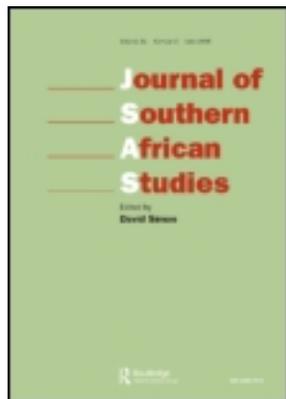


This article was downloaded by: [University of Virginia, Charlottesville]  
On: 10 August 2012, At: 15:29  
Publisher: Routledge  
Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: Mortimer House,  
37-41 Mortimer Street, London W1T 3JH, UK



## Journal of Southern African Studies

Publication details, including instructions for authors and subscription information:  
<http://www.tandfonline.com/loi/cjss20>

### The Liberal Moment: Women and Just Debate in South Africa, 1994-1996

Denise Walsh <sup>a</sup>

<sup>a</sup> University of Virginia, 216A Cabell Hall, Charlottesville, VA, 22904, USA E-mail:

Version of record first published: 10 Aug 2006

**To cite this article:** Denise Walsh (2006): The Liberal Moment: Women and Just Debate in South Africa, 1994-1996, Journal of Southern African Studies, 32:1, 85-105

**To link to this article:** <http://dx.doi.org/10.1080/03057070500493795>

PLEASE SCROLL DOWN FOR ARTICLE

Full terms and conditions of use: <http://www.tandfonline.com/page/terms-and-conditions>

This article may be used for research, teaching, and private study purposes. Any substantial or systematic reproduction, redistribution, reselling, loan, sub-licensing, systematic supply, or distribution in any form to anyone is expressly forbidden.

The publisher does not give any warranty express or implied or make any representation that the contents will be complete or accurate or up to date. The accuracy of any instructions, formulae, and drug doses should be independently verified with primary sources. The publisher shall not be liable for any loss, actions, claims, proceedings, demand, or costs or damages whatsoever or howsoever caused arising directly or indirectly in connection with or arising out of the use of this material.

## *The Liberal Moment: Women and Just Debate in South Africa, 1994–1996\**

DENISE WALSH

(University of Virginia)

*This article investigates the extent of women's participation in South African public debate during the Government of National Unity, a two-year period beginning with the country's first non-racial elections of 1994 and ending with the signing of the Constitution in 1996. The new democratic government established basic rights enabling all citizens, regardless of race or gender, to engage in public debate. Were women able to take advantage of this opportunity? What factors advanced or impeded their progress? The first section of the article draws upon analyses of deliberative democracy to construct a model for assessing women's participation in public debate. Part two evaluates the justness of South African debate in four arenas of civic performance, action and argument at three geographic levels. The article argues that the liberal moment in South African politics was dominated by a state that prompted significant institutional reform, dramatically opening the South African public sphere. Nevertheless, sexism, a lack of education, skills and resources minimised women's ability to take advantage of these changes.*

### **Introduction**

South Africa is a stellar example of what women can achieve during a democratic transition. Dramatically different in results from the transitions in Eastern Europe where women's role in politics, work and society was retrenched, more comparable to Latin American transitions where women won greater participation and space for political action, South Africa's dramatic and impressive achievements have been an inspiration to activists and feminist scholars. Just prior to the country's first non-racial elections in 1994, women in the African National Congress (ANC) won a quota on the party lists that was largely responsible for their gaining an astounding 27.7 per cent of seats in parliament. Moving from the margins to the centre in a few short years, an array of formidable feminists suddenly occupied the corridors of power. New to parliament, they nevertheless accomplished much: the government approved the highest of international women's rights standards available, women's constitutional equality and reproductive rights were enhanced, new attention was paid to gender equality in the economy, and new institutional forums were established to ensure government accountability on gender issues. Astonishing in their speed and scope, women's legislative victories in South Africa during the liberal moment instantly garnered the new government widespread attention and international accolades.

The praise was deserved. From 1994 to 1996 the Government of National Unity (GNU) prompted an expansion of the South African public arena, contesting and reformulating

---

\* This article is drawn from the sixth chapter of the author's doctoral dissertation, 'Just Debate: Culture and Gender Justice in the New South Africa' (New School University, 2005). Earlier versions of this article were presented at the 2002 North Eastern Workshop on Southern Africa in Burlington, Vermont and at the 2002 Midwest Political Science Association Conference. I am grateful for commentary from Pamela Scully, Ivan Evans, Sarah Brooks, Elaine Schwartz, Debby Gaitskill and, especially, Shireen Hassim and David Plotke. The article has also benefited from the input of two anonymous reviewers. Political Science at the University of Witwatersrand and the Transregional Centre for Democratic Studies in Cape Town provided field research support.

the rules of political engagement. These two years were a decisive juncture in South African politics as foundational liberal rights and practices were instantiated by the state through the reform of law, institutions and cultural practices. Indeed, 1994 to 1996 was a quintessential 'liberal moment', when the ability of citizens to express their ideas was greater than ever before or since. The ANC-dominated GNU, a constitutionally mandated multi-party government comprising seven political parties, led the country during this optimistic two-year period. Under the guidance of the GNU, the Constitutional Assembly drafted the final Constitution and the Reconstruction and Development Programme (RDP) was born. Both projects embraced democratic participation as a means to legitimise and achieve their goals. Accordingly, rhetoric and popular commitment to civic activism shaped parliamentary debate, media reports and political culture. Never before had all of South Africa's people been invited to exercise their freedom of speech, to convey their ideas to regional and national parliaments, or to parade in the streets celebrating the ideals of their nation. It was thus a critical moment laden with opportunity for women and all South Africans.

By 1996, however, the ANC was modifying its emphasis on inclusion, moving toward the consolidation of party control as the political scene shifted. The coalition government dissolved as the Nationalist Party (NP) lost political saliency and withdrew from the GNU. In June 1996, the ANC rejected the RDP in favour of a market-oriented, less participatory framework for addressing the country's economic problems (known as Growth, Employment and Redistribution or GEAR), and in November the Supreme Court confirmed the final Constitution. The dissolution of a hated opposition, the movement of the ANC away from debating economic goals towards a commitment to capitalist economic growth, and an ending to the debate over foundational aims leading to the normalisation of parliamentary politics all signalled a narrowing of the public sphere. That contraction had profoundly negative effects on women who were relative newcomers to the public arena and dependent on state action to sustain their presence. By 1997, the ANC moved to capitalise on events and consolidate its control: opposition politics were branded as disloyal, the independence of the judiciary was challenged, and feminists were marginalised. In retrospect, the liberal moment from 1994 to 1996, although brief, provides a glimpse of South African democratisation at its pinnacle.

To assess what South Africans – and particularly South African women – achieved during the liberal moment, I draw on theories of deliberative democracy and focus on women's participation in public debate.<sup>1</sup> Once the foundational ingredients of a liberal democracy are established – such as broad-based citizenship, free and fair competitive multiparty elections, the rule of law, civil and political rights, an accountable military, limited executive power and an independent judiciary – assessing the depth and breadth of participation in public debate can provide a view on a less procedurally quantifiable, but nevertheless essential element of democratic life.<sup>2</sup> Participation has long been recognised

1 Simone Chambers notes that 'nearly everybody these days' embraces deliberation: liberals as well as self-proclaimed deliberative theorists. For deliberative theory, see A. Gutmann and D. Thompson, *Democracy and Disagreement* (Cambridge, Cambridge University Press, 1996); J. Mansbridge, 'A Deliberative Theory of Interest Representation', in M. Petracca (ed.), *The Politics of Interests: Interest Groups Transformed* (Boulder CO, Westview Press, 1992), pp. 32–57; N. Fraser, 'Rethinking the Public Sphere', in C. Calhoun (ed.), *Habermas and the Public Sphere* (Cambridge MS, MIT Press, 1992). For a review of the ways in which deliberative theory has recently been applied empirically, and for the source of the quote above, see S. Chambers, 'Deliberative Democratic Theory', *Annual Review of Political Science*, 6 (June 2003), pp. 307–26.

2 Various defined and measured, components of democracy generally include the above list, and may also include an assessment of political parties, government corruption and transparency, state responsiveness and centralisation. The most commonly used democracy indicator, Freedom House, quantifies citizens' right to participate in elections and run for public office, as well as their individual civil liberties. For discussions of how to calculate democracy, see A. Inkeles (ed.), *On Measuring Democracy: Its Consequences and Concomitant* (New Brunswick, NJ, Transaction Books, 1991) and D. Collier and R. Adcock, 'Democracy and Dichotomies: A Pragmatic Approach to Choices about Concepts', *Annual Review of Political Science*, 2 (June 1999), pp. 537–65.

by democratic theorists as being valuable, both because it ensures that the needs and interests of citizens will be part of the political process, and because participation has a salutary effect on citizens by encouraging them to reflect on their needs in relation to others, and the polity more generally. In short, participation creates citizens.

