

REFLECTIONS ON
**WOMEN AND
SOCIAL CHANGE
IN SOUTH AFRICA**
MISTRA COLLECTED WORKS

Edited by Sandy Africa and Lwanda Maqwelane

Reflections on Women and Social Change in South Africa: MISTRA collected works

EDITED BY

Sandy Africa and Lwanda Maqwelane



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The chapters in this commemorative volume were selected from previous MISTRA publications and annual lectures. They have been reproduced as originally published, as have the authors' biographies. Please see the Appendix for information about the books and lectures from which these chapters were drawn.

Preface

This volume is a commemorative issue that consolidates research undertaken by the Mapungubwe Institute for Strategic Reflection (MISTRA) on various aspects of women's place and role in South Africa's political economy and polity at large. The volume is based on chapters from MISTRA's publications as well as seminal contributions, on MISTRA platforms, to critical global debates.

The chapters constitute a curated sample, illustrative of the central issues that have confronted women as they navigate societal structures, power dynamics and norms. These include race, class and gender inequality which were defining features of colonial and apartheid rule, the legacy of which persists well into the democratic dispensation.

Authors of the various contributions centre debates about patriarchy and its impact on South Africa's development. On the one hand, they show how women are constrained by gender inequality. On the other, the contributions are a testament to the resilience and agency of women and all those committed to gender equality: in resistance, in winning important struggles, and in shaping new narratives about the lives and experiences of women in South African society.

The inspiration behind this publication and its content derive from simple but profound principles: firstly, that the humanity and progress

of any society should be measured by the extent to which it protects and promotes the interests of the most marginalised and vulnerable; secondly, that any society is the poorer without the full involvement and contribution of any social group at all levels of human endeavour; and, thirdly, that gender equality is not handed down from on high – however well-intentioned decision-makers may be – but it is a right attained through social agency.

We mark, this year, the 70th anniversary of the historic women's march against pass laws on 9 August 1956. This book is a tribute to that significant moment in our country's history and to the women who marched that day, as well as the millions of women and men – before and since – who have kept the flame of the struggle against patriarchy alive. Their courage and sacrifice deserve acknowledgement; MISTRA is committed to making a modest contribution to that fight.

This year, 2026, also comes only one year after the 30th anniversary of the UN's Conference on Women, at which the Beijing Declaration and Platform for Action were adopted. In 1995, when that conference was held, South Africa had just entered its era of democratic governance, and the Beijing conference was an auspicious re-entry into the community of nations.

During the course of this year, South Africa also marked the 30th anniversary of the adoption of South Africa's Constitution. The veneration of this basic law of the land derives largely from the generations of human rights that it enshrines: political, economic, social, gender, environmental and otherwise.

By integrating gender issues into MISTRA's publications on such themes as mining, land, migration, security, culture, ethics, protest, identity and geopolitics, the Institute proceeds from the premise that gender rights are human rights. The commemorations that have inspired this volume thus intersect with scholarly work to inform the worldmaking that shapes the lives of women – and indeed men – in our country and further afield. Combined, they make visible the role and agency of women, and help lift the struggle for gender equality onto a higher trajectory.

MISTRA wishes to express its appreciation to the researchers and other partners whose work, produced across different periods, forms

Preface

this collection. Their contributions, often accompanied by advocacy and activism, underline that the struggle for gender equality, however long, is worth continuing; and that victory is guaranteed.

Joel Netshitenzhe
Executive Director

About the contributors

Author biographies reflect their details at the time of original publication.

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INTRODUCTION

Women making history, then and now

SANDY AFRICA AND AYANDA NDLETYANA

INTRODUCTION

On 9 August 1956, women from all over South Africa descended on the Union Buildings, the seat of the apartheid government, to protest the extension of the country's pass laws to all African women.¹ Led by four women leaders of the Congress movement – Lilian Ngoyi, Rahima Moosa, Helen Joseph and Sophia Williams – the protestors wanted to deliver a petition to the Prime Minister, J.G. Strijdom. Strijdom did not meet the women to receive the petition, so the four left the large bundles of paper with a clerk at his office door (www.sahistoryonline.org.za, 2013). Despite the protest action, the pass laws

1 The official name of the law was the Natives (Abolition of Passes and Co-ordination of Documents) Act, Act No 67 of 1952. Prior to this, influx control to the urban areas had been enforced against African males. Under the new law, Africans (men and women) over the age of 16, would be required to carry standardised identification, colloquially called the *dompas* or 'passes' (www.sahistoryonline.org).

were implemented. This, however, did not stop women from being active in politics, in trade unions, and in social movements during that time and in the decades to come. Many paid a high price, facing police violence, imprisonment, banning orders and even assassinations. A tradition of commemorating the women's march emerged during the liberation struggle, and when South Africa became a democracy in 1994, 9 August was declared a national holiday to honour the bravery of these women.

Today, South Africa has a constitution that upholds and protects the rights of all its citizens. There have been important gains made in advancing women's rights, and yet gender inequality persists. Statistically, black women are the most exploited and economically vulnerable group in society. They also carry the disproportionate burden of care responsibilities in society, and they face among the highest levels of gender-based violence in the world, enabled by patriarchal values in society.

The ongoing struggles for gender equality take place against the backdrop of a global backlash against such parity. The forms that this backlash take include increased victimisation of women in the political sphere, including direct violence; the reversal of women's reproductive rights; the policing of choices of men and women around sexuality; and even the denial of access to education. Unsurprisingly, the reversals are most pronounced in spaces where civil space is closed down or narrowed by authoritarian structures, or where the policy architectures for advancing women's rights are de-prioritised. The backlash against women's equality is increasingly organised and resourced.

A report by the UNRISD and UN Women (2025) makes the following observation:

Opposition to gender equality is not new. Yet almost 30 years after the adoption of the Beijing Declaration and Platform for Action, anti-gender equality organizations and movements have found avenues to grow in strength and visibility. In 2025, the latest wave of 'gender backlash' is threatening hard-won gains for women and girls.

Published seventy years after the Women's March, this book offers an opportunity to reflect on the gains that women have made in securing gender equality, and the challenges that still lie ahead. The aim of this book is to collate the contributions of authors and public intellectuals who have contributed to MISTRA's research on the challenges of gender inequality. With the exception of this Introduction and the Conclusion, all the chapters and contributions are part of MISTRA's intellectual archive, and readers are encouraged to engage with the full texts from which they have been extracted.

APARTHEID: A SYSTEM RESISTED

Seventy years after the 1956 Women's March, there have been visible and quantifiable changes in the conditions of women in South Africa. Research conducted subsequently highlight the historical and contemporary ruptures and continuities shaping the structural, policy and material conditions that women have to navigate. The apartheid legislative framework denied black people political representation, reinforced the deep inequalities that characterised the economy, and perpetuated gender stereotypes that boxed women into roles that dimmed their full potential. In 1913, the Land Act forced Africans off their lands, and the 1923 Native Urban Areas Act separated residential spaces for Africans from white urban areas. Under apartheid, the Group Areas Act of 1950 was used to forcibly uproot families and resettle them far from job opportunities. The influx control laws, which had been in place since the 1920s, restricted the movement of Africans in and out of urban areas and went hand-in-glove with job reservation legislation that reserved certain occupations for whites. Largely confined to the rural areas while men sought work in the towns and on the mines, women were responsible for looking after children and the elderly in dire conditions (www.sahistoryonline.org.za, 2013).

Although African women had moved to the urban areas since the turn of the twentieth century, this pattern really accelerated in the 1950s and 1960s with the changing needs of the fast- industrialising economy. Women found work in the urban areas as factory workers

and domestic workers. A smaller, professional class – nurses, teachers, social workers – also emerged. Together, these experiences opened women up to the possibility of joining community, trade union and political organisations. The growing number of women in the urban areas had prompted the authorities to impose stricter controls over their movements in the urban areas. The National Party government, which came to power in 1948, sought to confine Africans to the reserves in the rural areas, rather than encourage the growth of a stable, urban proletariat (Lodge, 1983:140). The authorities did not initially implement the Natives Act of 1952, and the 1950s were in any case a period of extensive organisation and mobilisation by the Congress movement. Women were involved as volunteers in the Defiance Campaign of 1952, and in 1954 women from a broad spectrum of organisations gathered in Johannesburg to adopt a ‘Women’s Charter’ and form a federal structure, the Federation of South African Women (Lodge, 1983:142). It was in this context that the women organised themselves to fight against the pass laws. Prior to the march on the Union Buildings, there were acts of defiance by women: demonstrations took place all over the country, and many women refused to comply with the efforts to force the passes on them. Women were not spared the apartheid state’s repression, which increased with the banning of political activists and the authoritarian laws that followed. Politically active women, including white women, were punished for their activism through detentions without trial, imprisonment and banning orders. The Suppression of Communism Act, passed in 1950, saw women leaders restricted from political participation, and a flurry of laws made it increasingly difficult for organisations to mobilise.

