote and monitor gender equality. The mandate of the CGE is to educate the public, especially women about their rights and to monitor government's implementation of the Bill of Rights in the Constitution. |
| Film and Publications Act 65 of 1996 | The Act provides for the establishment of a Film and Publications Review Board. The object of the Act is to regulate the distribution of certain publications and the exhibition and distribution of certain films by means of classifications and age restrictions. The distribution of films and publications that contain visual presentations of explicit violent sexual conduct or explicit sexual conduct which degrades a person and which constitutes incitement to cause harm is prohibited. |

| Legislation | Summary |
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| | The prohibition will not apply in respect of a bona fide scientific, documentary, literary or artistic publication. It is also an offence to distribute publications or films which advocate hatred that is based on race, gender, ethnicity or religion and which constitutes incitement to cause harm. |
| Choice on Termination of Pregnancy Act 92 of 1996 | This Act allows for the legal termination of pregnancy on request for the first 12 weeks of pregnancy and under certain defined circumstances, between 12 and 20 weeks. |
| Child Care Amendment Act 96 of 1996 | This Act provides for the protection and promotion of children's rights, including matters such as maintenance, adoption, places of safety and others. It prohibits child prostitution. |
| Telecommunications Act 103 of 1996 | Amongst others, the aim of this Act is to promote the empowerment and advancement of women in the telecommunications industry. |
| Constitution of the Republic of South Africa, Act 108 of 1996 | Widely acclaimed as one of the world's most progressive Constitutions, asserts in its founding provisions that the democratic state is founded on the values of human dignity, the achievement of equality and advancement of human rights and freedoms, non-racism and non-sexism. The Constitution contains several provisions that advance gender equality. Amongst these is the Equality Clause in the Bill of Rights. |
| Legal Aid Amendment Act 1996 | This Act enables the Legal Aid Board to provide legal representation at state expense for accused persons in deserving cases. The Act has been reviewed, to ensure that any gender bias in the operation of legal aid, whether direct or indirect, is eliminated. The Legal Aid Board has expanded on the past focus on criminal cases to include civil matters and by identifying new ways of reaching vulnerable groups. The Legal Aid Board has established sixty (60) new Justice Centres. |
| Extension of Security of Tenure Act 62 of 1997 | This Act ensures that women and children have independent rights as occupiers on farms owned by another person. This ensures that women are protected against arbitrary and unfair discrimination. |
| Births and Deaths Registration Amendment Act 67 of 1997 | The Act broadened the definition of marriage under the Births and Death Act to include a customary union concluded according to indigenous law or custom and a marriage solemnised or concluded according to the tenets of any religion. A further amendment introduced was in relation to |

| Legislation | Summary |
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| | <p>assumption of another surname on marriage in terms of which a woman can add her previous surname to her married name, or resume a surname which she bore previously, without seeking permission of the Director-General.</p> |
| <p>Basic Conditions of Employment Act 75 of 1997 (BCEA)</p> | <p>The Act regulates conditions in the workplace such as hours of work and leave. It provides that an employee is entitled to at least four months maternity leave at any time from four weeks before the expected date of birth. The employee may not return to work for six weeks after the birth of the child unless she receives medical clearance. Paternity leave is three days and parental leave is also provided.</p> <p>Protection is provided for the health of pregnant. Employers are prohibited from requiring or permitting a pregnant or nursing employee from performing work that is hazardous to her health or that of her child. If pregnant workers cannot do their usual work because it is dangerous for them or their unborn child, employers must find other work for them to do. The BCEA requires the Minister to issue a Code of Good Practice on the Protection of Pregnant Employees during Pregnancy.</p> <p>These provisions fulfil the CEDAW obligation to provide special protection to women during pregnancy in types of work proved to be harmful to them. This improves job security for women thus reducing the vulnerability to poverty and workplace of violence such as sexual harassment.</p> |
| <p>Criminal Procedure Act 85 of 1997</p> | <p>This Act further amended the provisions relating to bail to ensure that persons who are accused of having committed serious offences are not released on bail. These offences are often offences where women and children are victims. The Act commenced on 1 August 1998.</p> |
| <p>Natural Fathers Born out of Wedlock Act 86 of 1997</p> | <p>A father of a child born out of wedlock does not have automatic rights of custody, guardianship or access to his children. The Act provides that such a father can apply to the High Court for an order granting him one or all of these rights if it is in the best interest of the child.</p> <p>There are many provisions of the Act which protect women. The factors that the court takes into account in deciding whether to grant the application include, for example, the relationship between the applicant and the natural mother and in particular whether either party has a history of violence against or abusing each other or the</p> |

| Legislation | Summary |
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| | child and the degree of commitment that the applicant has shown towards the child including contributions to maintenance of the child. |
| Public Funding of Represented Political Parties Act 103 of 1997 | The Act and regulations, do not provide for allocations to take into account the representation of women as a factor in determining funding allocations. |
| Criminal Law Amendment Act 105 of 1997 | <p>Besides giving effect to the Constitutional Court's judgement in respect of the death penalty, this Act provides for the imposition of minimum sentences in respect of certain serious offences, for example murder and rape. These sentences are more severe in certain circumstances, for instance:</p> <ul style="list-style-type: none"> ▪ When the death of a woman was caused by a person in committing rape or attempting to commit rape; ▪ Where the rape victim was raped more than once; ▪ Where the rapist has previous convictions for rape; ▪ Where the victim is under 16 years; or ▪ Where grievous bodily harm is inflicted. |
| Welfare Laws Amendment Act 106 of 1997 | Together with its regulations, this Act governs social security grants. |
| Housing Act 107 of 1997 (as amended) | This Act obliges national, provincial and local governments to promote measures that prohibit unfair discrimination on the grounds of gender by all role-players in the housing development sphere. |
| Water Services Act 108 of 1997 | This Act provides that every water service institution must take measures to realise the right of access to basic water supply and sanitation. It emphasises the provision of free water services to the poor of which the majority are women. |
| Divorce Courts Amendment Act; 1997 | This Act opened the then Black Divorce Courts to all races, giving women access to less costly divorce proceedings and making it easier for many women to walk out of an abusive marriage relationship, also having the right to custody where it is in the best interest of the children. |
| The Medicine and Related Substances Amendment Act of 1997 | Ensures access to health and that medicines are affordable to all. |
| Prevention of Illegal Evictions from and the Unlawful Occupation of Land | The Prevention of Illegal Evictions from and the Unlawful Occupation of Land Act aims to prohibit unlawful evictions and provide for the procedures for the eviction of unlawful occupiers as required by the Constitution. |

| Legislation | Summary |
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| Act 19 of 1998 | <p>The preamble of the Act expressly notes that special consideration should be given to the rights of certain vulnerable groups of people, including female-headed households. The preamble further recognises that the needs of such vulnerable groups should be considered in the realisation of the right of access to adequate housing.</p> <p>Section 4(6) and 4(7) of the Act provides that a court may grant an order for eviction if it is of the opinion that it is just and equitable to do so, after considering all the relevant circumstances, including the rights and needs of the elderly, children, disabled persons and households headed by women.</p> |
| Land Bank Amendment Act 21 of 1998 | <p>This Act gives women access to financial assistance from the Bank.</p> |
| National Water Act 36 of 1998 | <p>This Act specifies that at-least one third of all members of Water Services Committees should be women.</p> |
| Sterilisation Act 44 of 1998 | <p>The Act provides for sterilisation in certain circumstances. A person may not be sterilized without her or his consent.</p> |
| Employment of Educators Act 53 of 1998 (amended in 2000) | <p>Section 17 of this Act makes sexual harassment a form of serious misconduct.</p> |
| Employment Equity Act 55 of 1998 | <p>The Employment Equity Act has far reaching consequences for women. The act gives practical effect to the right to substantive equality enshrined in the constitution. It not only prohibits unfair discrimination, but sets out positive steps that employers must take to ensure women's equality in the workplace.</p> <p>The Chapter on Unfair Discrimination provides that no person may discriminate against an employee on, amongst others, the grounds of sex, gender, family responsibility, pregnancy and HIV status. The act prohibits testing of an employee's HIV status unless permission is granted by the Labour Court. Most of those suffering from HIV are women.</p> <p>The definition of family responsibility includes same sex partnerships and partnerships outside of marriage, and the definition of pregnancy includes circumstances relating to termination of pregnancy and intended pregnancy.</p> <p>The Act explicitly provides that harassment, including sexual harassment is a form of unfair discrimination.</p> |