The tremendous success of South African women during the liberal moment provides a unique window for analysing the opportunities and obstacles that emerge when gender equality is embraced during democratisation. Conventional political practices provide only a limited glimpse of citizenship that affects government policy, and formal politics is not the only arena where public opinion is formed. Moreover, women and other minority groups are frequently marginalised in formal political activities, yet they may be active in other institutions that shape public policy.<sup>3</sup> Analysing an array of activism and communication in a democratic society – the formal *and* informal realms of political activity – can thus provide a richer picture of the stumbling blocks as well as mechanisms that enhance participation for all citizens in the public sphere.

To analyse the public sphere during the South African liberal moment, I examine women's access, voice and contestation in the state, civil and political society, political culture, and the media for the duration of the GNU – a two-year period beginning with the country's first non-racial elections of 1994 and ending in 1996 with the monopolisation of state power by the ANC. The next section of the article turns to theories of the public sphere and deliberative democracy to construct a model of the ideal just debate conditions for women in South Africa. I then evaluate women's actual participation in the South African public sphere from 1994 to 1996. The article concludes by analysing the relationship between democratisation and debate conditions, noting the key factors that promoted or limited women's participation during the South African liberal moment.

## Just Debate

Under fully realised conditions of just debate, vulnerable populations equitably participate and exchange views with others about 'problems, conflicts and claims of need or interest'.<sup>4</sup> Hence just debate requires the inclusion of a multiplicity of groups, various forms of communication, the existence of multiple subaltern publics, and discussion that goes beyond hegemonic notions of the common good. A *just debate* approach to the public sphere must therefore account for how power affects talk, and must construct a model that captures the full range of debate conditions.<sup>5</sup>

### *Deepening Debate*

Formal access to public arenas is insufficient in stratified societies because informal exclusions sustain dominant groups' control over dialogue.<sup>6</sup> To remedy such exclusions just debate thus requires *informal* inclusion as well, such as an invitation and extension of debate

3 For an overview of participation and a discussion on political versus non-political activity see K. Schlozman, 'Citizen Participation in America: What Do We Know? Why Do We Care?', in I. Katznelson and H. Milner (eds), *Political Science, The State of the Discipline* (New York, W.W. Norton & Co., 2002), pp. 434–6.

4 I. Young, *Inclusion and Democracy* (Oxford, Oxford University Press, 2000), p. 22.

5 This discussion of the public sphere draws on the work of Jurgen Habermas as well as his critics, most notably J. Landes, *Women and the Public Sphere* (Ithaca, NY, Cornell University Press, 1988); M. Ryan, *Women in Public* (Baltimore and London, The Johns Hopkins University Press, 1990); J. Meehan (ed.), *Feminists Read Habermas: Gendering the Subject of Discourse* (New York and London, Routledge, 1995); Fraser, 'Rethinking the Public Sphere'; and S. Benhabib, 'Toward a Deliberative Model of Democratic Legitimacy', in S. Benhabib (ed.), *Democracy and Difference: Changing Boundaries of the Political* (Princeton, Princeton University Press, 1996), pp. 67–94.

6 Formal means of inclusion range from the legal right to vote to 'campaign finance regulation, lobbying regulation, corruption investigation, mandates for hearings, procedures for public comment, commission membership voting procedures, and so on', designed to protect voters' preferences. Young, *Inclusion and Democracy*, p. 55.

to subordinate populations and groups; additional incentives for the dominated to speak (for example, a demonstrated capacity by the powerful to consider claims of injustice seriously); and publicity for the subaltern so that they might organise and direct their speech effectively to contest the status quo.<sup>7</sup> To facilitate broad participation, various forms of expression must also be heeded, from articulate parliamentary speeches to passionate disruption and dissent, to storytelling, ceremonial display and public acknowledgement.<sup>8</sup>

Just debate also facilitates a broad range of participants and a wide-ranging agenda. Anyone affected by an issue and who is willing to listen to others, to revise her opinion and to enter into agreements – regardless of her commitment to mainstream norms – can be included in discussions. Just debate thus effectively includes marginalised and repressed participants, and marginalised and repressed ideas, promoting expansive discussions. As a result, ‘assumptions that were previously exempt from contestation will have to be publicly argued out’.<sup>9</sup> The aim of just debate is to prompt greater participation of marginalised populations in a public dialogue that includes deliberation over a broad range of issues. While fully open and inclusive debate will rarely be achieved in existing democracies, debate conditions can nevertheless be located and evaluated according to the model detailed below.

### *Locating and Evaluating Debate*

Deliberative theorists note that social, cultural and political institutions, as well as communication networks, constitute the public sphere. Hence, the model detailed here focuses on public arenas of civic performance, action and argument:<sup>10</sup> first, policy decision-making bodies; then civil and political society (civic associations, non-governmental organisations and political parties);<sup>11</sup> third, political culture (public events, parades and ceremonies); and finally, the media. In these arenas the public formulates and promotes a variety of ideals, displays and challenges their meanings, and critically appraises norms.

A model for evaluating just debate also needs to account for the diversity of participants. For the South African case, I therefore analyse the arenas of decision-making, political and civil society, political culture and the media at three levels: national, urban and rural (see Figure 1). The national level includes institutions, events and media coverage that had a countrywide, centralised governing structure or that occurred across the country; it had a much higher percentage of whites and economic elites than elsewhere. The urban level focuses on institutions and events that were centred in cities, where more prosperous blacks and the majority of whites lived. The rural level includes farmlands and impoverished black Africans living in informal settlements in close proximity to urban centres. Poor black African women were concentrated here in high numbers.<sup>12</sup> In the absence of disaggregated

7 Publicity is not embraced as an ‘unambiguous’, direct means of attaining justice, but as a necessary condition for problematising hegemonic ideas and for communicating new interpretations. It is a tool for engaging in contestation. For a discussion of the limits of publicity, see N. Fraser, ‘Sex, Lies and the Public Sphere’, *Critical Inquiry*, 18 (Spring 1992), pp. 610–11.

8 Young examines three diverse forms of communication – greeting, rhetoric and narrative – and explains the significance of each. Young, *Inclusion and Democracy*, pp. 52–80.

9 Fraser, ‘Rethinking the Public Sphere’, p. 124.

10 These arenas are ideal types and function as heuristic guidelines. In actuality, there is much overlap and interaction among them.

11 During this period in South Africa civic associations, political movements and parties were frequently interconnected. See J. Cherry, K. Jones and J. Seekings, ‘Democratisation and Politics in South African Townships’, *International Journal of Urban & Regional Research*, 24, 4 (December 2000), pp. 889–906.

12 Black, coloured, Indian and white racial categories inherited from the apartheid era remain salient markers of economic and social status in South Africa. In 1995, 95 per cent of the impoverished population was black African, and rural areas accounted for 75 per cent of this total. S. Baden, S. Hassim and S. Meintjes, *Country Gender Profile: South Africa 1998* (Pretoria, Sida and Bridge, IDS, 1998), p. 38.

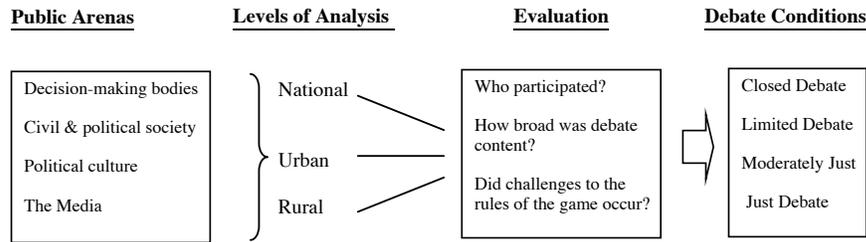


Figure 1. Locating and Evaluating Debate in South Africa, 1994–6.

data that account for class and racial differences, the model relies upon national, urban and rural geographic levels to serve as a rough proxy for race and class.

How can women’s participation across the key arenas of public debate and at each of the national, urban and rural levels be evaluated? The centre box of Figure 1 highlights the key elements for assessing debate conditions. The model includes both formal and informal means of inclusion by examining

- who participated (did women have access to the public arena?)
- whether women who were present could broaden debate content by expressing their needs and interests (were their voices heard?)<sup>13</sup>
- whether the rules of the game were challenged (could women successfully contest the status quo?).