In spite of this, the anti-pass campaigns continued, and another unforgettable moment in South African history – the anti-pass campaign that resulted in the massacre of protestors at Sharpeville in 1960 – is today remembered annually as Human Rights Day in South Africa. Following Sharpeville, the state clamped down heavily and the organisations that had campaigned peacefully till then took up arms. However, their efforts were frustrated by the imprisonment of their leaders, and the African National Congress and the Pan-Africanist Congress, were driven into exile when these movements were banned in the 1960s.

It is not the intention of this introduction to provide a detailed account of the history of struggle. But throughout the 1960s and 1970s, with the liberation movements banned, the Black Consciousness Movement (BCM) took centre stage. The defining contribution of the movement was to inspire a sense of self-reliance, against the psychological and physical intimidation that black people were subjected. South African women were actively involved in struggles, either in exile, or within the country. By the 1980s, women had successfully positioned gender equality as a central, non-negotiable demand of the struggle for liberation. This period saw the rise in ranks of women in the BCM when the Congress-aligned organisations were banned and driven into exile, in the mass-based community organisations when the United Democratic Front was formed, and in the various institutions that have championed a range of rights intersecting race, class and gender oppression. In 1983, the establishment of the United Democratic Front, an alliance of organisation mostly aligned to the Freedom Charter, brought together several regional women's organisations that were important affiliates of the United Democratic Front: they included the United Women's Congress (UWCO) in the Western Cape, the Federation of Transvaal Women (FEDTRAW), the Natal Organisation of Women (NOW) and the Port Elizabeth Women's Organisation (PEWO) (www.sahistoryonline.org.za).

In the 1980s, women were actively involved in powerful trade unions such as the Garment and Allied Workers Union (GAWU), the Commercial, Catering and Allied Workers Union of South Africa (CCAWUSA) and the Chemical Workers Industrial Union (CWIU). Other significant union formations included the Paper, Printing, Wood and Allied Workers' Union (PPAWU) and the South African Domestic Workers' Union (SADWU). Through these unions, they organised for better wages, improved working conditions and benefits for women, and for protections against the high cost of living.

These union formations were accompanied by intersectional parallel and overlapping structures that shared the overarching commitment to the struggle for freedom. These included community activists, student-led movements and the broad church of trade unions. Women throughout these structures were found in intersectional roles of

leadership, lending themselves to the collective fight for both freedom and equality.

South Africa's first-ever democratic national general elections held in 1994 were a turning point in the country's political trajectory: an opportunity to dismantle decades of race, class and gender exploitation. The elections were the climax of a period of struggle in which women had played a significant role. Indeed, the elections themselves had been preceded by an intense period of mobilisation of women. Women were not spared when the apartheid government suppressed resistance after the liberation movements were prohibited from operating inside the country. Instead, women remained active in the Black Consciousness Movement, the Congress movement as it quietly reorganised, the Soweto uprisings of 1976, and later in the UDF, the trade union movement and various women's organisations. Politically active women were punished for their activism through detentions without trial, imprisonment and banning orders.

THE 1990S: WOMEN SEIZE THE OPPORTUNITY AGAIN

These struggles of the women in the dark days of apartheid paved the way for many of the progressive elements that were to be the basis of laws that were adopted by the government after 1994. It would be leaving out a crucial piece of South Africa's history to ignore the establishment of the National Women's Coalition (NWC). Established in 1992, as the negotiations for South Africa's political transition were unfolding, the NWC brought together women across not only the political spectrum, it included women and women's organisations from religious, cultural and various other sectors. The coalition was unprecedented in its diversity – bringing together academics, urban trade unionists, rural women and progressive activists to ensure that issues affecting women were not left off the transition agenda.

In the run-up to the 1994 elections themselves, several developments aimed at improving the legal status of women took place as the then apartheid government tried to normalise relations with the international community. As Sadie and Van Aardt (1995) points out:

...the South African government signed a number of United Nations conventions on women in late January 1993. Amongst these were the Convention on Political Rights for Women, the Convention on the Nationality of Married Women and the Convention on the Elimination of All Forms of Discrimination against Women. Shortly afterwards the (then National Party) government published three draft bills covering the Promotion of Equal Opportunities, the Prevention of Domestic Violence and the Abolition of Discrimination against Women.

It was ironic that gender equality was debated and subscribed to by an illegitimate government in its last days, but this can also be interpreted as a signal that the winds of change could not avoid addressing the status of women in society.

Inspired by the goal of gender equality, the NWC developed through a consultative process a Women's Charter that contained the issues that the coalition believed should be part of the country's new Constitution. The Women's Charter for Effective Equality, adopted in 1994, set out a programme 'for equality in all spheres of our lives, including the law, the economy, education, development and infrastructure, political and civic life, family life and partnerships, custom, culture and religion, health and the media' (1994). The Charter was drawn up following a research exercise, resulting in a two-volume study analysing the findings, 'which came from the multiple research methods – chain letters, questionnaires, demands made at meetings and conferences, and the focus groups' (we-the-people.org: n.d). It was a strategic achievement, perhaps the earliest example of concrete coalition politics in South Africa, and a testament to the vision of women in achieving lasting and sustainable goals.

When the first democratically elected Parliament was inaugurated, it had the agreed-upon vision of women across political parties as an important point of reference, which acted as a set of principles for collective action. The position and advancement of women was a central concern of South Africa's first democratic administration. In his inaugural State of the Nation address on 24 May 1994, President Nelson Mandela said:

the objectives of the Reconstruction and Development Programme will not have been realised unless we see in visible and practical terms that the condition of the women of our country has radically changed for the better and that they have been empowered to intervene in all aspects of life as equals with any other member of society.

In addition to the establishment of the statutory Gender Commission provided for in the Constitution, the Government will, together with the representatives of the women themselves, look at the establishment of organs of Government to ensure that all levels of the public sector, from top to bottom, integrate the central issue of the emancipation of women in their programmes and daily activities.

The first democratic administration faced the task of dismantling apartheid laws and creating the legal frameworks to the equal society that was later to be expressed in the Constitution that was adopted in 1996, replacing the interim constitution of 1993. There was debate in policy circles about how to ensure that women's issues were not deprioritised as resources were allocated to the multiple priorities that the fiscus had to fund. For South Africa's women, the transition to democracy came at a fortuitous time.

In 1995, the United Nations Beijing Conference on Women was held, and the Beijing Declaration and Platform for Action was adopted. The conference coincided with South Africa's re-entry as a state into the international body after years of isolation after apartheid had been declared a crime against humanity. The Beijing Platform provided a clear set of markers for the reforms that would solidify the country's commitment to gender equality and benchmark its progress against gains being made by other countries. In 1996 Cabinet approved the establishment of the Office on the Status of Women and Gender Focal Points.

In the first few years of democracy, several legislative reforms aimed at improving the status of women were passed by Parliament. Typically, the passage of these laws was proceeded by inclusive consultative processes involving women. They included the Commission on Gender

Equality Act, 1996 (Act 39 of 1996); the Termination of Pregnancy Act (Act 92 of 1996); the Divorce Amendment Act, 1996 (Act 95 of 1996); the Basic Conditions of Employment Act of 1997 (Act 75 of 1997); the Employment Equity Act of 1998 (Act 55 of 1998); the Domestic Violence Act, 1998 (Act 116 of 1998); and the Recognition of Customary Marriages Act, 1998 (Act 120 of 1998), among others.

The challenge lay in creating an enabling environment for the implementation of such laws by ensuring adequate resources for their implementation as well as changing the social norms in a society that, notwithstanding the legacy of struggle, still finds itself gripped by deeply patriarchal values and norms. The early years of the country's democracy saw innovative attempts to institutionalise gender responsive budgeting through the Women's Budget Initiative (Budlender, 1996; Budlender and Sharp, 1998). However, this commitment waned over time. Some argue this occurred because the women's coalition cause was eventually overwhelmed by party political contestation, which suffocated the rallying of women around a common agenda.