| Legislation | Summary |
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| | <p>This is the first time in our law that there is a direct, legislated remedy for sexual harassment. A Code on Sexual Harassment has been developed at NEDLAC as part of the Labour Relations Act.</p> <p>The Chapter on Affirmative Action expressly includes women as a designated group in respect of whom positive steps must be taken to ensure their equitable representation in the workforce and eradication of all barriers to equal participation and advancement in the workplace.</p> <p>The Act recognises that black women face compounded disadvantage due to intersection of race and gender. Compliance with the Act will be assessed with reference to the extent to which people from and amongst the designated groups are equitably represented in the workforce and the elimination of discriminatory practices. Enforcement of the Act is to be monitored by labour inspectors, compliance officers, Director-General to the Labour Court and the Commission on Employment Equity. The Labour Court has the power to issue fines contained in the schedule to the Act while the Commission for Employment Equity has the power to award employers for exceptional compliance. The Act also provides that every employer who wishes to conclude a state contract must comply with the provisions of the Act.</p> <p>Article 2 of CEDAW contains numerous provisions in relation to discrimination including requiring state parties to embody the principle of equality of men and women in their national constitutions or other appropriate national legislation and to ensure through law and other appropriate means the practical realisation of this principle.</p> <p>Article 4 of CEDAW provides that temporary measures aimed at accelerating equality between men and women shall not be considered discrimination.</p> |
| Adoption Matters Amendment Act 56 of 1998 | The Act balances the right of unmarried mothers and fathers and has in-built protection for women. |
| The Electoral Act 73 of 1998 | This Act has a section that states that every registered party and candidate must respect the rights of women to communicate freely with parties and candidates, facilitate the full and equal participation of women in political activities, ensure the free access of women to all public political meetings, marches, demonstrations, |

| Legislation | Summary |
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| | rallies and other public political events and take all responsible steps to ensure that women are free to engage in any political activities. |
| Skills Development Act 97 of 1998 | <p>The Skills Development Act provides for the establishment of a National Training Fund as well as relevant training authorities and boards. Two learning programmes are provided for; learnerships and skills programmes.</p> <p>While Act does not have any provisions which specifically address the training needs of women the Skills Development Strategy, a framework for implementing the Act, sets out specific targets for women. Black people and white people with disabilities. The Department must ensure that in its implementation it gives effect to the provisions of the BPFA.</p> <p>The Beijing Platform for Action (BPFA) provides that governments must ensure equal access for women to effective job training, retraining, counselling and placement services that are not limited to traditional employment areas.</p> |
| The Further Education and Training Act 98 of 1998 | This Act provides the basis for developing a nationally coordinated further education and training system aimed at ensuring representativity and equal access to further education in the workplace by persons previously marginalised, including women. |
| Maintenance Act 99 of 1998 | This allows the court to order an employer to deduct maintenance from the salary of the father. It allows the court to appoint maintenance officers who can trace the whereabouts of the father, serve documents and to gather information on the financial position of both parties. |
| National Empowerment Fund Act 105 of 1998 | This Act proposes for a structures and mechanisms aimed at redressing the inequalities of the past by facilitating ownership of income generating assets by previously disadvantaged people. |
| National Environment Management Act 107 of 1998 | This Act recognises the role that women and the youth play in environmental management and that their participation should be promoted. |
| National Development Agency Act 108 of 1998 | The main goal of this Act is to contribute towards the eradication of poverty and its causes by providing funds to civil society organisations to carry out projects to meet the development needs of poor communities with a focus on vulnerable groups such as women. |
| South African | It includes the provision to assist, facilitate and develop |

| Legislation | Summary |
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| Sports Commission Act 109 of 1998 | programmes relating to women in sport, promoting equal opportunities and to achieve non-discrimination in sport. |
| National Sport and Recreation Act 110 of 1998 | This Act ensures that no membership of the sport commission will be granted to a sport or recreation federation that permits or tolerates discrimination on the basis of amongst others, gender. |
| Local Government Municipal Structures Act 117 of 1998 | This Act makes provision for the equal representation of women and men in political party lists and ward committees. |
| Domestic Violence Act 116 of 1998 | This Act sought to strengthen protection against domestic violence by improving on matters that were initially covered in the Prevention of <i>Family Violence Act of 1993</i> . The new provisions include broadening the domestic relationships and the forms of violence that are covered. With regard to the forms of violence, this includes emotional, economic, threatened violence and stalking. The main strength of the new law lies in protection orders against perpetrators and the possibility of imprisonment of recidivist offenders. Through this Act, women are afforded greater protection against actual or threatened physical violence, sexual, emotional, verbal, psychological and economic abuse as well as intimidation, harassment, stalking, damage to or destruction of property, or entry into their home without consent. |
| Recognition of Customary Marriages Act 120 of 1998 | <p>This Act abolished the minority status of women married under customary law and the marital power of husbands as guardians. It also give women the right to custody of their children if it is in the best interest of the children. The purpose of this Act is to recognise and provide legal validity to all customary marriages that were valid at customary law and existing as at 15th November 2000, and to</p> <p>recognise customary marriages entered into after 15 November 2000.</p> <p>Prior to the promulgation of the Recognition of Customary Marriages Act, customary marriages were not fully recognised in civil law as valid legal marriages under South African law, due to their polygamous nature.</p> <p>Requirements for a Valid Customary Marriage under the RCMA</p> |

| Legislation | Summary |
|-------------|--|
| | <ul style="list-style-type: none"> • Age (The parties to the marriage must be above 18 years, where either spouse is under the age of 18 years parental consent is required) • Both parties to the marriage must consent • The marriage must be negotiated and entered into or celebrated in accordance with customary law. <p>This requirement is stated broadly to accommodate the different systems of customary law, including those in which bride wealth is not a necessary or essential requirement for marriage.</p> <ul style="list-style-type: none"> • Bride wealth (Lobola) is not a requirement • Proprietary consequences of customary marriages: <p>Existing Marriages before the RCMA:</p> <p>The proprietary consequence of a customary marriage that was in existence prior to coming into effect of the Act is that those marriages are governed by customary law unless if the parties want to change their marriage regime they can apply to register their marriages and sign a contract that will govern their matrimonial property.</p> <p>The proprietary consequences of a polygamous marriage is out of community Of property, whether the marriage was entered into prior or after the RCMA.</p> <p>New Marriages after the RCMA:</p> <p>According to section 7(2) of the Act, a customary marriage entered into after the commencement of this Act, in which a spouse is not a partner in any other existing customary marriage, will be in community of property and of profit and loss between the spouses, unless the parties agree to follow another matrimonial</p> |