Once the justness of debate is evaluated the openness and inclusiveness of debate conditions can be categorised. Completely closed debate excludes all women, preventing any access or voice, and few – if any – challenges to male hegemony occur. In contrast, limited status indicates that at least some women are present in the arena, but that they are an audience, not participants, to the proceedings. Under limited debate conditions, women’s access is symbolic, not self-initiated, and their vocal and physical expression conforms to ritualised responses. Women are frequently physically segregated to control and minimise their impact, and if contestation occurs it will be expressed indirectly, discreetly.<sup>14</sup> In contrast, in a moderately open arena some women not only have access but also have an active, unscripted role. Women’s participation is integrated so that they are equal to men across time and space; they participate in debate on a number of issues and are no longer merely present. Indeed, many will be protagonists, shape decision-making and express their interests directly. Finally, a fully open and inclusive arena will include a diversity of women who speak with a variety of communicative styles about the full range of their interests and needs, contesting and reshaping the rules of the game. Applying this spectrum enables us to evaluate the meaning and impact of women’s access, voice and contestation in the South African public sphere.

The just debate model focuses on how inequalities in power affect the capacity of citizens to participate in public debate. The less open and inclusive the debate, the more deliberation becomes a tool for the powerful to promote policies that serve elites better than the subordinate. Clearly then, the higher the levels of participation by women the more inclusive public life becomes. Did democratisation in South Africa during the liberal moment provide

13 Fraser, ‘Rethinking the Public Sphere’, pp. 123–6.

14 Ryan’s description of women in the public sphere in the United States during the first half of the nineteenth century falls into this category on the spectrum.

women with new opportunities to participate in the public sphere? What did women achieve and what obstacles remained?

## Women in Public Debate

Women's participation in South African public debate was dramatically reshaped when the GNU came to power after the first non-racial elections in April 1994. Contrary to the classic vision of the public sphere as bourgeois in origin, the South African state was responsible for the emergence of newly inclusive public arenas where it was hoped all South Africans could equitably participate. State endorsement of women's participation was marked by some notable success. Women comprised nearly 30 per cent of the new South African parliament and the Constitutional Assembly sponsored a campaign for debating constitutional principles that addressed women and other marginalised groups. The state also endorsed the participation of civil associations (including women's advocacy groups) in shaping policy-making, created a new civic culture that celebrated women's achievements, and initiated media reforms to include and reflect all South Africans. In short, the GNU advanced civil and political rights necessary for South Africans to engage in public debate, and demonstrated that it would also promote informal inclusion by targeting traditionally excluded populations such as women.

While the ANC-led government produced more open and inclusive debate for women in several arenas that had been virtually closed, sexism, a limited pool of talented leaders, scarcity of resources, underdeveloped skills, and an infrastructure shaped by apartheid meant all women were faced with serious obstacles in their quest to participate in the public sphere. In the national parliament, female elites were challenged as women by a pervasive sexism. Obstacles multiplied beyond the doors of parliament, threatening to silence women altogether across arenas at the rural level, minimising women's participation in the media, challenging women's unity in civil society at the national level and undermining their ability to act at the urban level. The achievements in the national parliament, while impressive, were thus an exception and not a representative indicator of female participation in the South African public sphere. Indeed, at the end of the liberal moment, structural constraints presented significant barriers to women's access, voice and contestation in all arenas.

### *Decision-Making Bodies: The National Assembly*

Women had an opportunity to increase their access, voice and contestation in the formal political arena during the liberal moment as institutional practices and the rules of the game throughout this period were in flux. The commitment of the ANC to equality suggested it would be receptive to female participation and gender sensitive policies. In 1994, the celebrated first non-racial elections placed 117 women in the new South African parliament and boosted a significant number of women into the Cabinet.<sup>15</sup> The gender quota adopted by the party signalled new political standards and inspired other leading South African parties to promote women in their ranks.<sup>16</sup> The dramatic increase of female MPs (Members

15 After the 1994 election, women held 15 per cent of Cabinet ministry positions and 56 per cent of Deputy Ministers were women. S. Hassim, 'The Dual Politics of Representation: Women and Electoral Politics in South Africa', *Politikon*, 26, 2 (1999), pp. 206–7.

16 For a detailed discussion of women's representation in electoral politics in South Africa see J. Ballington, 'Political Parties, Gender Equality, and Elections in South Africa', in G. Fick, S. Meintjes, M. Simons (eds), *One Woman, One Vote: The Gender Politics of South African Elections* (Johannesburg, Electoral Institute of Southern Africa, 2002), pp. 75–101. South Africa moved in a single year from being one of the most sexist parliaments in the world to ranking among one of the most representative.

of Parliament) intensified the rhetoric of equality and opportunities for change, and raised expectations, yet women continued to struggle with marginalisation.

Once women gained access to the national parliament, they had to battle for acceptance so that their voices would be heard. Immediate institutional problems included a lack of women's toilets and on-site childcare, a lack of legal training and support, meetings lasting into the late hours of the night encroaching on women's traditional family responsibilities, and geographic separation from family members.<sup>17</sup> Within parliament, women were excluded from informal decision-making processes and lacked the necessary unity to create alternative forums. As ANC MP Pregs Govender noted: 'The reality is that a lot of decisions affecting society as a whole get made over whiskies in the pub by members of the old boys' club ... Women lack the same networks and don't operate like that.'<sup>18</sup> Party loyalties, class and racial diversity prevented women MPs from acting as a group, hindered the development of networks, and hampered the emergence of a co-ordinated strategy to advance equality.<sup>19</sup> Their disorganisation did not inspire male support.

Indeed, male attitudes towards women constituted an additional set of barriers, limiting female MPs' ability to be heard. Women's participation was trivialised and devalued, and gender politics were viewed as disruptive or irrelevant. In May 1995, Frene Ginwala, elected as Speaker in 1994, was referred to as Mr Speaker 34 times in one speech.<sup>20</sup> The formal and aggressive culture of parliamentary debate was an additional impediment. Men's different debating styles intimidated some female MPs, so they felt disempowered and discouraged from speaking. Moreover, many women were under-skilled and ill prepared for the work culture of parliament. Mahau Phekoe of the Women's National Coalition noted, 'At the last budget speech, three women commented on the budget. One read a speech written in English. She struggled with what she had to say ... Comments were made on her bad delivery. The other two had done no research. This discredited these women.'<sup>21</sup> A gender gap in communication styles and skills created informal barriers, hindering women's capacity to broaden debate content.

Despite these barriers, through the leadership of the ANC Women's Caucus and the support of ANC party leadership, women MPs were successful in contesting the legal status of women in the country and in creating new governmental institutions with the sole purpose of advancing gender equality. The Beijing Platform for Action was signed, and the government ratified the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), solidifying its image as a modern, liberal state in the international community. By 1994, ANC commitment to women's individual rights had increased, and the Constitutional Assembly approved a stronger equality clause than the Interim Constitution contained, one that promoted substantive equality. Inequities in taxation of married women were ended, maternity rights and improved working conditions for women were legislated, The Termination of Pregnancy Act of 1996 provided better access to abortion, a Women's Budget was initiated, the Commission on Gender Equality and Office

17 G. Davis, 'Women MPs Report Progress ... of a Kind', *Sash* (May 1995), pp. 17–20. 'Women Want More Change', *Parliamentary Whip*, 4 April 1996, p. 2. 'From Standing Committee to Empty Desk: A Case Study in Breaking Barriers', *Democracy in Action*, 15 July 1996. 'Where have All the Women Gone?', *Agenda*, 24 (1995), p. 22.

18 Davis, 'Women MPs Report Progress ... of a Kind', p. 18.

19 Women MPs publicly cited race, class and party divisions as obstacles to women's unity. *Ibid.*, 'Race, Class Easier Issues than Gender', *The Star*, 31 March 1995; and G. Geisler, 'Parliament is Another Terrain of Struggle': Women, Men and Politics in South Africa', *Journal of Modern African Studies*, 38, 4 (December 2000), p. 622.

20 Geisler, 'Parliament is Another Terrain of Struggle', p. 618.

21 S. Meer, *Women Speak: Reflections on Our Struggles 1982–1997* (Cape Town, Kwela Books and Oxfam Great Britain in association with SPEAK, 1998), p. 163.

on the Status of Women were established, and most significantly, the Ad-Hoc Joint Committee on Improvement of Quality of Life and Status of Women was organised.<sup>22</sup> Women's victories were not easily won, but, supported by a strong political party that wished to prove its commitment to equality and transformation, female MPs were successfully able to contest some longstanding rules of the game and institutionalise forums for change.