This situation has been a proxy for the inequality and division that have persisted in South African society. Black women, particularly African women, remain the poorest section of society, facing the highest unemployment rates and occupying low-skilled, lowest-paying jobs. In addition, women bear the burden of responsibility of care for children and maintaining households, even on their meagre incomes. Women are also victims of sexual exploitation and violence, navigating, unsupportive state structures when trying to assert their rights. In rural areas, women are confronted with traditional structures that often do not recognise their legitimately won rights to equality, treating women as inferior subjects in communal matters.

WOMEN IN SOUTH AFRICA'S ECONOMY

To a considerable extent, women's relationship with the South African economy is one of structural exclusion, with the unemployment rate for women standing at 35.9 per cent, compared to 31.0 per cent for men in the second quarter of 2025 (Statistics South Africa, 2025a). When the broader labour underutilisation rate is measured, the rate for women

reaches 46.9 per cent, meaning that half of all working-age women in South Africa are either unemployed or have given up entirely of finding work (Statistics South Africa, 2025b).

When women do find work, where they work and what they are paid tells its own story. Nearly a third (32.8 per cent) of all employed women work in community and social services, while 11.4 per cent are employed in private households as domestic workers (Statistics South Africa, 2025a). These are well-known sectors characterised by low pay and limited labour laws protections. At the top of the occupational ladder, only 6.8 per cent of employed women hold managerial positions, compared to 10.7 per cent of men, while entry-level roles account for 21.5 per cent of women's employment (Statistics South Africa, 2025a). The Commission for Gender Equality's Women in the South African Economy report (2024) confirms that this is not an accidental development, but rather occupational segregation, a persistent gender pay gap, and institutional barriers that consistently restrict women's ability to advance in their careers.

The consequences of economic exclusion extend beyond employment and follow women home. According to Statistics South Africa (2024), 42.4 per cent of all South African households are managed by women, with high concentrations in the Eastern Cape (48.8 per cent) and KwaZulu-Natal (46.8 per cent), provinces that are marked by deep rural poverty and limited resources. These women are not only breadwinners, but also primary caregivers and safety nets for their families. Poverty in female-headed homes is significantly higher than male-headed households. Stats SA's General Household Survey (2023) found that 21.5 per cent of female-headed households experience moderate to severe food insecurity, which has significantly increased from 17.2 per cent in 2019. Compounding this is the invisible labour of care. Across sub-Saharan Africa, including South Africa, women endure severe time poverty from the invisible labour of care, spending 3 to 3.4 times more hours on unpaid care and domestic work than men (Addati et al., 2018). This is work that is uncounted for when calculating the GDP of the country. This also shows that women are subsidising the economy with their time and receiving little in return.

If economic marginalisation is the slow violence that shapes women's lives, gender-based violence is the acute violence that ends them. In the 2025/2026 quarter four crime statistics, 9782 rapes and 12,590 cases of sexual assault were reported to the South African Police Service. In the same statistical year, 5181 women were murdered, and 6916 attempted murders of women were recorded (South African Police Service, 2026). These numbers represent only what is reported, not the true scale of gender-based violence in South Africa. Violence against women shapes how they move through public spaces, how they navigate intimate relationships, and whether they feel safe in their own homes. The National Council on Gender-Based Violence and Femicide Bill was signed into law in May 2024, yet its implementation had not begun by the time of writing. A pattern that has come to define South Africa's response to this crisis is this: legislation is passed but not implemented, promises are made but not translated into the safety of women who need it most.

RESEARCH ON GENDER AND ON WOMEN IN SOUTH AFRICA

The premise of women's studies and gender studies is that women have historically been neglected as valid subjects of inquiry, particularly in how history was written. To directly address this gap, this edited book draws from MISTRA's archives. Ntwape and Kriel (2018) point out that for decades in South Africa, the silence about women's particular experiences characterised even by renowned historians left accounts on South African history the poorer. Ntwape and Kriel identify at least two significant edited works that have redressed the tendency to neglect the visibility of women in historical accounts: Cheryl Walker's *Women and Gender in Southern Africa to 1945* and Nomboniso Gasa's *Women in South African History: Basus'iimbokodo, Bawel'imilambo (They Remove Boulders and Cross Rivers)*, both published in 1990). Anti-apartheid activist Hilda Bernstein's *For Their Triumphs and For Their Tears: Conditions and Resistance of Women in Apartheid South Africa* (1975) is one of the early examples of a comprehensive study about apartheid's impact on women. In the 1970s and 1980s, Marxist women

scholars made contributions by assessing the impact of apartheid capitalism on women's lives. The role of women in the struggle against apartheid became important reference points for research. Examples of such literature include Cheryl Walker's *Women and Resistance in South Africa* (1991) and Shireen Hassim's *Women's Organisations and Democracy in South Africa: Contesting Authority* (2006).

There is an important distinction between writing about women's experiences and writing about gender. The two should not be conflated; at the same time, they are inextricably linked. As Ntwape and Kriel (2018) point out:

Women's history refers to women's experiences, activities and discourses, and proclaims women as valid historical subjects... The aim of feminist historians was and still is to expose the unequal construction of gender roles.

Gender inequality has been a persistent threat to the dignity and potential of women in South Africa, as borne out by the research undertaken by MISTRA since its inception. But men have been deeply implicated, and it is in this context that their subjectivity in relation to the position of women bears scrutiny. Thus, while this book is primarily dedicated to the study of women and how gender inequality has impacted their lives, it selects from the MISTRA archive, studies on how constructions of masculinity have reproduced the gender inequalities characterising South African society even today.

The chapters in this book are focused on the experiences of women in contemporary South Africa, and others are contributions by women on the broader issues shaping the lives of all of society, even globally. This is to underscore the fact that women are also actively contributing to making sense of the world that future generations will inherit. What is starkly evident is that the introduction of a democratic constitutional order has not magically resulted in gender equality, and in addition, the world women occupy is reaching a breaking point: with persistent armed conflict, geopolitical tensions, climate emergencies, rising populist authoritarianism, and many more ills. The book, therefore, addresses the fault lines in the processes of creating a new society and

world, a transformed economy, and a society where the dignity and rights of all people are upheld.

STRUCTURE OF THE BOOK

The book is divided into four sections. Section One is titled ‘Women and Institutions in Democratic South Africa’. It provides a foundational critique of the post-apartheid state, arguing that both political and economic structures have failed to achieve transformation with the inclusion of women. Additionally, this section looks at how the state is still rooted in colonial and apartheid power dynamics.

Chapter 1, ‘The simulacrum of equality: Engendering the post-94 South African state’, by Lisa Vetten, is taken from MISTRA’s 2013 book, *Essays on the Evolution of the South African State*. It highlights how South Africa set out optimistically at the dawn of democracy, to place gender equality at the centre of governance, then traces the successes and missed opportunities that arose in that quest.

Chapter 2, ‘Gender and the state: assessing feminist institutionalism in South Africa’, by Amanda Gouws, taken from MISTRA’s 2025 book, *The State of the South African State: Capacity, Capability and Ethics*, provides a theoretical framework for understanding how the state has impacted on women’s lives. Using violence against women as the reference point, the author argues that the decision to establish a National Gender Machinery was significant, but that the gains made have been offset by dysfunctionality in crucial structures like the Women’s Ministry. Moreover, she argues, while the number of women in representative public bodies like Parliament has increased, their actual power to improve women’s lives has been weakened by an expectation that women put party political loyalty first, by a lack of funding to address women’s issues, and by a statist framing that views women as vulnerable victims, rather than active citizens with agency.

Chapter 3, ‘The violence of harmony model: Common narratives between women and lower-level traditional leaders’, by Sindiso Weeks, is taken from MISTRA’s 2019 volume, *Traditional Leaders in a Democracy: Resources, Respect and Resistance*, explores the social structures that women in rural areas navigate when they are the subjects

of traditional authorities, purportedly in processes that are supposed to maintain harmony in communities even in times of conflict. A key finding of Weeks's chapter is that apartheid-era laws stripped women and headmen of their original authority, and that women were made 'perpetual minors' whilst headmen lost their bottom-up power, despite their daily leadership duties.