| Legislation | Summary |
|-------------|--|
| | <p>property regime. The Act introduces an automatic community of property marital regime in a case of a <i>de facto</i> monogamous “new marriage”.</p> <p>Polygyny in “new marriages”:</p> <p>Section 7(6) of the Act provides that a husband who is already in a customary Marriage, who wishes to enter into a further customary marriage with another, woman, after the commencement of this Act, must make an application to Court to approve a written contract, which will regulate the future matrimonial property system of his marriage.</p> <p>A further customary marriage cannot be registered if the written contract which will regulate the future matrimonial property system of this marriage, together with the Court Order, to prove such contract is not attached</p> <p>Where the Court is of the opinion that the interest of any of the Parties involved in the customary marriage will not be sufficiently safeguarded by means of the proposed contract, the Court may refuse to grant the application to enter into a second marriage.</p> <p>Registration of the customary marriage:</p> <p>Another important provision of the Act is the requirement that parties have to register their customary marriages in order to have <i>prima facie</i> proof of the existence of the marriage. However, non registration does not invalidate the marriage.</p> <p>Women’s legal status:</p> <p>The Act gives equal status and capacity to spouses. In terms of Section 6 of the Act, the wife in a customary marriage is a</p> |

| Legislation | Summary |
|-------------|--|
| | <p>major and equal to her spouse. The wife has full legal capacity which includes capacity to acquire, administer and dispose of property in her own right. The Act grants women in customary marriages contractual and proprietary capacity together with <i>locus standi</i>. Women no longer require assistance to bring legal actions. The women now have the right to enter into transactions and contract on their own behalf.</p> <p>Divorce: Section 8 of the Act contains the provisions regarding dissolution of customary marriages and these provisions are in line with civil law, thus requiring irretrievable breakdown as ground for requesting a decree of divorce. It is only a Court of law (the High Court, Family Court or Divorce Court) that can grant the decree of a divorce. It is the Court which will determine the consequences of the breakdown of marriage.</p> <p>Either of the spouses has <i>locus standi</i> to institute divorce proceedings.</p> <p>Guardianship and custody: Section 8(4) (d) provides that the Court will at the time of deciding the divorce also decide on the issues of guardianship and custody. The determining factor for awarding custody is</p> |

| Legislation | Summary |
|--|---|
| | <p>the best interest of the child or children.</p> <p>Prior to the Act, lobola was the determining factor. The children belonged to the family that paid the lobola, and that is</p> <p>the husband's family. The Act has modified this rule, therefore, the Court can award custody to the mother when it is in the best interest of the child to do so.</p> |
| Prevention Of Organised Crime Act, 1998 (Act 121 Of 1998) | <p>This Act is intended to introduce measures to combat organised crime, money laundering and criminal gang activities. It prohibits certain activities relating to racketeering, that is the planned, ongoing, continuous or repeated participation or involvement in certain offences. It prohibits money laundering and criminalizes certain activities associated with gangs and it provides for the recovery of the proceeds of unlawful activities as well as for the forfeiture of criminal assets that have been used to commit an offence or assets that are the proceeds of unlawful activities. Offences to which numerous provisions of this Act apply include murder, rape, kidnapping, assault with intent to do grievous bodily harm, indecent assault, child-stealing, malicious injury to property and a contravention of section 20 (1) of the Sexual Offences Act, 1957.</p> |
| The Refugees Act 130 of 1998 | <p>This Act aims to give effect to relevant international instruments, principles and standards relating to refugees.</p> |
| Medical Schemes Act 131 of 1998 | <p>This Act supervises and regulates medical schemes. No medical scheme will be registered if it unfairly discriminates against any person on the basis of race, gender, marital status, ethnic or social origin, sexual orientation, disability and state of health.</p> |
| Witness Protection Act, 1998 | <p>This Act provides for better protection of witnesses through witness protection programmes. Offences to which this Act applies include murder, rape, kidnapping and indecent assault.</p> |
| Broadcasting Act 4 of 1999 | <p>Amongst others, it looks at the training needs of previously disadvantaged groups, including women, children and the disabled.</p> |
| Rental Housing Act 50 of 1999 | <p>This Act ensures that more houses are provided for rental purposes and to regulate the behaviour of unscrupulous landlords so that tenants don't pay exorbitant rents.</p> |
| Promotion of | <p>This Act promotes transparency, accountability and</p> |

| Legislation | Summary |
|--|---|
| Access to Information Act 2 of 2000 | effective governance of all public and private bodies. Amongst others, it promotes a right to access to information. |
| Promotion of Administrative Justice Act 3 of 2000 | The Act ensures the right to a fair administrative justice and provides for a right to written reasons to those adversely affected by the decision of public and private bodies, |
| Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 | <p>The objectives of the Act include the prevention and prohibition of unfair discrimination, redress for discrimination suffered, the promotion of equality and progressive eradication of discrimination.</p> <p>Chapter 2 Section 6 – 12</p> <ul style="list-style-type: none"> ○ Deals with prevention and general prohibition of unfair Discrimination ○ Deals with prohibition of Unfair Discrimination on the basis of race, gender and disability ○ It further prohibits hate speech, harassment and dissemination and publication of unfair discrimination <p>Chapter 5 Section 24 - 29</p> <ul style="list-style-type: none"> ○ It deals with general responsibility to promote equality ○ Duty of state to promote equality ○ Special measures to promote equality with respect to race, gender and disability. ○ It also provides an illustrative list of unfair practice in certain sectors |
| Preferential Procurement Policy Framework Act 5 of 2000 | This ensures that Government implements a procurement policy that provides for the advancement of persons previously discriminated against. |
| Local Government Municipal Systems Act 32 of 2000 | This Act ensures the development of a culture that promotes participatory governance and creates enabling conditions to achieve this. Municipalities are required to take into account the circumstances of women, people with disabilities, youth in development planning. |
| Home Loan and Mortgage Disclosure Act 63 of 2000 | It aims to encourage banks and financial institutions to grant home loans to all its clients, with special emphasis on historically disadvantaged persons. |
| Medical Schemes Act of 2000 | Ensures that cost escalation is properly managed and controlled and that schemes do not discriminate against the elderly and sick through risk rating. The Act also provides for the establishment of a Council for medical schemes. |
| Public Service Act | This Act governs the employment and recruitment of |

| Legislation | Summary |
|---|--|
| 2001 as amended | persons in the public service. |
| Immigration Act 13 of 2002 | This Act aims to regulate the admission of foreigners to, their residence in, and their departure from the Republic and matters connected therewith. |
| Minerals and Petroleum Resources Development Act 28 of 2002 | This Act entrenches the right of women to participate in and own mines. It also seeks to expand the opportunities for black persons, including women, as a historically disadvantaged group, to enter the minerals and petroleum industries and to benefit from the exploitation of mineral resources. |
| National Small Business Act of 2002 | This Act seeks to improve the definition of a small business, bringing relief to many women owned small and medium enterprises. This Act mandates institutions to support small businesses. |
| Traditional Leadership and Governance Framework Act 41 of 2003 | This Act stipulates that at least 30% of members of the National House of Traditional Leaders be women. This Act also requires that the number of women be representative of the traditional leaders within a district or municipality. |
| Broad-based Black Economic Empowerment Act 53 of 2003 | This Act deals with economic empowerment of black women, men and persons with disabilities. The Act gives priority to issues such as employment equity and equalising opportunities through human resources development, preferential procurement and state asset restructuring. |
| National Health Act 61 of 2003 | This Act ensures equitable access, use and benefit of services to women. |
| Preferential Procurement Policy Framework Act 63 of 2003 | This Act provides a framework for procurement reform which includes preferential procurement, measures in favour of women, black people and persons with disabilities. |
| Tobacco Products Control Act | This Act provides for the effective management of tobacco use. |
| The South African Social Security Agency Act 9 of 2004 | This Act provides for the establishment of the South African Social Security Agency which is responsible for the administration and payments of social grants. This is to ensure that the grants are benefiting the poor and the vulnerable. |
| The Social Assistance Act 13 of 2004 | The Act provides for the right of access to appropriate social assistance to those who are unable to support themselves and their dependents. |
| Sexual Offences: Criminal Law (Sexual Offences) Amendment Bill and | The Bill provides comprehensive law reform provisions on rape and related sexual offences. This includes the definition of rape, considerations to be made in sentencing and provisions relating to combating child |

| Legislation | Summary |
|---|--|
| the Sexual Offences Act 23 of 1957 | abuse. The Bill broadens the definition of rape to cover other forms of sexual violence that are experienced as rape by the victim or survivor, provides a definition of rape that transcends anal and vaginal penetration and expands the concept of coercive circumstances beyond physical harm. It also addressed the problem of single witness indirect Customary rule, and the administrative procedures to be followed in Courts in order to protect witnesses from secondary victimisation by the criminal justice system |