### *Decision-Making Bodies: Provincial and Local Government*

Women's access, voice and contestation in the National Assembly were certainly impressive compared to female participation in the far less organised and poorly funded provincial and municipal governments at the urban level. The men and women who worked in provincial and municipal governments had less expertise than their counterparts in the National Assembly. This meant women had less competition, but that did not necessarily translate into greater access. Women's access to the provincial legislature averaged approximately 23 per cent, and only one out of nine provincial premiers was female.<sup>23</sup>

Because of lower skill sets and resources, women in the provincial legislatures felt unprepared and unable to voice their needs and interests. ANC Member of the Provincial Legislature (MPL) Mary-Agnus Lehola from the North West province argued that her position had made her less confident as she lacked information and the means to do her job: 'I feel disempowered. I am no longer as good an administrator as I was before I came to parliament.'<sup>24</sup> Moreover, women in the provincial governments lacked the expertise to contest effectively the exclusion of gender issues. Several provincial governments, for example, established 'Gender Commissions', which tended to be poorly administered and did not understand that their function should be different than that of a non-governmental organisation (NGO).<sup>25</sup> Most of these new institutions either failed or were later transformed. While the new organisations signalled that women in the provincial parliaments were able to challenge the rules of the game during the liberal moment, this did not translate into effective action. Not surprisingly, women MPLs overwhelmingly felt they had to work harder to be recognised for their efforts, wanted more access to decision-making positions, and needed more support so they would be able to put their skills to use.<sup>26</sup> At this early stage, control was the immediate goal so that they could *begin* to voice their needs and interests.

At the local (urban and rural) level, similar obstacles meant women here also faced limited debate conditions. The electoral system for local elections was based on a combination of wards and proportional representation, and as a result women accessed a smaller proportion (approximately 19.04 per cent) of local government seats.<sup>27</sup> Once elected, some female councillors found it difficult to be present at meetings because, for example,

22 For a discussion of the Women's Budget see D. Budlender (ed.), *The Women's Budget* (Cape Town, Idasa, 1996). The Office on the Status of Women (OSW) and Commission on Gender Equality (CGE) began functioning in 1997. Until 1998 the Ad-Hoc Joint Committee on Improvement of Quality of Life and Status of Women was not recognised as a full-fledged committee, had no budget, no official recognition in parliament, and no administrative staff despite its sweeping mandate to monitor the government's adherence to the Beijing Platform for Action and CEDAW. Nevertheless, under the skilful leadership of ANC MP Pregs Govender the Joint Committee spearheaded the Women's Budget and would continue to promote women's issues in parliament for the remainder of the decade.

23 Community Agency for Social Enquiry (CASE), 'Synthesis Report on the Participation of Women in Parliament', May 1999, p. 12.

24 T. Songo, 'Women in Parliament: A Double-Edged Sword', *Provincial Whip*, 28 November 1996, p. 2.

25 C. Albertyn, 'Gender Equality in the Provinces: The Question of Structures', *Agenda*, 31 (1996), pp. 6–17.

26 Songo, 'Women in Parliament: A Double-Edged Sword', p. 2.

27 A. Coetzee and S. Naidoo, 'Local Government', in G. Fick, S. Meintjes, M. Simons (eds), *One Woman, One Vote: The Gender Politics of South African Elections* (Johannesburg, Electoral Institute of Southern Africa, 2002), p. 179.

they had to travel through dangerous areas.<sup>28</sup> An underdeveloped infrastructure and pervasive sexism also limited women's ability to broaden debate content and challenge the status quo. When women did obtain office at the local level they were frequently placed in ceremonial positions.<sup>29</sup> Lack of education and experience hindered their ability to express their needs and interests. The pervasiveness of sexism left some speechless. Councillor and MEC of the Greater Pretoria Metropolitan Council, Alice Coetzee reported the following conversation at one meeting: "So what do you really do?" An elderly male councillor asked me as we sat waiting for a Council meeting to start. Seeing my nonplussed expression, he added helpfully, "I mean, are you a housewife?"<sup>30</sup> Disabling male attitudes and the smaller number of women in local government meant that very few female councillors could actively contest debate conditions.

The most discriminatory locale for female politicians, however, was in rural areas where traditional male dominance was overwhelming and debate conditions were nearly closed. Typically, villages were co-managed by hereditary chiefs, their headmen and local government officials. As over 64 per cent of rural South African women during this period were illiterate, and most spent their days obtaining water, firewood and attending to other household needs, few had the skills or time to engage in formal politics.<sup>31</sup> Moreover, women who attempted to enter rural government were challenging more than an incumbent. One woman in Melmoth explained the dilemma presented by new local government institutions: 'If I stand for a position in my area's local government, I'll be seen as opposing the structures that are in existence at the moment and thus the entire society. There is just no culture of women participating in the political life in our societies.'<sup>32</sup> Established systems of authority frequently rejected female participation, excluding them not only from community decision-making meetings and councils, but also from speaking at disciplinary hearings.<sup>33</sup> Given women's highly circumscribed access to these decision-making bodies, at best the rural arena provided a minimum of limited debate conditions.

Although local, and especially rural, government was only marginally open to women, the National Assembly provided indications that it was becoming a moderately open and inclusive political decision-making body. The dominance of the progressive-leaning ANC at the national level provided women with access and sufficient support to change institutional cultural patterns and to challenge publicly the sexism of male MPs. They also had several important victories, such as initiating the Women's Budget. Women MPs thus were operating in a moderately open and inclusive environment from 1994 to 1996. Unfortunately, rural government at times appeared functionally closed to women, while female councillors and MPLs in urban settings operated in an intermediate zone, achieving limited leverage.

### *Civil and Political Society: Women's Organisations and NGOs*

The emergence of an ANC-dominated government drew talented female leaders of civil and political society into the state and radically transformed the role of civic associations and

28 'High Risk for Council Women', *The Argus*, 9 August 1995.

29 A. Karras, 'Real Gender Equality Essential', *The Star*, 28 August 1996.

30 A. Coetzee, 'From Standing Committee to Empty Desk: A Case Study in Breaking Barriers', *Democracy in Action*, 15 July 1996.

31 'Shattering the Gender Barrier', *Daily News* (Durban), 21 June 1996. S. Hargreaves, 'The Land Reform Pilot Programme: Capturing Opportunities for Rural Women', *Agenda*, 31 (1996), pp. 20–21.

32 Quoted in N. Zondo, 'Rural Women Pessimistic', *Agenda*, 26 (1995), p. 24.

33 Variation in labour systems and access to land in rural areas was substantial. Nevertheless, female economic dependence and lack of political participation were the norm. For example, see J. Small, 'Women's Land Rights – Case Study in Lebowa' (Johannesburg, Transvaal Rural Action Committee, 1994) and S. Meer (ed.), *Women, Land and Authority: Perspectives from South Africa* (Cape Town, David Philip, 1997).

NGOs into legally recognised ANC partners (and in some cases, subsidiaries). Yet, as the relationship between state and society changed and feminists moved into the government, the women's movement floundered. Although women's increased access to the state, international funding support for gender issues and the emergence of activism at the urban level indicated great opportunity, the simultaneous loss of national leadership, male dominance of most urban associations, and continued repression of rural women brought the movement to a crisis. Struggling to recapture the dynamism of the early transition phase, the women's movement simply did not have the capacity to simultaneously lobby the national parliament, capitalise on expanding prospects at the urban levels, and effectively contest male hegemony in rural areas.

The immediate impact of the liberal moment on women's participation in civil and political society at the national level was thus to *weaken* the voice and contestation of key institutions, like the Women's National Coalition (WNC), that had previously directed the women's movement. In 1994 the WNC presented a Women's Charter to parliament and proposed to promote it by lobbying the government and educating the public.<sup>34</sup> However, when the WNC decided to break its link to political parties and ruled that female MPs could not hold an official position in the organisation, it lost its leadership and political leverage, and left the women's movement without a strong umbrella organisation able to articulate effectively needs and interests, or challenge South African patriarchy.<sup>35</sup>

Loss of leadership at the national level did not generate a decline in participation at the local level. Where women's views had previously been canvassed by the WNC and channelled into a Charter, activists across the country were now increasingly organising around specific interests, providing greater (albeit dispersed) organisational access for women.<sup>36</sup> In the mid-1990s, gender inequality was a significant issue among South African NGOs and women across the country were participating in a variety of associations.<sup>37</sup> Gender workshops, conferences, training, empowerment courses, seminars and centres multiplied, providing crucial opportunities for women to organise and insert their voices and demands into the public sphere.<sup>38</sup> Thus, urban women's access to civil and political society proliferated during the liberal moment.

Yet female activists at the urban level faced informal barriers, including sexism. Male dominance permeated organisations in civil society and often silenced women. It was commonly noted that women were prevented from taking leadership roles in community organisations, and that the leadership was 'almost exclusively male'.<sup>39</sup> One Mothers' Union leader explained that 'on the school committee her contributions are discounted because, they say, she is "emotional" or because, since she is a widow and therefore runs her own home, she wants to dominate proceedings'.<sup>40</sup> Male dominance explains why women were most active in organisations that supported basic survival needs, as opposed to civic concerns.<sup>41</sup> Although more women were active and more women's organisations emerged

34 'Women's Activists Chart New Course', *The Citizen*, 21 June 1994 and B. Spratt, 'Resource Centre Aims to Bring Women's Charter to the People', *The Sunday Independent*, 7 April 1996.