The last chapter in this section, 'Academy-based feminist intellectuals and the nexus of state, globalisation and civil society' by Desire Lewis, is taken from MISTRA's 2016 volume, *The Role of Intellectuals in the State-Society Nexus*. Lewis argues that the rise of neoliberalism and the knowledge economy is changing the role of feminist intellectuals in South African universities. She argues that instead of challenging power and pushing for radical social change, academics are being pressured to focus on research outputs that serve the needs of the state and global markets. Universities now focus on bureaucratic audits, metrics and vocational training, which discourages critical thinking and imaginative writing. This shift has turned much of feminist work into a form of reproductive labour where it is used to support and validate existing systems rather than transform them.

Collectively, the chapters in Section One weave a narrative of how some institutions in South Africa's fledgling democracy – the state, traditional authorities and higher education institutions – operate under assumptions and representations of society and women that reinforce pre-existing patterns of control and constrain the full emancipation of women. They provide us with conceptual anchors with which to navigate the reproduction of the society that insists on holding women as subjects of exploitation.

Section Two of the book is titled 'Women and the Economy in Democratic South Africa'. The collective significance of the chapters lies in their critique of South's post-apartheid developmental model, revealing how it continues to rely on the exploitation of women's role in social reproduction. This section focuses on the mining, agrarian and domestic work industries and how the formal economic and legal structures often shrink their social responsibilities, passing the heavy burdens of healthcare onto households of marginalised black women.

Chapter 5 in this volume, titled 'A feminist perspective on women

and mining in South Africa’ by Salimah Valiani and Nester Ndebele, is taken from MISTRA’s 2018 publication, *The Future of Mining in South Africa: Sunset or Sunrise*. It provides a feminist critique of South Africa’s mining industry, arguing that it has generally failed to be a positive development experience for women. Using an ecofeminist lens, the authors demonstrate that the mining industry relies on the ‘suboptimal use’ of female labour and the destruction of community wealth, which leads to ‘stunted social reproduction’, the inability of families and communities to sustain and grow themselves. The chapter also examines the contradictions in the experiences of women who access employment in the historically male-dominated mining industry: even though they may have broken this barrier, women still face disadvantages, including the threat of sexual violence and poor living conditions.

Chapter 6 is titled ‘*Abafazi Bayazbambela: A gendered response to South Africa’s agrarian question*’. Written by Khwezi Mabasa, it is drawn from MISTRA’s *Land in South Africa: Contested Meanings and Nation Formation*. Mabasa argues that South Africa’s land and agrarian reform policies are fundamentally flawed because they prioritise male-dominated, large-scale commercial farming while ignoring the gendered social relations that underpin the economy. The author argues that while South Africa is food secure at a national level, nearly half of households face food insecurity, with black women in low-income areas bearing the heaviest burden. By focusing on the concept of ‘social reproduction’, the unpaid work of child-rearing, cooking and household farming, Mabasa demonstrates that women’s subsistence farming is not merely a ‘survivalist’ strategy but a powerful assertion of agrarian citizenship and economic agency. He explores the agency of women in ensuring food security through collective action and solidarity-based strategies, which demonstrate that hierarchical patterns that pervade the commercial agricultural sector can be overcome, even in the informal agricultural economy.

Chapter 7, ‘Gendered dimensions of migration in South Africa: Governance and implications for livelihoods’, is authored by David Faridan and Hamed Ammusa and appears in MISTRA’s 2024 book, *Migration in South Africa: Conflicts and Identities*. It provides an

analysis of patterns of migration to South Africa, contrasting it with migration trends on the African continent. It also provides insight into the factors influencing women's migration, and the challenges that women migrants face.

Chapter 8 titled 'Structural transformation in South Africa: Who bears the costs? The invisible work of social reproduction' by Basani Baloyi, Miriam Di Paola and Andrew Mukandila is from MISTRA's 2023 volume *The Evolving Structure of the South Africa's Economy: Faultlines and Futures*. The authors, in their analysis, utilise the concept of 'social reproduction', a reference to the behind-the-scenes work that keeps the labour force healthy and ready for work (such as care work, cooking and cleaning). They argue that even though this work is essential for the economy, it is often ignored or unpaid, and the burden of this work falls mostly on black and migrant women.

The chapters listed above, taken as a whole, demonstrate that transformation requires the re-evaluation of the unpaid care work that maintains society's workforce. Whether it is through the assertion of agrarian citizenship by women using subsistence gardens to fight against exploitative wage labour, or the pursuit of autonomy in artisanal mining, these articles highlight how women, despite their economic circumstances, actively find alternative ways to resist systemic exclusion.

Section Three of the book is titled 'Patriarchy and Gender Dynamics in Democratic South Africa'. It provides a critical examination of gendered power dynamics, historical trauma and the systemic failures of governance structures in South Africa. It also demonstrates how women continue to resist, organise and strategise, even under the threat of violence.

The first chapter in the section, Chapter 9, titled '*Between Sisters as a black feminist aesthetic*', by Refiloe Lepere, features in the 2021 MISTRA book *Mintirho ya Vulavula: Arts, National Identity and Democracy in South Africa*. It explores the voices of black women across class lines, using theatre as a medium, highlighting both the common and divergences in their lived realities.

Chapter 10, 'Historical trauma and structure in violence against and by young men', is authored by Kopano Ratele, Shahnaaz Suffla,

Lu-Anne Swart and Nick Malherbe. It appears in the book *Youth in South Africa: Agency, (In)visibility and National Development* published by MISTRA in 2021. The chapter analyses the levels of interpersonal violence in South Africa, which are comparable to those of countries at war. They argue that this violence is not a collection of individual acts but is deeply rooted in the country's constitutive history of slavery, colonialism and apartheid. A central theme is the interlinkage between 'hot' violence (like homicide) and 'structural' or slow violence, which refers to the systemic suffering caused by poverty inequality, patriarchy and poor service delivery. By focusing on young black men, who are disproportionately both the primary victims and perpetrators of homicide, the chapter highlights how historical trauma and contemporary economic marginalisation shape violent masculine identities.

'Gendering protests: Mapping women's participation in community protests in Duncan Village, Eastern Cape', authored by Hlengiwe Ndlovu is Chapter 11 in this volume and was first published in MISTRA's 2023 book, *Protest in South Africa: Rejection, Reclamation, Reassertion*. The chapter examines the often-erased role of women as strategists and organisers in South African community protests, specifically focusing on Duncan Village in the Eastern Cape. The author challenges traditional narratives that relegate women to the 'backstage' of care work, or that view women only as victims, and highlights their agency as active political actors. Central to this study is the identity of women of prayer, who belong to church-based prayer unions and use this collective identity as a space for spiritual, economic and political mobilisation.

Chapter 12, 'Ethics and South Africa's demographic dividend: Youth and gender, seen but not heard', was a chapter in MISTRA's 2018 book, *Seeking the Ethical Foundations of the South African Nation*. It reflected on the values driving youth struggles, particularly for decent quality education and the complex choices that young women often must make to survive.

Section Four of the book titled 'Women Contributing to Critical Global Debates' highlights the contributions of African women public intellectuals, who are leading and influencing public debates. In an era

defined by the ‘nervous conditions’ of a persistent postcolonial order, MISTRA’s annual public lectures of Graça Machel, Tsitsi Dangarembga and Naledi Pandor provide a framework for reclaiming African agency. The main significance of their arguments lies in a shared goal and vision, which is that Africa’s future depends on a dual process of internal psychological healing and external collective action. These annual public lectures argue persuasively that Africans need to move beyond thinking in terms of the artificial colonial borders, and they outline how the continent can establish a unified objective in a rapidly changing world.

Graça Machel in her 2014 public lecture, ‘For Africa to Live, the Nation must die. The fluidity of African identity in a changing continent’, redefines the traditional ‘tribe vs nation’ debate, arguing that African identity formation is a fluid, ongoing process rather than a static state. The central argument in her lecture is that most African nations are still struggling with nation-building and lack a clear strategy for forging a cohesive identity from their diversity. Machel states that for states to be successful, diverse ethnic and racial groups must believe in and experience the benefits of belonging to their larger national communities. She encourages a shift away from ‘separateness’ and ‘small, restricted identities’ towards identifying common elements that bind people together. Lastly, she observes that African identity is fluid, particularly among the younger generations who use technology and social media to exchange ideas and share lives across geopolitical boundaries. This emerging Africanity may no longer be grounded in the tribe or language, yet it retains a deep sense of ‘coming home’ to the continent. Machel concludes that while these identities are naturally evolving and overlapping, the continent lacks the clear leadership of a positive, collective vision required to guide this transformation towards a unified Africa.