APPENDIX D - IMAGES

Image 1 UWCO Invite F&A 8 June 1987

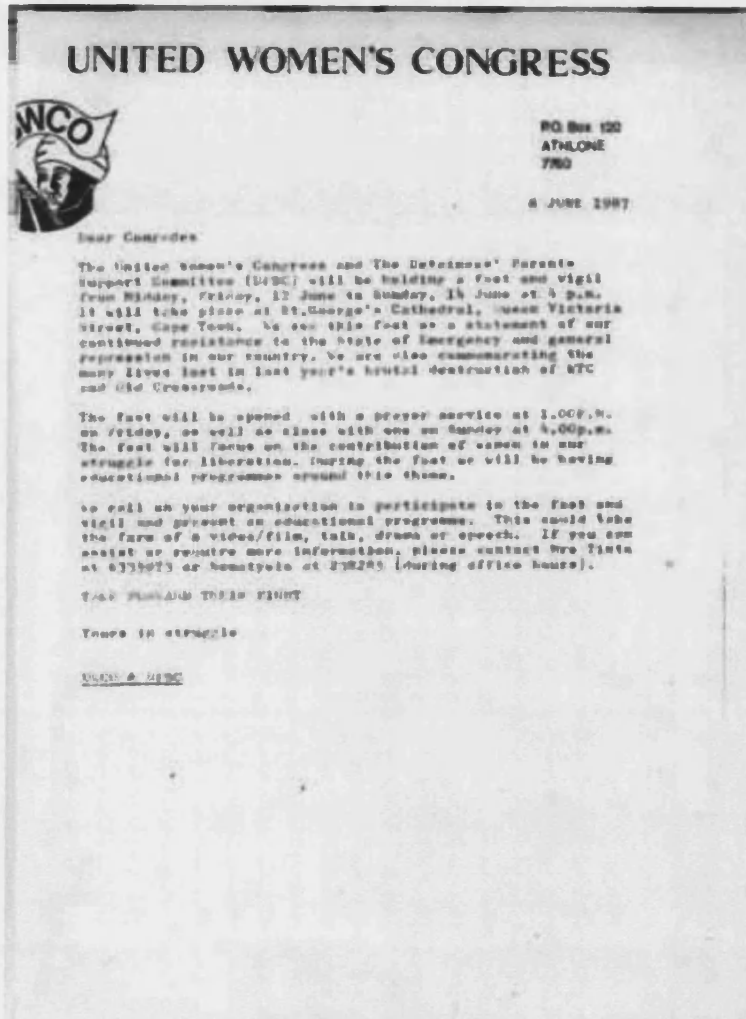


Image 3 FSAW Postcard



Image 4 Relaunch FSAW Cape Times 31 08 87

★ Cape Times, Monday, August 31, 1987 9

More news on Page 11



FEDSAW RELAUNCH ... Part of the crowd that gathered at the Claremont Civic Centre yesterday for the re-launch of the Western Cape region of the Federation of South African Women.

By CLARE HANFEN

Women re-launch federation

MORE than 1 000 people packed the Claremont Civic Centre yesterday to re-launch the Western Cape Federation of South African Women (FEDSAW), which has been dormant since its affiliates were banned in the 1960s.

President of Fedasaw, Ms Dorothy Ziblong, urged women to join the federation saying that South Africa could not be really free until the women were free.

"It won't help us to sit in sorrow thinking nothing can be done — we must unite and go forward, alongside the menfolk," she said.

The regional chairman of the United Democratic Front, Mr Dullah Omar, said the federation was not engaged in a struggle against men, but "against the system that creates this kind of exploitation".

He described the federation as being akin to a ship launched in rough seas which should join up to form one fleet (with other organisations) to cross the seas and come into the land of freedom together.

He said the media curb had failed to make people think the way the government wanted them to — "let us remember Fedasaw was launched in the state of emergency," he said.

Organisations affiliated to Fedasaw include the United Women's Congress, the Athlone Women's Organisation, Rape Crisis, and several women's organisations in the Southern Cape, West Coast and Boland.

Hundreds of people, mainly women, travelled from all over the region to attend the launch, as well as leaders and representatives of Women for Peace, the Black Dash, the National Education Crisis Committee, and the SA Domestic Workers' Union.

Image 5 Grassroots October 1982 Bread Campaign

NON-PROFIT COMMUNITY NEWSLETTER

grassroots

THE PAPER ABOUT YOU Vol. 3 No. 8 October 1982 15c

'Increases will let us starve'

Bread price must not go up - UWO

The price of bread has gone up! And the whole community is angry at this latest increase in food prices. The United Women's Organisation (UWO) has taken up the fight against this increase.

The following demands were drawn up by the UWO. Hundreds of people at a protest meeting approved the demands.

The UWO demands that:

1. The price of bread must not go up.
2. The bread subsidy must be increased by the government.
3. All basic foodstuffs must not be taxed. No GST must be paid on the food we cannot do without.
4. Free bread must be given to all primary school children, pensioners and the disabled.
5. All shops and supermarkets should make low profits on basic foodstuffs and Rayco's should keep his promise to sell bread below cost price.

See page three for full report of meeting

Action against new bill

2000 people were involved with signs at the Ministry of Revenue and Settlement of which they were told.

"Together with the Protesters Council they must try to stop the government from doing this."

Whereas the Bill...

THE GOVERNMENT IS MAD! Mrs. Kiproti, a domestic worker from the Forest settlement, said that the price of bread has gone up. She was the only one at many meetings where they heard that the price of bread had gone up.

The government has decided that the price of bread will go up. The UWO bread campaign made the big news that it will be. Bread will cost 25c, not 20c as it has before.

THIS

This new campaign is just one more of the many demands that we have to face today. But now the price of bread has gone up. Bread...



Image 6 UWCO Membership Card

| | 1956 | 1957 | 1958 |
|-----|------|------|------|
| Jan | | | |
| Feb | | | |
| Mar | | | |
| Apr | | | |
| May | | | |
| Jun | | | |
| Jul | | | |
| Aug | | | |
| Sep | | | |
| Oct | | | |
| Nov | | | |
| Dec | | | |

Name Ruth E. Perry
 Branch Eastwood
 Occupation _____
 Address _____
 United Women's Organisation
 70 Bus 120
 Albany
 2240

Aims of the United Women's Organisation

WE WOMEN SHALL SERVE

- to participate in the struggle for full and equal democratic rights for all
- to work for practical solutions which meet the aims to this problem, of people in the community
- to improve conditions in solving problems that affect us in the community and of our place at work
- to struggle for the removal of all racial and ethnic discrimination and to achieve new opportunities

U.W.O.