35 A.M. Goetz and S. Hassim, 'In and Against the Party: Women's Representation and Constituency-Building in Uganda and South Africa', (conference paper for UNRISD's Beijing +5 Review, June 2000), p. 17.

36 Human Sciences Research Council Press Release, 28 November 1999.

37 The WNC estimated that approximately 2,000 women's organisations existed in the country during this period. Baden, *et al.*, *Country Gender Profile*, p. 110, n. 140.

38 Public discussion of women's activism in civil society filled the pages of *Agenda* and appeared in newspapers throughout the country. For example, see S. Hassim, 'Filling the Gaps', *Agenda*, 29 (1996), pp. 62–5; S. Hendricks, 'Fighting an Agenda of Sexism', *The Star*, 28 November 1994 and B. Spratt 'Giving the People a Platform for Action', *Sowetan*, 14 December 1995.

39 J. Robinson, 'Act of Omission: Gender and Local Government in the Transition', *Agenda*, 26 (1995), p. 17 and C. White, 'Democratic Societies? Voluntary Association and Democratic Culture in a South African Township', *Transformation*, 36 (1998), p. 8.

40 White, 'Democratic Societies?', pp. 30–31.

41 *Ibid.*, p. 29.

during this period, sexism still operated as an informal means of preventing women from fully participating.

In rural regions, access to women's organisations and the right to speak and be heard at civic meetings was a critical problem. Often, women's organisations and activities centred in urban areas were unable to make connections with rural women because of limited roads and communication.<sup>42</sup> In isolated regions, where chiefs ruled over a predominantly female population, sexism was acute. Cheryl Walker recounts an exchange during a meeting in the Natal Midlands that was prompted by an NGO worker's suggestion to elect women to a committee:

A woman's voice came out of the crowd and said 'But we are not allowed to speak'... An old man said: 'It has always been said that men are better than women, but I know there are some women here who can do things better than some men.' There was much clapping of hands by the women. A man stood up and said: 'A woman will not be over me as long as I live.' There was much noise after this. Another man then got up and said: 'OK, it's alright now for women to take over, because the tough fight with the government for land is now over.' At this an older woman responded that he was being unfair since women had also fought the battle for more land.<sup>43</sup>

The community meeting revealed that rural women's participation was controversial and only just beginning to be debated, but it was not impossible to challenge their exclusion. Clearly, men and women could debate the rules for women's inclusion, even though women 'were not allowed to speak'. In contrast to the urban level, where women were organising around specific gender issues, isolated rural women were only beginning to speak out in public forums, tentatively challenging the sexist boundaries of participation.

At the national level the women's movement had lost the ability to inspire and direct reform. However, the emergence of new organisations, interests and the early stages of gender integration in NGOs indicated the promise of a more inclusive civil society at urban levels. Despite the loss of national leadership, women did not stop organising and acting, as many feminists at the time feared. Instead, grassroots groups emerged that enabled urban women to speak out and make demands about specific gender issues. However, as the relationship between state and society changed and international funding moved from civil society to the state during the liberal moment, women scrambled to adjust. Pervasive sexism at the urban and rural levels and the extraordinary marginalisation of rural women continued to hinder the participation of South African women. The result was a movement struggling to fill the demands of moderately open and inclusive debate conditions at the national level, while rural and urban organisations began to challenge the boundaries of a civic arena with limited participation.

### *Civil and Political Society: Political Parties*

In contrast to the new urban women's NGOs that signalled an increase in activism, most South African political parties embraced the rhetoric of gender equality but did little to increase women's activism. Although some promoted women's rights in principle, hardly any were willing to address gender discrimination *within* their own organisations. Intense internal party divisions, accusations by conservatives of unfair treatment by the ANC, and controversy over continued political violence characterised political parties at the liberal moment. Amidst these difficulties, politicians found it convenient to endorse women's rights to highlight their commitment to non-sexism and the 'new' South Africa. However, while most political parties followed the example of the ANC and advanced some female

42 Baden *et al.*, *Country Gender Profile*, p. 23; 'Focus on Women', *Sowetan*, 14 November 1994.

43 C. Walker, 'Reconstructing Tradition: Women and Land Reform', in P.B. Rich (ed.), *Reaction and Renewal in South Africa* (London, Macmillan, 1996), pp. 146–7.

candidates in the 1994 national elections, few women achieved access to party policy making, and expressing their demands for equality or challenging the status quo was not a path to political power.

Most of the leading political parties endorsed gender equality in their platforms in 1994, and certainly all felt pressure to demonstrate visibly that women had access to political positions. With a high percentage of women in the Cabinet, the ANC sent a clear message that the party took women's presence in government seriously. The ANC also far outstripped other parties by having women comprise approximately one-third of the top 100 candidates on the party lists.<sup>44</sup> Finally, they also attended to women's representation at the local level. In 1995, with the first local government elections, the ANC again promoted women on its party lists, although with less success.<sup>45</sup> After the elections, prominent party members advocated greater female representation at the local level.<sup>46</sup> However, gender issues were increasingly relegated to the ANC Women's League (ANCWL), and were primarily perceived as a numbers game to increase ANCWL members in formal politics, as opposed to a systemic means of expressing women's needs and interests or contesting male dominance. A driving force behind the quota, the ANCWL was thus not able to achieve the same success in winning support when it came to ANC elections for party leadership. During the liberal moment, the party remained heavily male dominated and women's voices were tempered.

Greater numbers in government was a basis for agreement among women in politics, not just for the ANCWL, but this common bond on access did not translate into cross-party action. The other leading political parties of the period, the Nationalist Party (NP) and the Inkatha Freedom Party (IFP), had less progressive positions on women than the ANC, and neither supported a quota. Female politicians who were united in support of access thus were divided when it came to policy making, as party principles guided their demands. The NP had a view of gender relations as biologically determined. Quotas were rejected on the basis that they conflicted with merit-based promotion through the ranks, so the party submitted lists in 1994 with women constituting only a little over 11 per cent of the total.<sup>47</sup> Traditionally, women's participation in the party was to support male politicians, not to run as candidates themselves. Certainly it was true that some women could rise through the ranks of the NP, but as Martha Olckers observed, 'you had to be dynamic, you had to market yourself and get things done, and you were judged more than a man ... women worked harder than men'.<sup>48</sup> Women were not usually available to move up the party ranks and to be present at conferences during the mid-1990s – much as the NP would have liked to showcase them – because there were not many active female politicians at the local levels. This was not surprising as attitudes toward women in the party at the time were disabling. Alice Coetzee notes that a proposal for a Women's Equity and Empowerment Committee in Pretoria was 'literally laughed out of the Executive Committee by the National Party ...'.<sup>49</sup> In such an atmosphere, female politicians such as Olckers were a rarity, and women's access, voice and contestation were circumscribed.

The party that mobilised the largest group of women was the Inkatha Freedom Party. However, the IFP conceived of women as mothers and wives, and actively discouraged any

44 However, only one woman – Albertina Sisulu – was in the top ten, and only ten women were in the top 50. C. Powers, 'Moving Slowly Up the Gender Ladder', *The Star*, 14 May 1999. For the number of female MPs in 1994 and 1999 by party, see Hassim, 'Women and Electoral Politics', p. 205.

45 The exceptions were Durban and the Cape Town areas. Coetzee and Naidoo, 'Local Government', p. 192.

46 Minister of Constitutional Development Valli Moosa publicly endorsed change. Commission on Gender Equality, 'Submission to Department of Constitutional Affairs in terms of section 11(1) of the Commission on Gender Equality Act 39 of 1996', p. 7.

47 Ballington, 'Political Parties, Gender Equality, and Elections in South Africa', p. 89.

48 Interview with NNP MP Martha Olckers, Cape Town, 22 July 2003.

49 Coetzee, 'From Standing Committee to Empty Desk'.

questioning of patriarchy. Thus, while women's large numerical presence in the party certainly overturned their customary exclusion from politics – particularly at the urban and rural levels – women's role was predetermined, choreographed to reinforce and glorify their traditional, circumscribed social position, not to broaden debate content or challenge the status quo.<sup>50</sup> The IFP argued that women's active role in the party demonstrated a quota was not necessary. Nevertheless, the party ensured that a sufficient number of women were placed high enough on the party lists to secure 23 per cent of their seats for women.<sup>51</sup> An IFP MP since 1994, Suzanne Vos insists that despite women's activism in the party, men run the IFP and *all* political parties in South Africa. As a result of women's subordination in the IFP, Vos argues that they tend to be insecure and 'predatory': 'because we have a patriarchal society women depend on men for patronage in terms of their places, because ... the men are the bosses of the parties'.<sup>52</sup> In this context, women may have access to activism and even gain a party seat in the national parliament, but their ability to express interests different from those of the male standard bearers would obviously be constrained. The IFP sustained male dominance at the urban and rural levels as well. In rural KwaZulu-Natal where the party dominated, the IFP was given free reign to design government structures under the Local Government Transition Act, and feminists worried that women would not achieve opportunities to break through the barriers of traditional governmental structures.<sup>53</sup> The extraordinary hierarchy of the IFP and its patriarchal ideology not only perpetuated the one-man rule of Mangosuthu Buthelezi, it also controlled female participation and limited women's voice and contestation as well.