This argument is also explored by Tsitsi Dangarembga in her 2018 public lecture, ‘Nervous conditions: The burden of race, glass and gender in the construction of the post-colonial order’, that addresses the psychological damage of the postcolonial era. She identifies a persistent ‘crisis of personhood’ resulting from centuries of trauma and ‘internal colonization’ and proposes a dynamic economy alongside

the power of ubuntu as essential tools for the ‘mass construction’ of a healthy African individual.

And in her 2025 public lecture, ‘Has the world move under our feet? Making sense of the toxic geopolitical challenges of today’, Naledi Pandor (Chapter 15) situates the struggle for global justice and equality a volatile geopolitical landscape. She argues that the world is undergoing a seismic global shift, where the traditional dominance of the West is being challenged by the rise of competitors like China, India and East Asia. Pandor argues for an urgent investment in African institutions and intensive implementation of existing blueprints like Agenda 2063 and that Africa’s significant potential can only be fully realised if the continent actively moves past the dependency on aid. Instead of relying on external structures, Pandor argues that African nations must implement collaborative blueprints like Agenda 2063, allowing the continent to pool its resources and operate as a unified, independent force on the global stage.

These intellectual contributions by these three Pan-African women intellectuals remind us that the position of women in South Africa is bound by history, to the women across the African continent, and are affected by geopolitical developments that are sweeping the globe once again.

CONCLUSION

How history will record the status and experiences of women in South Africa under a democratic constitution is a story that is unfolding today. The story is a complex one. On the one hand, South Africa’s women are equal before the law and their rights constitutionally protected. The expression of this is the implementation of progressive laws that have made it possible for some women to achieve great heights – in the economy, politics and in society. Many women have made remarkable strides in democratic South Africa. Yet, South African society remains a deeply unequal, with race, class and gender inequality, deeply entrenched in its fabric. Women, particularly African women, remain the most marginalised section of society.

The feminist scholarship about women’s history and place in

society at the height of the apartheid era was driven by activism, aimed at exposing and challenging how the subjugation of women in the capitalist system of production was reinforced by racism, class exploitation and patriarchy. Today there are multiple and vibrant sources of scholarship that position women and gender inequality as central to their sense-making of South African and the world. Some of these contributions are reflected in the pages of this edited collection. There are many others, and the pathbreaking works of feminist scholars, and other scholars and intellectuals promoting gender equality, are too numerous to list. The extent to which they impact on the ability of policy makers, social movements, industries, trade unions and women themselves to transform society is an open question. History will be the judge of how contemporary scholarship on women's struggles, lives and experiences have impacted on the kind of society that we, and future generations, live in.

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Section One

*Women and institutions in
democratic South Africa*

CHAPTER ONE

The simulacrum of equality: Engendering the post-94 South African state

LISA VETTEN

It is vitally important that all structures of Government, including the President himself, should understand this fully that freedom cannot be achieved unless the women have been emancipated from all forms of oppression. All of us must take this on board that the objectives of the Reconstruction and Development Programme will not have been realised unless we see in visible and practical terms that the condition of the women of our country has radically changed for the better and that they have been empowered to intervene in all aspects of life as equals with any other member of society.

– President Nelson Mandela, State of the Nation
Address, 1994

INTRODUCTION

With these auspicious words President Mandela forged a new set of relations between women and the State: one positioning the State as

a liberatory force in women's lives, and another as a vehicle for the betterment of women's lives. That the newly democratised state could and should play these roles was a view widely shared by the women's movement of the time which, seizing the political opportunities offered by the transition, had achieved significant political gains, remarkable even by international comparison (Waylen, 2007). These included the entrenchment of gender equality within the Constitution; the adoption of quotas by the majority party, such that by 2013 South Africa had the fourth highest number of women in Parliament; the establishment of an innovative set of state institutions to promote women's policy interests; and the promulgation of a plethora of laws which not only introduced greater equality and rights within the private sphere of the family¹, but also recognised women's bodily autonomy² and provided for positive measures to support women's employment. Significant achievements all, they contributed to ranking South Africa 16th out of 135 countries in terms of the 2012 Gender Gap Analysis produced by the World Economic Forum (Hausman, Tyson and Zahidi, 2012). But this picture casts a long shadow.

While the World Economic Forum analysis ranked South Africa 7th in terms of political empowerment, it was 69th in terms of economic participation, 87th in relation to educational attainment, and 103rd in terms of health and survival (Hausman, Tyson and Zahidi, 2012), while South Africa's female homicide rate has been calculated as six times that of the global average, with half of these deaths caused by women's intimate male partners (Seedat et al., 2009). Women continue to earn lower incomes, have higher unemployment rates and less access to assets than men. This is particularly so for African women (Statistics South Africa, 2013). How might such a discrepant situation be explained? Indeed, to what extent can the State be harnessed in service of women?

This chapter explores these questions in two ways. First it chronicles and assesses attempts to institutionalise gender equality concerns in the democratic state between 1994 and 2012. However, because

1 This includes the Recognition of Customary Marriages Act, and the Maintenance Act.

2 The Choice on the Termination of Pregnancy Act and the DVA.

the attainment of gender equality cannot be measured by form and structure alone, the chapter then examines its discursive construction in policy and practice. This section first explores aspects of state discourse around gender mainstreaming and women's empowerment, and then turns to those discourses surrounding domestic violence, the most common form of violence experienced by South African women (Kaminer et al., 2008) and, in 2009, the leading cause of female homicides (Abrahams et al., 2013).³ This also examines how women are positioned within the public sphere of the State and the private sphere of the family.

CONCEPTUALISING THE STATE

South African women's turn to the State is not unique. Recommendations around the establishment of national machineries for the advancement of women, as well as the promotion of gender equality, were already being issued to governments by the 1975 UN World Conference on Women. The 1995 UN Fourth World Conference on Women in Beijing further refined the role of these institutions by recommending that national machineries support government-wide mainstreaming of a gender-equality perspective in all policy areas. The introduction of quotas to increase women's presence within political institutions has been a third measure introduced by a number of states in further pursuit of gender equality. Yet the grafting of these measures onto state institutions and practices has not been a uniform success (Squires, 2007), suggesting that the mingling of women's interests with those of the State is not a straightforward exercise.

While states may appear permeable to women's interests, they are at the same time a site of politics – and one which acts to govern by demarcating the realms of the political. This has obvious implications for which issues are opened to contestation and which closed down, as well as the extent of engagement between the State and women's groupings. For instance, when technocratic modes of policy development are adopted which rely on experts, rather than

3 While half of women had died at the hands of their intimate male partners in 1999, the majority of women were dying in this way by 2009.

the participation of women's groupings, then the depoliticisation of gender issues may be the result.

Depoliticisation is also accomplished in circumstances where the boundaries between states and ruling parties have almost dissolved. In such states autonomous women's organisations and their claims are ignored in favour of projects serving party interests (Tsikata, 2001; Geisler, 2004), while women's institutions may be established chiefly as a foil for undemocratic, authoritarian rulership (Boesten, 2006; Adams, 2007; Tsikata, 2001; Mama, 2001) or a means of attracting funds (Adams, 2007; Mama, 2001).

The State is no monolithic, unitary entity, either, but an ensemble of institutions, networks and organisations with their own sets of interests, which are themselves not always coherent (Franzway, Court and Connell, 1989; Manicom, 1992). States therefore cannot be conceptualised as inherently patriarchal, or only representative of the interests of men. Rather, they are shot through with strands of masculinist domination which may take one form in the police, but another in parliamentary structures. Both protean and rigid, the various parts of this complex exist in sometimes cooperative and sometimes contradictory relation to one another (Brown, 1995). Power does not circulate equally across institutional sites or within networks but is concentrated in some sites while diffused across others (Rose and Miller, 1992). It is within this matrix and the ebb and flow of power between its various nodes, that projects to advance gender equality, must be constructed.

State discursive practices and processes are equally central to these processes, constituting gendered subjects and subjectivities in some ways, and not others; monitoring and regulating some aspects of people's lives, while hiving off others as private; and extending some protection and material benefits at the same time as others are withheld. Law has been central to this separation between the public and private through the particular relationships it has constituted between the State and the family. On the one hand the family has been deemed outside the intrusions of criminal law, while on the other, legislators working within the domain of family law have regulated inheritance, and the disposal and accrual of assets and property; constituted relationships

of subordination and authority between adults, as well as between adults and children; and created duties and obligations between family members, in addition to defining what is a family, who may enter into a marriage and how marriages may be terminated.