MEMBERSHIP CARD

Image 7 South August 1987 Veteran Dies UWCO Rally

2 SOUTH, AUGUST 8 TO 12 1987

south NEWS

Veteran activist dies

By EDITH GULBRING

A VETERAN women's rights activist has died in Port Elizabeth's New Brighton township without ever having carried a pass, reference book or identity document.

Pauline Nontshupiso Mthoye, 74, a founder and executive member of the Port Elizabeth Women's Organisation (PEWO), died of natural causes at a friend's home last Sunday.

Because of her refusal to carry a pass or identity document she never had a formal job and supported herself by hawking vegetables.

She said she had always looked after herself and had never asked for assistance from the state because it would have meant applying for a reference

book. This would have compromised

beliefs she had fought for all her life.

In the 1950s, when African women

were first made to carry pass books,

Mthoye refused to do so.

PEWO members told ECNA that

Mthoye was a founder and executive

member of the Federation of South

African Women (Fedsaw) in the Eastern

Cape in the 1950s and took part in all

activities launched by Fedsaw affiliates.

She was also a member of the ANC's

Women's League and worked closely

with Francis Buard and Helen Joseph in

the anti-pass and anti-Bantu Education

campaigns.

In 1956, Mthoye was one of 20 000

women who marched on Union Build-

ings in Pretoria.

By RYLAND FISHER

POLICE visited the

home of at least two

United Women's Con-

gress executive members

on the eve of this

weekend's National

Women's Day celebra-

tions.

An UWCO spokesper-

son said their homes, in

Gugulethu and Woodstock,

were searched on Tuesday

morning but no one was

detained.

She said UWCO's first

chairperson, Ms Non-

Indle Mkhurda, had been

held at Pollsmoor Prison

under the emergency reg-

ulations since January this

year.

UWCO is holding a

UWCO plans big women's day rally

mass rally at the Simon

Cumie in Glenview on

Sunday to celebrate the

anti-pass laws march by

20 000 women on the

Union Buildings in Pretoria on August 9, 1956.

The rally, which starts at

2.30pm, will include

cultural activities like

plays, choral and songs.

Organisations which will

form part of the proposed

Cape Federation of

Women have been invited

to participate in Sunday's

rally.

Buses are expected to

arrive from the rural area,

including the Boland and

West Coast.

The rally will follow a

lunch for the families of

detainees on Sunday from

10am.

National Women's Day

activities will also be held

at schools on Friday and

at some churches on Sun-

day.

The UWCO spokesper-

son said the demands

made by women 31 years

ago had still not been

met.

"Even though the pass

laws have officially been

abolished, there are more

repressive laws and the

State of Emergency which

makes living conditions

even worse than in the

50s," she said.

Image 8 Wynberg Newsletter

WOMEN SPEAK



NEWSLETTER OF UNITED WOMEN'S CONGRESS; WYNBERG

LET US LIVE IN PEACE

A Wynberg lady is being harassed by her neighbours who want them to move out of their home in "white" Wynberg.

Members of the United Women's Congress visited Mr William Lindwood and his wife Brenda to offer assistance and support. We believe people should be allowed to live in peace in the area of their choice.

The Lindwoods moved to Wynberg from Langrug, Mr Lindwood's farm. They had lived there happily until their neighbour died and the widow, in her grief, turned to drink.

neighbours. His electricity had been cut and his water turned off.

Beneath the headline on the cutting, in blue ink, were the words: "You are not in line".

Mr Lindwood contacted the police, who did not bother to come.

An article appeared in a local newspaper, highlighting their predicament.

More letters arrived and the planks were once again nailed. This time they came and took the others away for fingerprinting, but at the time of writing, nothing had happened.

Brenda and William are determined not to succumb to what they call "lock-headed" death threats and believe that they have the right to stay in their home.

UWCO agreed with them and pledged their support. "Call us at the first sign of harassment," we said. "The women of Wynberg are with you in your fight against racism".

Mother of two, Brenda Lindwood, is a smiling young woman whom anyone must be proud to call "neighbour".

William was formerly a bank clerk but lost his job because of his stand against discrimination in the work place. We salute them.

This resulted in noise and disturbances from next door, which increased to such an extent that the Lindwoods were forced to move.

They picked up on an advertisement for a house for sale in Wynberg. The house was in a "white area".

Mr Lindwood informed the estate agent that he and his wife were classified "coloured" and after negotiations in good faith, they moved to lower Otters Road.

Shortly after they moved in, threatening letters were dropped in their post box.

One of them, a cutting from a newspaper, referred to a Mr Aziz who had bought a home in Rossdrievan and had been harassed by his white

NSNIE-BL
LADIESNONWHITEN WHITES
DAMESNIEBLA MANS BLANKES NON-WH

INSIDE: FOCUS ON DETENTIONS

Image 9 UWO Launch 4 5 04 1981

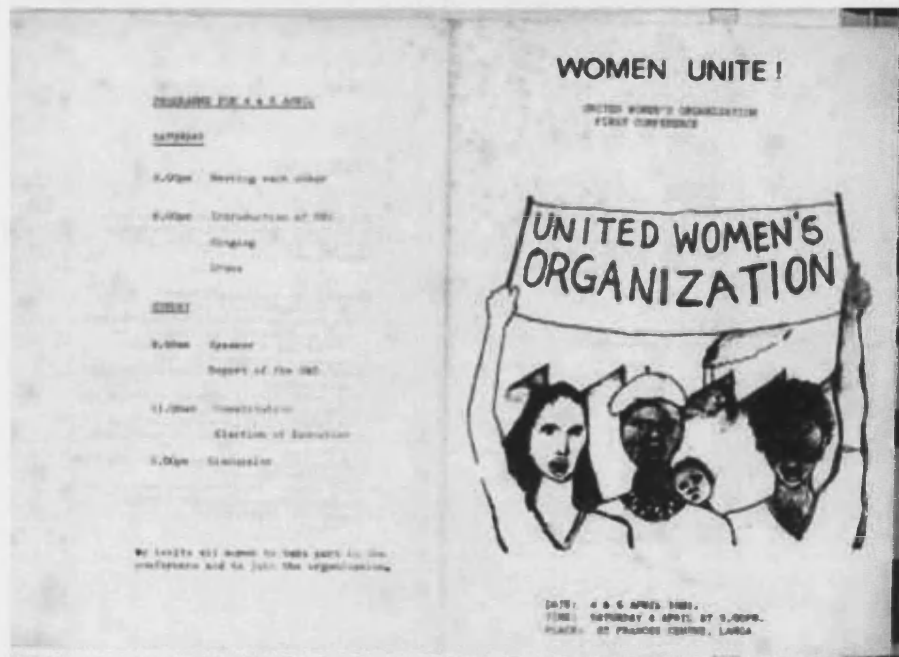
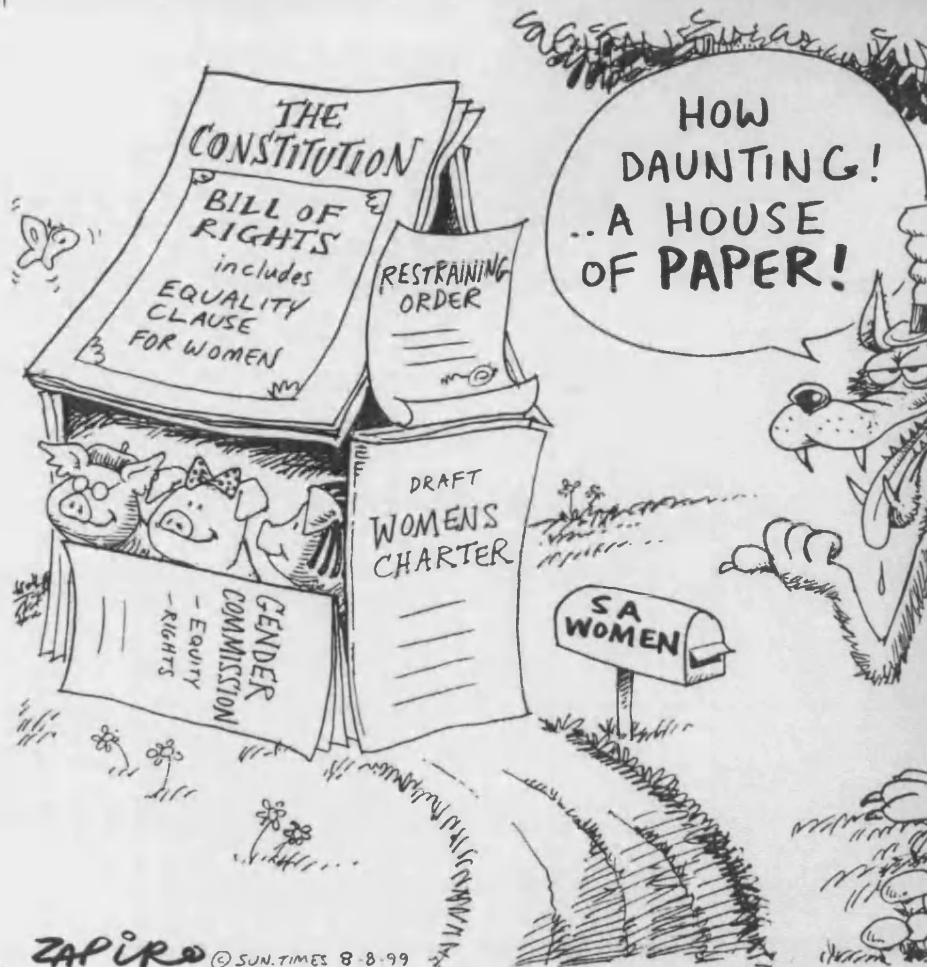