Thus, in the NP and IFP women's access and voice remained limited at all geographic levels; while women's participation in the ANC was significantly more advanced, the party hierarchy was dominated by men. The ANC quota and the endorsement of gender equality were won *before* the 1994 elections, and few additional measures were taken by political party structures during the liberal moment. In civil society the story was complex as women at the rural and urban levels began to mobilise and challenge traditional sexism in forums with limited debate conditions. Unfortunately, they were not effectively supported by national organisations, which were struggling to cope with the drain of capable feminist activists to the formal political arena. The strain on the national level revealed the shallow capacity of the women's movement. Overall, women's participation in civil and political society was limited.

### *Political Culture: The Public Participation Programmes*

Under apartheid, the South African nation was deliberately divided into racial groups. Instead of invoking national symbols of unity, the state followed a strategy of divide and rule by avidly constructing indigenous diversity to justify apartheid policies. Exclusion and oppression engendered a black political culture of protest, opposition and resistance. The first non-racial elections of 1994, however, dramatised the potential of majority rule, inclusiveness, and reconciliation. The ANC's quest for a new political culture based on civic ritual and celebration was begun. The theme of national unity was evocatively expressed in Thabo Mbeki's inclusive refrain, 'I am an African', at the ceremonial signing

50 S. Hassim, 'Equality Versus Authority: Inkatha and the Politics of Gender in Natal', *Politikon*, 17, 2 (December 1990), pp. 99–114.

51 Ballington, 'Political Parties, Gender Equality, and Elections in South Africa', p. 90.

52 Interview with IFP MP Suzanne Vos, Cape Town, 23 July 2003.

53 Zondo, p. 23 and L. Ndlela, 'Comments: On Where Rural Women ARE in Local Government', *Democracy in Action*, 15 July 1996.

of the Constitution. In addition to extending civil and political rights to all South Africans, the state thus aimed to construct a national political culture that was participatory and inclusive.

Expressing its commitment to public participation, the Constitutional Assembly insisted that deliberation was an essential component of the new Constitution, and that public involvement would secure the legitimacy of the document and the nation.<sup>54</sup> In 1994, the Assembly created a series of Public Participation Programmes (PPPs) that involved media campaigns, educational workshops and meetings across the country. The PPPs were a distinctively South African structural innovation to promote public deliberation.

The Public Participation Programmes were designed not only to educate citizens about the Constitution, but also to provide the opportunity for the public to make submissions directly to the Assembly; citizens were thus encouraged to imagine themselves as both 'audience and participant'.<sup>55</sup> Key values guiding the programmes included transparency, consultation and inclusiveness. A Plain Language Initiative was conceived to make the *Refined Working Draft* accessible to as many people as possible. A media campaign to 'inform, educate, stimulate public interest, and create a forum for public participation' was initiated through radio and television, print advertisements, a tabloid, an internet site, and a *Constitutional Talk-Line*. Over five million copies of the *Refined Working Draft* of the Constitution were circulated.<sup>56</sup>

Constitutional Public Meetings (CPMs) were also held on the weekends in rural areas and places where media access was limited, to ensure all South Africans would be able to participate. Public transportation was provided to the meetings from a variety of locations, translation into local languages was available, and a Constitutional Education Programme was held in conjunction with the meetings to inform people of the purpose and nature of a Constitution.<sup>57</sup> Efforts were also made to ensure that CA members who addressed the public did not use the meetings to promote party politics.<sup>58</sup> At the first meeting, over 600 people voiced their concerns about the economy, housing and issues relating to children.<sup>59</sup> The Public Participation Programmes eventually generated meetings involving over 20,000 people across all the provinces, cost R31 million, produced more than two million submissions to the Assembly and placed the constitution on the national public agenda.<sup>60</sup>

A survey commissioned by the CA and undertaken by the Community Agency for Social Enquiry (CASE) in the spring of 1995 (a year after the campaign was initiated) evaluated the success of the PPPs. CASE found that 70 per cent of South African women were familiar with the media campaign, 49 per cent had read the *Refined Working Draft* (men scored a much higher 72 per cent) and demand for information about the Constitution was 'similar across

54 'Debates of the Constitutional Assembly 24 May to 5 September 1994', *Hansards*, 1 (Cape Town, The Government Printer, 1994), pp. 120–22. For a history of the public participation campaign see H. Ebrahim, *The Soul of a Nation: Constitution-Making in South Africa* (Cape Town, Oxford University Press, 1998), pp. 239–50.

55 P. Bell (ed.), *The Making of the Constitution: The Story of South Africa's Constitutional Assembly, May 1994 to December 1996* (Cape Town, Churchill Murray Publishers, 1997), p. 22. While submissions were invited, referred to in the Hansards and publicised, their substantive influence on the Constitution is open to doubt. For one account see H. Deegan, 'A Critical Examination of the Democratic Transition in South Africa: The Question of Public Participation', *Commonwealth & Comparative Politics*, 40, 1 (March 2002), pp. 43–60. At least one ANC negotiator has argued that they did enrich several sections of the Bill of Rights, although time pressures made 'referral back to the public' impossible. See 'Civil Society had Impact on CA Process', *Parliamentary Whip*, 17 May 1996, p. 7.

56 Ebrahim, *The Soul of a Nation*, p. 247.

57 'Educational Programme Empowers the People', *Constitutional Talk*, 9, 30 June–10 August 1995.

58 'Public Participation Kicks Off', *Constitutional Talk*, 3, 10–23 February 1995.

59 'The People of Paarl Speak', *Constitutional Talk*, 4, 24 February–3 March 1995. The average number of people attending CPMs was estimated at 500. 'First Phase of PPP Draws to a Close', *Constitutional Talk*, 8, 19–29 June 1995.

60 Bell (ed.), *The Making of the Constitution*, p. 22. To view a complete listing of the submissions see: <http://www.constitution.za>.

gender and rural/urban areas'.<sup>61</sup> In short, argued CASE, 'the CA succeeded in generating discussion among South Africans', and 'the CA campaign has reached a powerful position where the issues it deals with are entering public discourse'.<sup>62</sup> Through the PPPs, nearly half the women in South Africa had access to the *Refined Working Draft* of the Constitution and the majority had been exposed to the campaign.

However, despite the government's determination and efforts to open constitutional deliberation to as much of the population as possible, the continued marginalisation of women was evident. Women at national and urban levels at the forefront of the feminist movement or with connections to official organisations were readily identified by the CA and invited to attend workshops, however rural women were rarely even formally represented at these events.<sup>63</sup> Women (as well as men) in the IFP did not participate in the CA programmes, as the Party withdrew from the Assembly in early 1995. The potential for violence in KwaZulu-Natal and the opposition of the IFP to the Constitutional Assembly also hindered public participation at CPMs throughout that region.<sup>64</sup>

The most significant obstacle to women voicing their opinions or making demands, however, was their long-standing subaltern position in society. The CASE study revealed a significant 'gender differential'.<sup>65</sup> CASE found that women 'tended to be more unsure of their attitudes, and did not take strong positions', and that 'those who say they don't know what a constitution is are more likely to be African, female, and from rural or informal areas'.<sup>66</sup> Women who were concentrated in rural areas, had less education, had less exposure to electronic media and rarely read newspapers, and learned less than better educated South Africans about the Constitution. Even though their desire for information equalled that of men, their access, voice and contestation did not.

The creation of a temporary, all-inclusive public arena by the state was a vastly ambitious undertaking that had the potential to provide women across South Africa with the opportunity to become informed about and involved in debating the foundational principles of the new polity. Despite its intentions to overcome barriers to unequal access, the state was not able to create a fully open and inclusive public arena across the nation. Nevertheless, it was a remarkable achievement in a deeply divided society with high rates of poverty, illiteracy, unemployment and sporadic violence. Thus, the Public Participation Programmes temporarily established a moderately open and inclusive public arena at the urban and national levels, although not in the rural areas. Unfortunately, once the debate was over, this venue for popular participation closed.