The private sphere under colonial and apartheid rule also contained the traditional and indigenous which guaranteed the disregard of marriages consolidated in accordance with African customary law. However, the enactment in 1998 of the Recognition of Customary Marriages Act both brought such partnerships within the purview of the law and reconfigured gender relations between African women and men, women having been perpetual minors subject to their male relatives' authority prior to its promulgation. (Non-African women, subject to different legal regimes, had seen the last vestiges of their husbands' marital power abolished in 1993.) The later Civil Union Act of 2006 also altered the heteronormative basis for marriage by granting legal recognition to the unions of same sex couples (even as it simultaneously refused to describe such unions as marriages).

Thus, how states construct gender categories and relations, and where they settle the borders separating the public from the private, is neither stable nor uniform across time and place, but formed and reformed through the constant interplay of race, class, geographical location and sexual orientation (amongst others). As a consequence, women are positioned in a range of shifting and complex hierarchical relations both to each other, as well as to men. This presents a challenge to the making of state policy, for who is the 'woman' being constituted, as the object of such policy? And what is the nature of the policy response required to address diverse women's particular needs? Who is to represent and articulate the diversity of these interests? These questions are made particularly acute within the context of South Africa's long history of racialised subordination and dispossession and the fractured, complex social relations it has produced.

PUTTING THE WOMAN INTO THE STATE

The year 1990 dawned in South Africa with little indication of the momentous political changes to come. Women comprised just 2.8%

of parliamentarians, while the Cabinet included one female minister (of Health) and one deputy minister (of Justice) (Myakayaka-Manzini, 2002). The national liberation movement was not specifically seized with the problem of women either, and dismissed feminism as a white, middle class Western women's irrelevance (Hassim, 2006). Two events, themselves the outcome of long backroom struggles, subsequently changed the political terrain for women permanently: the unbanning in February 1990 of a range of political parties, thus setting in motion the handover of power to a government elected under democratic conditions; and the issuing in May of a statement by the ANC's National Executive Committee acknowledging that women's emancipation was not a by-product of socialism or national liberation, but a problem to be addressed in its own right (Erlank, 2005). With this important discursive shift from nationalism to the language and ethos of rights and citizenship, the way was opened for 'women' to emerge as a political constituency (Hassim, 2002).

By April 1992 women across the political spectrum had organised themselves under the umbrella of the Women's National Coalition (WNC) and asserted their inclusion into the political negotiations and the writing of the Interim Constitution. The redesign of the State was also intensely debated, for while much of the apartheid state was to be inherited, opportunities nonetheless existed for the creation of new structures institutionalising gender equality within the norms, practices and procedures of the State. A first set of discussions took place in December 1992 at a national conference organised by the Institute for Democratic Alternatives in South Africa (IDASA), followed by a conference hosted by the WNC which included international experts from Thailand, Canada, the Netherlands and Bangladesh. The question was also considered during the ANC's policy conference of 1993 (Albertyn, 1995a).

Internationally, gender machineries had taken a diversity of forms, ranging from solitary gender desks to fully-fledged women's ministries. However, the history of such structures on the African continent, where they had been in existence since the 1970s, also offered a range of lessons in constraint and ineffectiveness, with the most important of these for South Africa's purposes being the ghettoising effect of single

structures such as women's ministries. This concern, in combination with the lack-lustre history of such ministries in other countries, as well as the costs associated with establishing separate infrastructure (Mabandla, 1994; MbeteKgotsitsile, 1995) led to the decision to create an ensemble of institutions instead, layered throughout the various tiers of government and closely networked with women's movements outside of the State. With these institutional sites distributed across the bureaucracy, the legislature, independent bodies, and civil society, multiple nodes of engagement would result, guarding against co-option, as well as reducing dependence on political will for the advancement of women's interests (Hassim, 2003).

But while the intent may have been clear, the processes were not, with conflict over aspects of the Interim Constitution of 1993 even foreclosing some decisions over the form of South Africa's particular machinery. As the negotiations drew to a close traditional leaders objected both to the inclusion of gender equality within the Bill of Rights and demanded that customary law be excluded from the ambit of the Interim Constitution. In the hasty attempt to find a compromise between traditional leaders' demands and the opposition of rural women in particular to these, the Commission for Gender Equality (CGE) was born (Albertyn, 1995a). Subsequent processes formalising both the CGE, as well as other components of the National Gender Machinery (NGM), were to prove more protracted and messy.

Institutionalising gender within the legislature

The ANC's assumption of power in 1994 resulted in a significant number of women entering the legislature, which now comprised 27.7% female parliamentarians (the consequence of ANC women's success in pressing the party to adopt a gender quota, set at 30% of all seats during the first election) (Seidman, 1999). Frene Ginwala, who had led the WNC during the transition period, was appointed the Speaker of Parliament – the first woman to hold this position. Under her leadership the Speakers' Forum, comprised of Speakers from the national and provincial legislatures, established the Women's Empowerment Unit to define and address obstacles to women MPs' participation in law-making processes. Also established in 1994 was

the Parliamentary Women's Group (PWG), intended to work with the Women's Empowerment Unit in building the capacity of women MPs to craft gender-equitable legislation and to drive the kind of institutional transformation required to make Parliament a gender-sensitive environment (Watson and Rhoda, 2002: 78). Although the PWG was also intended to create a platform for women to engage across party political lines, it never really got off the ground, receiving no funds from parliament to support its workings and being treated as an add-on to be fitted into weekends and lunch hours (Geisler, 2004). But the biggest challenge to its effectiveness was the partypolitical divide which a shared gender identity could not transcend – and if it did, put women MPs at risk of being accused of disloyalty to their parties (Britton, 2005). Both the Women's Empowerment Unit and the PWG soon ceased to have a presence and gradually disappeared at a time when legislation was turned into policies and projects and accountability to the ideals of gender equality needed to be enforced.

Also set up in the early days of the new parliament was the Joint Standing Committee on Finance's Gender and Economic Policy working group. From this grew the Women's Budget Initiative (WBI), initiated in 1995 by the working group, the Community Agency for Social Enquiry, the Law, Race and Gender Project of the University of Cape Town, and IDASA (Govender, 1996). The working group was subsequently absorbed into the Joint Monitoring Committee on the Improvement of the Quality of Life and Status of Women (JMC) when it was established as an ad hoc committee in 1996 by Frene Ginwala (Govender, 2007). Chaired by Pregs Govender, the JMC's mandate was to monitor and evaluate progress towards improving the quality of life and status of women in South Africa, specifically in relation to state commitments to the Beijing Platform for Action, the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and any other international instruments. The JMC was also expected to monitor legislation for its potential impact on women's lives. Because the Committee did not have a direct role to play in the passage of bills, it was meant to engage with portfolio and select committees on any issues of concern in a bill. As part of its monitoring role, it could also engage with government departments on service

delivery issues from a gendered perspective and had the authority to peruse departmental reports in terms of their impact on gender relations in society. But with neither a budget, nor a full-time committee clerk and perceived as having less power than a full committee, the JMC was hobbled. Much of 1997 was thus spent petitioning parliament's Rules Committee to grant the JMC the status of a full parliamentary committee – finally accomplished during the very last sitting of the National Assembly in 1997 (Primo, 1998).

Whether as an ad hoc or full committee, the JMC worked hard to establish a normative legal framework capable of advancing gender equality. The Choice on the Termination of Pregnancy Act of 1996, the Domestic Violence Act of 1998, the Recognition of Customary Marriages Act of 1998 and the Maintenance Act of 1998 all bear the JMC's imprint, as do the Skills Development Act of 1998 and the Employment Equity Act of 1998 (Govender, 2007). Arguably, the JMC also attempted to pursue policies of gendered redistribution through the WBI and its regular engagements with the Ministry of Finance around the country's macro-economic policy. In 1995, following the WBI's launch, the Ministry committed government to developing a statistical database disaggregated by gender on the impact of expenditures; implementing gender equality and equity targets and indicators; and developing a performance review mechanism evaluating progress and reporting to parliament (Govender, 1996: 9). The national Department of Finance also formed part of a gender budget initiative for two years in the late 1990s as part of a broader Commonwealth Secretariat pilot initiative.

Five women's budgets were ultimately produced under the auspices of the WBI, with the first three examining the budgets of all the national departments and related agencies. Deciding that such exercises should be the responsibility of government departments, the WBI then shifted focus in order to explore both the boundaries of gender budget analysis, as well as the gender and budget implications of new issues emerging in public debate (Budlender, 2000: 1).