Image 10 - Cartoon



APPENDIX E - LIST OF ABBREVIATIONS/ACRONYMS

| | |
|---------------|---|
| AAC | All African Convention |
| ACDP | African Christian Democratic Party |
| AGDI | African Gender and Development Index |
| ANC | African National Congress |
| ANC WL | African National Congress Women's League |
| ANC WS | African National Congress Women's Section |
| ANC YL | African National Congress Youth League |
| AZAPO | Azanian People's Organisation |
| AU | African Union |
| BCEA | The Basic Conditions of Employment Act |
| BEE | Black Economic Empowerment |
| BPA | Beijing Platform of Action |
| BPFA | Beijing Platform for Action |
| BS | Black Sash |
| CAHAC | Cape Housing Action Committee |
| CBO | Community Based Organisations |
| CBPWP | Community Based Public Works Projects |
| CCMA | Commission for Conciliation, Mediation and Arbitration |
| CCTV | Closed Circuit Television |
| CEDAW | Convention on the Elimination of Discrimination against Women |
| CEE | Commission for Employment Equity |
| CGE | Commission on Gender Equality |
| CJS | Criminal Justice System |
| CPSA | Communist Party of South Africa |
| CRC | Convention on the Rights of the Child |
| CRL | Commission for the Protection and Promotion of Culture, Religion and Linguistic Communities |
| CSD | Commission on Sustainable Development |
| CSV | Centre for the Study of Violence and Reconciliation |
| DEAT | Department of Environmental Affairs and Tourism |
| DFA | Department of Foreign Affairs |
| DHA | Department of Home Affairs |
| DME | Department of Minerals and Energy |
| DoD | Department of Defence |
| DoL | Department of Labour |
| DPLG | Department of Local Government |
| DPW | Department of Public Works |
| DSD | Department of Social Development |
| DST | Department of Science and Technology |
| DTI | Department of Trade and Industry |
| DVA | Domestic Violence Act |

| | |
|----------------------|--|
| DWAF | Department of Water Affairs and Forestry |
| EPWP | Expanded Public Works Programme |
| FET | Further Education and Training |
| FEDSAW / FSAW | Federation of South African Women |
| GAP | Gender Advocacy Programme |
| GDP | Gross Domestic Product |
| GEAR | Growth, Employment and Redistribution |
| GET | General Education and Training |
| GETNET | Gender Education and Training Network |
| GFP | Gender Focal Points |
| GIMS | Gender Information Management System |
| GRB | Gender Responsive Budgets |
| HDI | Historically Disadvantaged Individuals |
| HE | Higher Education |
| HR | Human Resources |
| HRCSA | Human Rights Commission of South Africa |
| HRDS | Human Resource Development Strategy |
| HSRC | Human Sciences Research Council |
| ICT | Information, Communications and Technology |
| IEC | Independent Electoral Commission |
| IFP | Inkatha Freedom Party |
| ILO | International Labour Organisation |
| IRPS | International Relations, Peace and Security |
| ISRDP | Integrated Sustainable Rural Development Programme |
| ISSA | Institute for Satellite and Software Applications |
| JCPS | Justice, Crime Prevention and Security |
| JMC | Joint Monitoring Committee on the Improvement to Quality of Life and Status of Women |
| JSCOF | Joint Standing Committee on Finance |
| LFS | Labour Force Survey |
| MAP | Men As Partners |
| MDM | Mass Democratic Movement |
| MIPAA | Men In Partnership Against Aids |
| MIS | Management Information System |
| MISA | Media Institute of South Africa |
| MP | Member of Parliament |
| MPCC | Multi-purpose Community Centres |
| MRC | Medical Research Council |
| MRM | Moral Regeneration Movement |
| NA | National Assembly |
| NCOP | National Council of Provinces |
| NCW | National Council of Women |
| NCPS | National Crime Prevention Strategy |
| NEPAD | New Partnership for Africa's Development |

| | |
|----------------|---|
| NF | National Forum |
| NGM | National Gender Machinery |
| NGO | Non-Governmental Organisation |
| NGPF | National Gender Policy Framework |
| NLL | National Liberal League |
| NP | National Party |
| NNP | New National Party |
| NPA | National Prosecuting Authority |
| NPA | National Plan of Action |
| NSDS | National Skills Development Strategy |
| NEUM | Non-European Unity Movement |
| NSA | New South Africa |
| NUM | New Unity Movement |
| NUSAS | National Union of South African Students |
| ORC | Office on the Rights of the Child |
| OSW | Office on the Status of Women |
| PAC | Pan-Africanist Congress |
| PCAS | Policy Co-ordination and Advisory Services |
| PGI | Practical Gender Interests |
| PGN | Practical Gender Needs |
| PHC | Primary Health Care |
| PP | Public Protector |
| PS | Proportional Representation |
| PRP | Poverty Relief Programme |
| OASSA | Organisations For Applied Social Services |
| OLGA | Organisation for Lesbians and Gays (Affiliate of UDF) |
| R&D | Research and Development |
| RDP | Reconstruction and Development Programme |
| RWM | Rural Women's Movement |
| SA | South Africa |
| SAB+10 | South Africa Beijing +10 Report |
| SACP | South African Communist Party |
| SACR | South African Country Report |
| SADC | Southern African Development Community |
| SAHRC | South African Human Rights Commission |
| SALGA | South African Local Government Association |
| SALRC | South African Law Reform Commission |
| SAMDI | South African Management Development Institute |
| SANDF | South African National Defence Force |
| SANGOCO | South African NGO Coalition |
| SAPS | South African Police Services |
| SAP | Structural Adjustment Programme |
| SASO | South Africa Students' Organisation |
| SAWEN | South African Women's Entrepreneurs Network |
| SAWID | South African Women in Dialogue |