### *Political Culture: Celebrations*

In addition to its commitment to generate an inclusive constitutional debate, the government also actively intervened in the political culture arena by celebrating the unity of the new nation and its foundational ideals with holidays, ceremonies, fairs and processions. Women were explicitly included in this emerging civic culture, where their new access was enacted

61 D. Everatt, K. Fenyves and S. Davies, 'A New Constitution for a New South Africa: Evaluating the Public Participation, Media, Education and Plain Language Campaigns of the Constitutional Assembly' (Cape Town, CASE, April 1996), p. 25.

62 *Ibid.*, p. 19.

63 L. Zulu, 'Role of Women in the Reconstruction and Development of the New Democratic South Africa', *Feminist Studies*, 24, 1 (Spring 1998), pp. 147–57. Also see V.L. Neophytou, 'Developing the Commission for Gender Equality', *Agenda*, 26 (1995), pp. 60–65 and V. Soobrayan, 'Custom, Religion and Women's Rights', *Agenda*, 25 (1995), pp. 47–50.

64 'Low Turnout at CPM', *Constitutional Talk*, 12 (8–21 September 1995). See the same issue of *Constitutional Talk* for a discussion of the Inkatha Freedom Party's position by IFP Senator Ruth Rabinowitz, 'On the Outside'.

65 Everatt *et al.*, 'A New Constitution for a New South Africa', p. 20.

66 *Ibid.*, pp. 27 and 32.

and displayed. Thus, women from all walks of life spoke at civic celebrations and initiated public ceremonies, conferences and pageants, widening public discourse as they infused it with new ideas and challenging their traditional exclusion from the public arena. During the unforgettable opening of parliament, former President F.W. de Klerk bowed to the new Speaker, Frene Ginwala<sup>67</sup> and President Nelson Mandela proclaimed that freedom required the emancipation of women. In 1994, amidst a dozen proposed holidays for the republic, the nation's senators unanimously approved National Women's Day,<sup>68</sup> and women sang and danced in the Eastern Cape provincial parliament to mark the occasion, as male MPs were exhorted to treat women as equals.<sup>69</sup>

Celebration and exhortation were the dominant themes. State-directed changes in South African culture, however, were largely limited to urban areas, although projected as national events and values.<sup>70</sup> To a large extent, tribal traditions dominated at the rural level, and except during times of acute crisis, women's participation was unusual. When challenged on women's marginal public status, chiefs responded by reifying the authenticity of custom. Chief Nonkonyana explained,

... we firmly believe that the entrenched values and norms in traditional communities must be acknowledged, promoted and protected. Our values and norms must not be regarded as inferior to Western norms and values, as seems to be the trend in some quarters in South Africa, especially urban areas.<sup>71</sup>

To gain the attention and respect of male leaders when acting in public, women would wear traditional dress, thus using custom to legitimise their presence.<sup>72</sup> If present, women's approved role in public (and often in private as well) was to remain silent.<sup>73</sup> Certainly some women expressed their opinions in private and influenced male decisions, particularly as migrant male labourers in rural areas were often absent during the week and had less first-hand knowledge of community affairs than their wives.<sup>74</sup> Women's publicly accepted role, however, was to be silent, subservient and to conform to tradition.

Even the formal inclusion of (urban) women in the republic's new civic culture did not mean that women were full participants in South African political culture. On the contrary, women's public events and discussions were notable because they were exceptional moments when the polity consciously recognised them. During these moments, women had access to celebrations, processions and pageants, and played an active role, in contrast to everyday proceedings. The celebration of women on designated holidays enabled many to broaden the range of debate at least on select occasions and to challenge dominant gender norms. Thus, the Public Participation Campaigns and vibrant cultural arena at the urban and national levels meant the public sphere was moderately open and inclusive.

67 F. Haffajee, 'The Sisterly Republic', *New Internationalist*, March 1995, pp. 11–13.

68 C. Sawyer, 'Senators Vote for National Women's Day', *The Argus*, 10 August 1994.

69 'Thomas Slams "Patronising Concessions"', *Eastern Province Herald*, 10 August 1994.

70 C. Malan, 'Reconstruction and Developing the Rainbow Nation: Popular Symbols and Culture in a New South Africa', in 'Media, Politics and African Cultures in Development Perspectives' (unpublished article, HSRC archives, 1999), p. 3.

71 As quoted in S. Wren, 'Equality Questions', *Democracy in Action* (September 1996).

72 L. Kompe, J. Small and B. Mkhize, *The Rural Women's Movement: Holding the Knife on the Sharp Edge* (Johannesburg, Transvaal Rural Action Committee and the National Land Committee, 1994), p. 31.

73 B. Klugman, 'With Our Own Hands: Women Write about Development and Health' (Johannesburg, Women's Health Project, The Centre for Health Policy, Department of Community Health, University of the Witwatersrand, 1993), p. 18 and Kompe *et al.*, p. 13.

74 L. Cloete, 'Domestic Strategies of Rural Transkeian Women' (Grahamstown, Institute of Social and Economic Research, 1992).

### *The Media: Reform and Participation*

The apartheid state's ideological use of the South African Broadcasting Corporation (SABC) made media reform a central issue throughout the 1990s. Just before the first non-racial elections of 1994, the SABC was put under new leadership and the Independent Broadcasting Authority (IBA) was established.<sup>75</sup> During the mid-1990s print media ownership was diversified and numerous independent radio stations were established. The intent was to facilitate the emergence of a national, democratic arena of free speech as promised by the Interim Constitution.

State reform of the media, in principle, increased women's access to the institutions of public opinion formation. Women's participation, however, was circumscribed by structural factors, including a glass ceiling and a pervasive culture of sexism. As the media underwent significant transformation, women's organisations worked to promote better access throughout the sector.<sup>76</sup> Women's presence on television, in the news and on the radio challenged hegemonic concepts of male leadership and sometimes enabled women to project their needs and interests into the national public sphere. This influx of women's voices into the public arena helped to keep gender on the national agenda and occasionally provided women with the means to challenge patriarchy. Thus, by 1996, an analysis of gender and the media by CASE found that more of the lead stories on women were on gender justice (21 per cent) as opposed to beauty or fashion (4 per cent).<sup>77</sup>

These advances were hard won but limited by women's continued informal exclusion from the media's decision-making bodies. Women rarely achieved managerial status in media organisations during this period.<sup>78</sup> Female journalists did not have much power to make decisions. Although women constituted a majority of the participants in media classes, women represented less than a quarter of the students in management journalism courses.<sup>79</sup> No editors of major newspapers were women, and female journalists tended to work in areas traditionally associated with women's issues.<sup>80</sup>

Despite the reorganisation of the SABC, the new leadership did not address gender stereotyping, and women were not specifically targeted in the quota established for blacks. A sense that men had 'colonised' the media emerged.<sup>81</sup> The creation of a few new community radio stations did open positions for women in rural areas, but as formal structures evolved men began to dominate programming and managerial positions, despite the criteria of openness and inclusiveness set by the state.<sup>82</sup>

75 The IBA was established to regulate broadcasting in South Africa and ensure its diversity. Television broadcasting in South Africa's official eleven languages was also stipulated. See A. Dawson, 'Documenting Democratization: New Media Practices in Post-Apartheid South Africa' (paper presented at the Media in Transition Conference at MIT, 8 October 1999) (available at <http://web.mit.edu/m-i-t/articles/dawson.html>). For an overview of media reform during the 1990s, see G. Berger, 'Towards an Analysis of the South African Media and Transformation, 1994–99', *Transformation*, 38 (1999), pp. 82–116, and R. Horowitz, *Communication and Democratic Reform in South Africa* (Cambridge, Cambridge University Press, 2001).

76 K. Throne, M. Pillay and N. Newman, 'Post-Beijing – the Media', *Agenda*, 31 (1996), p. 7. 'Women Call for SABC Equality', *The Citizen*, 7 December 1995.

77 Baden *et al.*, *Country Gender Profile: South Africa 1998*, n. 41, p. 107.

78 For example, although more than half of the SABC's staff was female in 1995, only six out of 872 people in middle management were women. 'After Apartheid: The Struggle for Gender Equality', *The Toronto Star*, 18 June 1995.

79 Baden *et al.*, *Country Gender Profile: South Africa 1998*, p. 24.

80 *Ibid.*, p. 24.

81 T. Naughton, 'Community Radio: A Voice for the Voiceless', *Agenda*, 31 (1996), p. 12.

82 Community media employee Lydia Masemola explained, 'women do the faxing and men attend the conferences'. It was also reported that out of the approximately 80 newly licensed community radio stations, 'only a handful can claim to have women in decision-making roles'. F. Lloyd, 'NGOs Discover "Gender"', *Weekly Mail & Guardian*, 26 September 1996.