Speaking at the launch of the WBI in 1995, Govender warned that if the WBI lacked a strong political base, it would become dependent on the good will and patronage of politicians and would likely become

sidelined if it remained outside the bureaucracy. At the time she identified an effective Office on the Status of Women (OSW), working with a strong parliament and organised civil society as essential to the success of the WBI (Govender, 1996:c10–11). Her concerns were borne out with time. By 2002 Budlender et al. noted that gender budget work within government had disappeared.

Govender also resigned as chair of the JMC, as well as a member of Parliament in 2002 following clashes with President Mbeki over his AIDS policy and the arms deal, as well as the ‘soul-destroying’ responses of MPs to hearings on child rape (Govender, 2007: 247). For a brief period the JMC was chaired by MP Lulu Xingwana, followed by MP Storey Morutoa after Xingwana was appointed to Cabinet. By 2004 the JMC was described as ‘practically dysfunctional’ and ‘to have lost momentum’ (Gouws, 2006: 158). Even in those instances where it did embark on worthy initiatives, lack of follow-up resulted in very little impact. In 2006, for example, the JMC visited KwaZulu-Natal, the Eastern Cape and Gauteng to ask women about their experiences of the implementation of the Domestic Violence and Maintenance Acts. It also participated in Parliament’s review of the Prevention of Unfair Discrimination and Promotion of Equality Act of 2000. Whilst these initiatives produced important information in terms of South African women’s lived realities, they did not lead to concrete interventions. The JMC also appeared not to notice when South Africa failed to submit its reports to CEDAW both in 2001 and 2005. Nor did it seem cognisant of the fact that the CGE effectively operated as an illegal structure for much of 2006 due to the non-appointment of Commissioners (Geisler, Mokgope and Svanemyr, 2009).

But the JMC’s descent into irrelevance cannot be attributed to the quality of its leadership and membership alone. Because the JMC was a joint committee whose members were drawn from both the National Assembly and the National Council of Provinces (NCOP), it experienced great difficulty in scheduling meetings that accommodated the activities and programmes of both Houses. A report aimed at identifying some of the factors hampering the work of the JMC noted that the National Assembly was finding it difficult to schedule JMC meetings because ‘the JMC overlaps with all Portfolio

Committees and cannot easily be accommodated in any of the groups of Committees as identified for scheduling purposes' (Hahndiek, 2004: 2). This wording is indicative of the inferior status of the JMC, and the priority accorded to gender issues. Because the JMC 'overlapped' with other committees, as opposed to other committees overlapping with the JMC, other committees were accorded first preference in terms of scheduling priorities. The parliamentary programme was also structured in such a way that the NCOP members of the JMC were often required to be in the provinces on Fridays – the day allocated to JMC meetings. This served as a further administrative impediment in the scheduling of JMC meetings. For example, in 2003 a total of 18 meetings scheduled for Fridays could not take place because one or both Houses had convened on Friday mornings (Vetten and Watson, 2009). As a consequence of their infrequent meetings, the JMC was also allocated less funding than other parliamentary committees (Parliamentary Monitoring Group (PMG), 9 June 2009).

As the JMC stumbled along, other initiatives emerged within Parliament – such as the Women's Parliament introduced in 2005 as one of a number of sectoral parliaments (including the Youth Parliament and People's Assembly) intended to provide opportunities for public participation in legislative processes. While these have become annual events since 2005, they are not institutionalised into the work of Parliament. Treated as annual, unconnected parliamentary 'events', no linkage is made to the previous year's event and no report provided on progress made during the year (Vetten and Watson, 2009).

In an attempt to revive the PWG, the Multiparty Women's Caucus (MPWC) was launched on 18 March, 2008. Its mandate, derived from Joint Rule 137 of Parliament, included representing the interests and concerns of women MPs, as well as promoting the discussion of women's issues in Parliament; introducing a women's perspective and focus in parliamentary activities, including the programming of debates; engaging in developmental and empowerment issues with women in political structures outside parliament and women MPs internationally; and considering any other matter within its mandate referred to it by either House of parliament (Parliament of the Republic of South Africa, 2008). But once again, a structure had been established

without funding and in its early years, the MPWC was dependent upon the assistance of the National Table, a structure providing operational assistance and guidance to the National Assembly generally. In 2011 the MPWC was allocated a budget for the first time, as well as a Committee secretary and a researcher (MPWC, n.d[a].).

Comprised of all women MPs from both Houses of Parliament, the Caucus' work is guided by a ten-woman steering committee drawn from the ANC, IFP, and DA.⁴ In a guide designed to assist politicians, administrators and researchers establish women's caucuses at provincial and district level, the MPWC notes that matters of women's political representation include far more than counting the numbers of seats occupied by women alone. Female MPs also represented women's interests generally and were therefore required to advocate reforms likely to make a qualitative difference in women's lives. With MPWC members drawn from committees across Parliament, it was expected that the caucus become a central mechanism for mainstreaming gender issues into parliamentary meetings and procedures (MPWC, n.d[b].). Whether or not this goal is being realised requires further research.

In the meantime, the JMC was accused in May 2009 of having accomplished very little, of having no strategic vision regarding what it wanted to achieve, and of having contributed little to the transformation of women's lives (Van der Westhuizen, 2009). It was replaced by a Portfolio Committee on Women, Children and People with Disabilities (WCPD) in the National Assembly and the WCPD Select Committee in the NCOP following the national elections of 2009. This restructuring did appear to reinvigorate parliamentary oversight.

Soon after their appointment in 2009, the committees requested briefings from different government departments and NGOs around various aspects of violence against women and children, which led to public hearings on 28 and 29 October 2009 around domestic violence and its associated remedies. All in all, the portfolio and select committees had held 10 different meetings around domestic violence (including

4 Personal communication, Committee Secretary King Kunene, 14 November 2013.

the public hearings) by the close of 2010. They continued following up on their report, too, being briefed by the Independent Complaints Directorate (PMG, 16 November 2010) and the Department of Social Development (PMG, 31 August 2011). The portfolio committee also conducted site visits to supplement the testimony heard during the hearings, while committee researchers worked with women's organisations on an ongoing basis around the drafting of questions to departments, as well as review of departmental responses to those questions.⁵ The Committee has also kept a close watch over the CGE's attempts to right itself.

Independent bodies: The Commission for Gender Equality (CGE)

Because the CGE was inserted into the Interim Constitution in haste and with little consultation, its existence became subject to contestation after the elections (Madonsela, 1995; Gouws, 1996; Geisler, 2004). Not only did the unclear mandate of the provision give rise to confusion at provincial level (Gouws, 1996; Albertyn 1996), but it also raised concerns that the CGE would become precisely the single structure ghetto that the women's lobby had sought to avoid (Madonsela, 1995; Mabandla, 1994; Gouws, 1996; Geisler, 2004). These debates were further stoked when the legislation setting out the CGE's mandates and functions was only adopted by parliament in June 1996 and the office established in 1997 – delays which led commentators and activists to perceive politicians as being indifferent to matters of gender equality (Madonsela, 1995; Geisler, 2004).

The Commission for Gender Equality Act of 1996 tasked the CGE with a broad remit. Its five functions included monitoring and evaluation, investigations, education and information, research and liaison. In line with these functions the CGE was empowered to investigate any gender-related complaint, as well as monitor South Africa's compliance with its international agreements. Importantly, in promoting gender equality, this monitoring function extended to examination of the practices of organs of state and other statutory

5 Interview, Parliament November 2012.

institutions, bodies and authorities, in addition to those of private institutions. The CGE was also required to review laws and policies likely to affect gender equality and the status of women, as well as make recommendations to parliament both about amendments to existing law, and the drafting of new law. Carrying out public education programmes to foster understanding of gender equality, also fell within this mandate, as did liaising with institutions and bodies whose objectives were similar to its own.

The CGE, however, was expected to undertake its tasks with an initial budget of just R2 million – an amount both well below that of other Chapter Nine institutions and inadequate to covering the salaries of the 11 commissioners, let alone the CGE's activities and administrative costs. In 1998 the CGE threatened to subpoena the Ministry of Justice (to which the CGE was accountable) when it was discovered that requests for further funds had been ignored. While the 1998/99 budget did allocate R11.2 million to the CGE, undertakings that the budget would be increased to R25 million over the next three years were not honoured and nor was the staff complement increased from 33 to 78, as had also been promised. By 2001/02 the CGE's budget had been increased to R13 million while that for the Human Rights Commission was R27 million (Geisler, 2004).