| | |
|-----------------|---|
| SAWIMA | South African Women in Mining Association |
| SAWP | South African Women's Party |
| SETA | Sectoral Educational and Training Authorities |
| SIPP | Special Integrated Presidential Projects |
| SMME | Small, Micro and Medium Enterprises |
| SMS | Senior Management System |
| SOC | Sexual Offences Courts |
| SOE | State of Emergency |
| SGI | Strategic Gender Interests |
| SGN | Strategic Gender Needs |
| SPP | Surplus People's Project |
| Stats SA | Statistics South Africa |
| TCC | Thuthuzela Care Centres |
| TWIB | Technology for Women in Business |
| UDF | United Democratic Front |
| UDFWCO | United Democratic Front Women's Congress |
| UIF | Unemployed Insurance Fund |
| UN | United Nations |
| UNECA | United Nations Economic Commission for Africa |
| URP | Urban Renewal Programme |
| URS | Urban Renewal Strategy |
| UWO | United Women's Organisation |
| UWCO | United Women's Congress |
| USA | United States of America |
| USSR | United Soviet Socialist Republic |
| VEP | Victim Empowerment Programme |
| WATA | War Against Trafficking Alliance |
| WA | Women's Alliance |
| WBI | Women's Budget Initiative |
| WC | Western Cape |
| WEU | Women's Empowerment Unit |
| WFO | Women's Front Organisation |
| WINSA | Women in Nuclear South Africa |
| WIPAA | Women In Partnership Against Aids |
| WNC | Women's National Coalition |
| WOESA | Women in Oil and Energy South Africa |
| WPG | Women's Parliamentary Group |

APPENDIX F - THE HISTORICAL CONTEXT, WOMEN'S STRUCTURES AND CAMPAIGNS IN SOUTH AFRICA, 1910 – 2004

- 1910 Act of Union –After Anglo-Boer War (1899-1902) English and Afrikaners compromise over land without consulting or incorporating the majority of the inhabitants, the indigenous people. A settler negotiation at the expense of the indigenous
- 1912 Formation of the South African National Native Council(SANNC) later changed name to African National Congress(ANC)
- 1912 South African Bantu Women's League formed by Charlotte Maxeke
- 1930 Communist Party of South Africa(CPSA)
- 1913 Native and coloured Women's Association formed in Free State
- 1935 Umzebenza, South African Communist Party (SACP) newspaper, referred to the formation of a committee, 'calling all housewives' to boycott all firms benefiting from the food crisis. (Walker 1982:77)
- 1935 All African Convention formed –over 400 delegate from a variety of organisations like the ANC, APO, CPSA, SAIC – delegates mostly professional and middle class men. AAC's tactics of petition and moderate reformism differed little from the SANNC in 1912 and met with as little response from government (Worden 1994:85). Cissie Gool, daughter of Dr Abdurahman (APO founder) and prominent member of the Communist Party led Formation of the National Liberation League in the Western Cape as a result of disillusionment with the reformism and participation of the AAC in segregated administration. Non-European United Front resulted and during WW2 produced 10 point programme – renamed as the Non-European Unity Movement.
- 1941 Council for Non-European Trade Unions (CNETU) formed –number of strikes took place on Rand (Worden 194:64; Alexander Simons 2004:165)
- 1943 Formation of the ANC Women's League (ANC WL)
- 1943/4 Formation of the ANC Youth League (ANCYL)
- 1946 a general mineworkers strike which involved 70 000 workers throughoutthe Rand –Smuts suppressed it with ferocity as was the case in 1922 (Worden 1994:64) Collapse of strike weakened the CNETU but strike was symbol of potential power of black labour organized.
- 1939 1945 – 2nd WORLD WAR; South Africans divided on this.
- 1939 Increase of food prices nationally
- 1947 Guardian newspaper states that. 'a working class organisation springing from the housewives who stood in the food queues'
- 1950 South African Communist Party formed underground after the Communist Part of South Africa was banned under the Suppression of Communism Act 1950
- 1954 4 April, Federation of South African Women (FEDSAW); Women's Charter Launched.
- 1954 SA Congress of Trade Unions (SACTU) formed after collapse of CNETU – mostly by ANC and SACP comrades. (Alexander Simons 2004:165)

- 1956 26 June, Congress of the People, Freedom Charter launched at Kliptown, Johannesburg
- 1956 9 August, Women's March to Union Buildings to petition against passes being extended to African women.
- 1960 21 March Sharpeville Day when PAC anti passes march and several people killed and hundreds wounded
- 1961 African National Congress, Pan Africanist Congress and SACP banned; formation of military wings Umkhonto we Sizwe and in the Western Cape where PAC was strong the Poqo (Pure 'or 'alone' in Xhosa) Worden (1994:114,115)
- 1966 District 6 (Cape Town) declared a whites only area. Total of 860,400 coloured and Indians displaced (Sparks, 1990:86, 87; Walker 1985:13)
- 1969 Black Students break away from NUSAS to form SASO- Biko as leader
- 1973 Durban Harbour strikes, the first after the repression of the 1960s
- 1976 Students protest against Afrikaans (language of the oppressor) being the medium of instruction at all African schools. Sparks (1990:96) claims 'it was largely his (Biko's) influence that led to the Uprisings.
- 1976 16 June. Soweto Day students march in defiance of police. First fatality, Hector Peterson of the 1976 'riots'. Unrest spreads nationally including at some coloured and white school (check white schools?). In Cape Town students too boycott in solidarity. Soli Philander, Elsie's River student, a coloured area reminisces on the contradictions of the boycotts- 'Here we are boycotting against Afrikaans but we then speak Afrikaans!'
- 1977 12 September. Steve Biko, prominent Black Consciousness leader dies in detention. Jimmy Kruger, Minister of police says: His death leaves me cold'. National protests follow. The outspoken black-owned newspaper, The World is banned. Ramphela Mamphela and partners of political leaders banned (Sparks 1990:230).
- 1979 Meeting of Cape Town activists with ANC Women's Section in Botswana
- 1979 Women started consultation meetings in Cape Town in all areas.
- 1981 4 & 5 April Launch of United Women's Organisation
- 1982 Kairos, moment of Truth. Churches take a stand against Apartheid. Community leader Alan Boesak becomes president of World Alliance of Reformed Churches.
- 1983 August, Formation of the United Democratic Front (umbrella organisation for anti-apartheid organisations).
- 1985 First State of Emergency declared on 20 July in 36 magisterial districts.
- 1985 -1990 – members of UDF, UWCO and other organisations arrested regularly. Many on the run or in 'safe houses' in white areas of Black Sash members' homes.
- 1986 12 June, Second State of Emergency declared – more areas included including Cape Town. Police violence in Athlone Hewitson (sic) College (Sparks 1990:220)
- 1986 March. Formation of United Women's Congress .Amalgamation of United Women's Organisation with Women's Front Organisation.
- 1987 25 April Launch of the United Democratic Front Women's Congress in response to the sexism within the United Democratic Front
- 1987 August. Relaunch of Federation of South African Women (Western Cape).
- 1987 Members of UWCO arrested and held in Solitary confinement