At best, debate broadened to include tolerance for gender awareness, while women's media representation and the coverage of women's issues remained overwhelmingly sexist. Although a 1996 CASE report described increased attention to women's empowerment, it also indicated that fewer women reported the news – especially politics – and that male politicians were featured far more frequently than their actual representation warranted.<sup>83</sup> Women were generally relegated to the soft news. Media content and presentation of women thus remained largely unchanged.

Despite the tremendous reforms of the industry during the first half of the 1990s, female stereotypes permeated the arena, and women were largely absent from traditionally male-dominated media sectors. Women's increased formal access to the media through democratisation could not immediately overcome sexist impediments to change. As a result, the media at the national and urban levels became marginally more inclusive after ANC-led reform, but serious resistance to broader debate remained, depriving women of a moderately open and inclusive forum. At the rural level, despite occasional forays into local radio programming, the media was scarcely present, and the community remained the dominant forum for communication throughout the decade.<sup>84</sup>

During the earliest stages of democratisation in South Africa, the state took the initiative to broaden the terrain of public debate. By actively attempting to insert women into the media, in national political culture and in government, women's role in civil and political society shifted, and public debate in South Africa expanded. An in-depth evaluation of public debate reveals, however, that for women this expansion was uneven across arenas and regions, and was less dramatic than proponents of democracy and women's rights might have hoped.

### **Democratisation and Just Debate**

A number of important relationships between democratisation and just debate are evident from the above discussion of women's participation in South Africa. First of all, the state embarked on a deliberate programme of democratisation that not only expanded the public sphere dramatically, but was also intended to increase women's access to decision-making, political culture, and the media, thereby establishing more just debate conditions. But doing so inadvertently diminished women's capacity in other arenas of the public sphere, particularly in civil and political society, increasing their reliance on political parties that were resistant to female leadership and in the long-run had little interest in pursuing a gender agenda. Second, state-led efforts to deepen democracy and create an inclusive constitutional forum for public participation were limited by structural inequalities. Indeed, the evidence accumulated here suggests it is far more difficult to include subaltern populations in public debate than liberal theories of deliberation have heretofore acknowledged. Finally, democratic media reform intended to increase free speech and broaden popular knowledge of public affairs accomplished little for women who remained on the margins. Under the most propitious of circumstances, democratisation can be full of surprising pitfalls and reform may appear to offer more than it can actually deliver.

Party quotas, as one of the most spectacular accomplishments of the liberal moment, demonstrate that democratisation can enhance the justness of the decision-making arena, but at a cost. Certainly the talented leadership of the ANC Women's Caucus broadened debate and successfully contested the status quo. However, quotas were not sufficient at the

83 Baden *et al.* *Country Gender Profile: South Africa 1998*, p. 24; 'Analysis of Gender and Media in South Africa' (unpublished paper, The Gender and Media Symposium, 26 September 1997), pp. 34–5.

84 Malan, 'Reconstruction and Developing the Rainbow Nation', p. 3.

provincial or municipal levels where women's greater access did not enable them to achieve comparable success. Sexism, limited governmental capacity and funding, as well as less experienced and educated leadership crippled women's ability to voice their needs and interests, and to challenge the rules of the game effectively. Quotas thus appear to be necessary tools for political parties to enhance just debate in legislatures but are not sufficient to secure moderately just debate in those arenas.

Unfortunately, the democratisation of the state and the ANC quota also indirectly contributed to women's disorganisation in civil society at the national level, undermining the justness of debate during the liberal moment and for the remainder of the decade. The women's movement was driven by a core group of leaders who had the public prestige, skills and confidence to seek public office successfully, and did so. However, leadership was essential in civil society and political society, not just the state. A loss of talented leaders to parliament weakened women's voices elsewhere, undermining their ability to contest the status quo successfully, and exposed the women's movement's underdeveloped roots. The result was to increase the movement's dependency on the ANC. Although feminists had little alternative, that dependency entailed risks, in part because the ANC's commitment to gender equality was relatively new and superficial. This was evident in women's low ranking on the party lists, their limited role in party leadership, and the general devaluing of gender issues in parliament.<sup>85</sup> Thus, while the quota contributed to success in the national decision-making arena, by undercutting women's effectiveness in civil and political society it also undercut the autonomy of women in the state, which led to distressing consequences for feminists by the end of the decade.

Although ANC quotas increased the justness of debate, marginalised sectors of the population remained at the periphery of the deliberative process, as an examination of the Public Participation Programmes illustrates. Of course the liberal moment was a brief period of time, the country was still deeply divided by race and class as well as gender, sporadic violence was continuing and financial resources were limited. Nevertheless, structural disadvantages shaped the level of women's participation across the public sphere. Structural inequalities meant democratisation had a limited impact on the justness of debate, particularly for rural black women. Family responsibilities that included long hours to acquire water and firewood, a lack of education, illiteracy, transportation difficulties, concerns about physical safety, and an economy that still in large measure depended on male migrant labour, left them dependent on men's wages and afforded little time, skills, or energy to engage in public debate. Female activism at other geographic levels rarely reached rural women because of the entrenched resistance of the chiefs, poor communication, and geographic isolation. As a result of these structural liabilities, improvements in women's access, voice and contestation in rural areas were marginal at best. In contrast, women at the national level operated in a moderately open and inclusive environment, and urban women's debate conditions were slightly less open. The central differentiating variable for women that emerges from this study is thus the apartheid legacy of unequal structural development that included entrenchment of chiefly power (see Table 1).

Despite state-led democratisation of the media industry throughout the decade, debate in the arena became only nominally more just for women. Female participation was superficial, providing improved access as consumers while generating sound bites symbolising their inclusion in the new polity. Changes such as these clearly did not undermine patriarchal control of the industry or its messages. Given the significance of

---

<sup>85</sup> The ANC readily admitted its limited vision of gender equality early in the decade. For example, see I. Suttner, 'Inside the ANC', *Speak* (December 1993), pp. 22–3.

**Table 1.** Debate conditions in South Africa, 1994–1996

	Decision-Making Bodies	Civil and Political Society	Political Culture	The Media
<b>National</b>	Moderate	Moderate	Moderate	Limited
<b>Urban</b>	Moderate	Moderate	Moderate	Limited
<b>Rural</b>	Limited	Limited	Limited	Closed

communication for public opinion formation, women's failure to gain substantial access to the media or to increase their voice and capacity to contest media conventions was a serious shortcoming.

From 1994 to 1996 the South African state took the initiative and democratised a number of key arenas in the public sphere, and women responded by moving into new spaces and taking up the challenges of participation. Although the government advocated democracy and gender equality, the results of its efforts were less momentous than proponents of both might have hoped. Sexism, an appallingly underdeveloped infrastructure, as well as a weakened women's movement hindered their progress. While the founding of an all-inclusive, liberal democracy intent on non-sexism dramatically opened the public sphere in South Africa, during the short-lived liberal moment, debate conditions were rarely moderately open for women.

At the opening of the article I argued that informal arenas of participation – civil and political society, political culture and the media – significantly affect government policy and shape public opinion. While women's access, voice and contestation in the national parliament were impressive during the liberal moment, how important were the informal arenas of the public sphere? Did the lack of women's participation in local government and informal arenas of participation matter? Clearly, all locations and arenas are of significance during democratisation if participation builds citizens. More to the point, if women's access is limited to elite forums at the national decision-making level, democratic consolidation is constrained and female MPs will be isolated. In civil and political society, the absence of a strong women's movement increased the dependence of female MPs on ANC party leadership. Women in parliament had few other places to turn.

Having achieved such tremendous access to legislative bodies through ANC quotas, women in parliament found it difficult to implement the legislation they won without greater support and activism at the informal levels. But national leadership in civil society was stretched too thin and could not mobilise women on a large scale, political cultural activism was only intermittently effective and the media largely ignored the achievements and substantive struggles of South African women. While it is not clear from this study which informal arenas were most significant in shaping public policy, their importance for securing women's political autonomy is undeniable. Civil and political society, political culture and the media not only influence, promote and package issues of vital interest to all South Africans, they can be additional sources of power for female activists. The interconnectedness of formal and informal participation in South Africa thus underscores the limitations of focusing solely on formal political participation.

Democratisation, even at its pinnacle, is full of opportunities and stumbling blocks for women. Although South Africa is indeed an exemplary story of women's breakthrough to state power, a public sphere analysis reveals the extraordinary challenges women face in attempting to participate fully in public life even at an ideal moment, in this most

celebrated of cases. South Africa thus serves as a sobering reminder that democratisation in the best of circumstances presents serious limits for those hoping to enter, speak and be heard in the newly opened public sphere.

DENISE WALSH

*Department of Politics and Studies in Gender, 216A Cabell Hall, University of Virginia, Charlottesville, VA 22904, USA. E-mail: denise@virginia.edu*