- 1987 Organisation of Gays and Lesbians formed
- 1988 7 & 8 April, FEDSAW's First Women's Cultural Festival
- 1988 September, UWCO members charged with treason
- 1990 5 February African National Congress, Pan Africanist Congress and South African Communist Party unbanned/legalised
- 1992 Women's National Coalition formed.
- 1990 11 February Nelson Mandela released
- 1991 24 November, Women's Alliance launched
- 1994 February, the Women's Charter for Effective Equality Launched.
- 1994 27 & 28 April, South Africa's first Democratic Election
- 1995 United Nations Fourth World Women's Conference in Beijing. South Africa sends an official delegation. South Africa accepts the Beijing Platform for Action
- 1996 Commission on Gender Equality, Act no 39
- 1996 Constitution of South Africa, Act 108
- 1998 Domestic Violence

TABLES

Table 3: Ministries Headed by Women Ministers for the Electoral Periods 1999-2004 and 2004-2009

| Electoral Period April 1999 to April 2004 | Electoral Period April 2004 to 2009 |
|---|--|
| | |
| Intelligence | |
| Agriculture and Land Affairs | Agriculture and Land Affairs |
| Communication | Communication |
| | Education |
| Foreign Affairs | Foreign Affairs |
| Health | Health |
| | Home Affairs |
| Housing | Housing |
| | Justice and Constitutional Development |
| Minerals and Energy | Minerals and Energy |
| Public Service and Administration | Public Service and Administration |
| Public Works | Public Works |
| | Water Affairs and Forestry |

Source: Government of South Africa (www.gov.za)

Table 2: Performance Indicators for Women in Decision-Making (% of women)

| NCOP ⁸⁹ | NA ⁹⁰ | CABINET | Deputy Minister | Local Govt | Judges |
|--------------------|------------------|---------|-----------------|------------|--------|
| 32,8% | 33.3% | 43% | 22.2% | 29% | 13% |

(Lowe Morna 2005: 5)

⁸⁹ National Council of Provinces, Lower House

⁹⁰ National Assembly/Upper House

Table 3: Changes in Women's Representation 1997 To 2005

| 1997 | % | 2005 | % | CHANGE |
|---------|-------|---------|------|--------|
| 111/400 | 27,8% | 131/400 | 32,8 | +5% |

(Lowe Morna 2005: 11)

Table 4: Categories of employment by Race and Gender

| | BLACK MEN | WHITE MEN | WHITE WOMEN | BLACK WOMEN |
|----------------------|--------------|--------------|----------------|----------------|
| TOP MANAGEMENT | 18,5% | 67,5% | 8,8% | 2,3% |
| SENIOR MANAGEMENT | 19,9% | 57,8% | 14,9% | 7,4% |
| PROFESSIONAL | 29,1% | 34,3% | 14,9% | 21,5% |
| SKILLED, TECHNICAL | 33,9% | 21,9% | 16,3% | 27,9% |
| SEMI-SKILLED | 58,7% | 5,9% | 9,3% | 26% |
| UNSKILLED, UNDEFINED | 69% | 1,4% | 0,9% | 28,5% |
| % TOTAL EMPLOYMENT | 50,8% | 13,1% | 9,8% | 26,5% |
| TOTAL NON-PERMANENT | 48,2% | 8,5% | 7,3% | 36,1% |

*Source: adapted from Commission for Employment Equity 2005 (own calculations)***Table 5: Comparison Between the Positions of Women as Workers in 1994 and 2003**

| | WOMEN 1994 | WOMEN 2003 |
|---|---------------|---------------|
| ECONOMICALLY ACTIVE POPULATION ⁹¹ | 44% | 45% |
| UNEMPLOYMENT RATE | 40,6% | 48,4% |
| TOP MANAGEMENT | 10,3% | 11,3% |
| | | |

⁹¹ This does not reflect the comprehensive situation as it does not take cognisance of women in informal sector and working on communal lands.

| | | |
|-------------------------|-------|-------|
| SENIOR MANAGEMENT | 16% | 17,7% |
| MIDDLE MANAGEMENT | 28,9% | 30,3% |
| NON-PERMANENT EMPLOYEES | 47,2% | 42,9% |

Source: Stats SA: Tables 2,3,1 & 2 (adapted)

Table 6: Managers in South Africa

| YEAR | WHITE MEN | AFRICAN MEN | WHITE WOMEN | AFRICAN WOMEN |
|------|-----------|-------------|-------------|---------------|
| 1996 | 76% | 2% | 13% | 0,5% |
| 2002 | 42% | 18% | 16% | 6% |

Source: Women's Budget, 1996 and Labour Force Survey February 2002

Table 7: Employment by Categories, Women and Men

| | MEN | WOMEN |
|----------------------|-------|-------|
| TOP MANAGEMENT | 86% | 14,1% |
| MIDDLE MANAGEMENT | 77,7% | 22,3% |
| PROFESSIONAL | 63,4% | 36,4% |
| SKILLED, TECHNICAL | 63,4% | 36,4 |
| SEMI-SKILLED | 64,6 | 35,3 |
| UNSKILLED, UNDEFINED | 70,4 | 29,4 |
| TOTAL EMPLOYMENT (P) | 64,1% | 36% |

Source: Commission for Employment Equity 2005 (own calculations)

Table 8: Categories of employment by Race and Gender

| | BLACK MEN | WHITE MEN | WHITE WOMEN | BLACK WOMEN |
|----------------------|-----------|-----------|-------------|-------------|
| TOP MANAGEMENT | 18,5% | 67,5% | 8,8% | 2,3% |
| SENIOR MANAGEMENT | 19,9% | 57,8% | 14,9% | 7,4% |
| PROFESSIONAL | 29,1% | 34,3% | 14,9% | 21,5% |
| SKILLED, TECHNICAL | 33,9% | 21,9% | 16,3% | 27,9% |
| SEMI-SKILLED | 58,7% | 5,9% | 9,3% | 26% |
| UNSKILLED, UNDEFINED | 69% | 1,4% | 0,9% | 28,5% |
| % TOTAL EMPLOYMENT | 50,8% | 13,1% | 9,8% | 26,5% |
| TOTAL NON-PERMANENT | 48,2% | 8,5% | 7,3% | 36,1% |

Source: adapted from Commission for Employment Equity 2005 (own calculations)

Table 9: Nominal allocations per sub programme as a percentage of Programme 5: Auxiliary and Associated Services budget

| Sub programme | 1999/00 | 2000/01 | 2001/02 | 2002/03 | 2003/04 | 2004/05 |
|--|---------|---------|---------|---------|---------|---------|
| Judicial Service Commission | 0.1% | 0.1% | 0.1% | 0.1% | 0.1% | 0.1% |
| Office for Control of Interception and Monitoring of Communication | 0.03% | 0.1% | 0.03% | 0.03% | 0.04% | 0.04% |
| Truth and Reconciliation Commission | 2.2% | 6.3% | 1.1% | - | - | - |
| South African Human Rights Commission | 2.6% | 4.5% | 2.4% | 2.9% | 4.7% | 5% |
| Commission on Gender Equality | 1.6% | 2.6% | 1.4% | 1.6% | 2.5% | 2.6% |
| Special Investigating Unit | 2.5% | 3.7% | 2.3% | 2.4% | 3.7% | 3.6% |
| Legal Aid Board | 50.7% | 51.2% | 34% | 35.6% | 52.8% | 52.2% |
| Public Protector | 2.3% | 3.7% | 3.8% | 3.7% | 6.2% | 6.5% |
| National Crime Prevention Strategy | - | 15.8% | 28.4% | 14.9% | 20.4% | 20.4% |
| President's Fund | 29.8% | 0% | 20.1% | 32.3% | 0% | 0% |
| Represented Political Parties Fund | 8.3% | 12% | 6.5% | 6.6% | 9.6% | 9.4% |
| Total | 100% | 100% | 100% | 100% | 100% | 100% |

Source: Estimates of National Expenditure 2003; adapted from Parenzee (2004:17)

FIGURES