The CGE began well enough, engaging the media and conducting a series of provincial consultations to inform its planning, as well as build relationships with women's organisations and researchers. However, after only a year, the chair of the CGE, Thenjiwe Mtintso, was redeployed by the ANC to the post of the party's Secretary-General, once again prompting the women's sector to wonder how seriously the ANC viewed gender equality, especially because the gap could not be filled by an equally skilled and committed person (Gouws, 2006; Meintjes, 2009). Two other commissioners also left in 1998 and, in a foretaste of things to come, it took a year to replace all three (Geisler, 2004). By mid-2000 corrosive internal conflicts effectively paralysed the CGE's workings and by the end of the year some Commissioners had resigned while half the CGE's staff had also either resigned or been dismissed (Seidman, 2003). Lengthy legal proceedings followed, to the CGE's cost.

History repeated itself in 2004 and 2005 when yet another set of commissioners resigned. The departure of these commissioners, coupled with the expiry of the remaining commissioners' terms in 2006, meant that the CGE operated without commissioners for 14 months, appointments only being made in May 2007. The delay in the appointments was the result of delays in parliament, delays by the Minister of Justice, delays by the Speaker's office and delays by the President in signing off the final appointments. As the ad hoc committee put it: 'the pathology of the process betrayed the interests of women' (Parliament of the Republic of South Africa, 2007). But this was not all.

In 2007 the Ad hoc Committee on the Review of Chapter 9 and Associated Institutions was appointed to evaluate these bodies. In relation to the CGE it wrote:

The Committee finds that it must report on the Commission in pain and sorrow, rather than anger. As such it strongly believes that the Commission represents a lost opportunity as until now it has failed to engage in a sustained and effective manner with the policies, approaches and mechanisms to eliminate all forms of gender discrimination and to promote gender issues in South Africa (Parliament of the Republic of South Africa, 2007: 150)

The findings of the Ad hoc Committee were damning. The CGE's understanding and interpretation of its mandate was 'inadequate', much of which it was not fulfilling. Of particular concern was the Committee's conclusion that the CGE was confused about its relationship to the Executive and not sufficiently attentive to the need for independence from the Executive. Consequently it was perceived as unwilling to take a stand on controversial issues of importance, which served to dissuade organisations from approaching the CGE with complaints (Parliament of the Republic of South Africa, 2007). This concern with commissioners' lack of independence was not new (Gouws, 2006; Meintjes, 2009). Indeed, former commissioner Sheila Meintjes also alleged interference by the ANC's Women League who saw its members within the Commission as accountable to the party rather than women broadly (2009: 93). Like others (Gouws, 2006; Hassim, 2003), she suggested that some commissioners were

appointed not because of the depth of their grasp of gender equality, but as political reward and mobility into a political career.

The Ad hoc Committee could not find evidence of the CGE's monitoring and evaluation of government policies, or its compliance with international instruments, either. Public awareness of the CGE was poor, while the CGE did not liaise effectively with other Chapter 9 organisations, and was not recognised internationally or regionally by international organisations. The CGE's internal arrangements were not satisfactory, either, with tensions evident between commissioners and between commissioners and staff, largely due to the division in roles not having been adequately specified.⁶ Generally, low morale and high staff turnover dogged the Commission's functioning by disrupting its programmes and activities. Parliamentary oversight of the CGE was also inadequate and unsatisfactory and questions were raised about the CGE's allocation of its budget (Parliament of the Republic of South Africa, 2007).

Matters did not improve significantly with the new commissioners appointed in 2007. By the time the CGE was summoned to appear before the Standing Committee on Public Accounts (SCOPA) on 7 May 2010, the institution was again in crisis and the subject of serious complaints by the Public Protector and the Auditor-General. In addition, the CGE had contravened the Public Finance Management Act (PFMA) of 1999 in a number of ways (Watson, 2012).

The Auditor-General identified a range of serious inadequacies in the CGE's financial systems and controls leading, amongst other things, to the irregular expenditure of R28.9 million in 2008/09 (although R14.8 million of this amount was initially not reported on by the CGE). Weak management exacerbated this problem. Where staff had misappropriated funds, they were neither subject to disciplinary proceedings, nor made to repay the funds, while the Chief Executive Officer had been able to award herself a 37% salary increase.⁷ The tensions noted in 2007 by the ad hoc committee had also not been

⁶ See also Gouws, 2006.

⁷ She was subsequently suspended and charged with misconduct before a settlement was reached, the CGE not wishing to revisit its protracted legal battles of the early 2000s.

addressed and by 2009 the Public Protector was writing to the Speaker of the National Assembly urging intervention into the CGE's turmoil. Some 13 staff had left the CGE in 2008/09 and by the time of the 2010 SCOPA review the position of Chief Executive Officer was vacant, as were all six Heads of Department posts (Watson, 2012).

As a consequence of its staffing constraints, the CGE resorted to consultants, but not unsurprisingly, given the CGE's weak financial controls, expenditure in this regard was found by the Public Protector to be both 'fruitless and wasteful'. Contractual agreements had been vague, resulting in consultants being paid without having completed the work, as well as in excess of what had been budgeted for (Watson, 2012). The absence of systems to hold the Chair of the CGE to account also meant that she had been absent from work for extended periods of time while still being remunerated (the Chair was accountable to parliament alone and not the CGE as a body). In the absence of a Chief Executive Officer, commissioners had 'unlawfully and irregularly' appointed two of their members to the position in contravention of the Public Finance Management Act, resulting in a clear conflict of interest. However, no-one could really be appointed from the CGE's management team either because staff had expressed a vote of no confidence in management. But the consequence of this action was to render irregular, all expenditure authorised by the two commissioners during their tenure (Watson, 2012).

Following the SCOPA review, the CGE was instructed to submit monthly reports to the WCPD PC on its progress towards addressing these very serious breaches, a process still in place by the end of 2012. While some improvements had been made, the Auditor-General nonetheless reported that 33% of the CGE's targets had not been met for the 2011/12 financial period, while the 38% variance between planned and actual achievements was not explained. Irregular expenditure of R5.5 million had also been incurred during this period (Watson, 2012).

Because a new set of commissioners was only appointed in 2012, it is premature to comment on the extent to which the CGE has been reinvigorated.

ENGENDERING THE BUREAUCRACY

While parliament moved fairly rapidly in establishing gender structures, the national bureaucracy's progress was considerably slower. By late 1994 all that had been accomplished was the secondment of Mmatshilo Motsei (founder of the Agisanang Domestic Abuse and Training Programme in Alexandra) to the office of Jay Naidoo, Minister without Portfolio, to develop a policy document for the Reconstruction and Development Programme (RDP) on women's empowerment (Women's Health Project, 1995). In the meantime, taking their cue from the Interim Constitution and its vague provision on the establishment of a commission for gender equality, provincial government pressed ahead with setting up structures, processes and programmes attentive to gender equality. By April 1995, all provinces but the Free State and KwaZulu-Natal had established some form of gender structure, often in the office of the Premier, while the Eastern Cape, Northern Cape and NorthWest Province had gone so far as to develop bills enabling the establishment of gender commissions in their respective provinces. However, because they were located within government, as well as the provincial legislature in some instances, these commissions were hybrid structures, rather than the independent structures envisaged by the Interim Constitution of 1993 and, following a conference in 1996, these bills were put on hold (Albertyn, 1996). Other provinces were largely focused on developing projects addressing poor and rural women's needs.

By June 1995, with women's organisations growing restive (Madonsela, 1995; Albertyn, 1995a; Albertyn 1995b; Albertyn, 1996), a call for the development and circulation of a discussion document on the national machinery was issued by 74 organisations attending a conference organised by the Constitutional Assembly (Albertyn, 1995b). The call was taken up by the Centre for Applied Legal Studies, which then forwarded the completed document to the Gender Unit of the RDP for distribution to various ministries. It was also released to civil society organisations in the hope of widening debates around the gender machinery, as well as providing a lobbying resource to organisations (Albertyn, 1995b). It then fell to the RDP's Gender Unit

to drive the setting up of the NGM (Motsei, 2007), largely through the recently-established national interdepartmental gender forum.

The discussion document proposed an Office on the Status of Women (OSW) situated in the President's office; a cabinet committee on gender; gender units/desks distributed throughout government departments; a multi-party women's parliamentary caucus; and an independent research and advisory council (the role proposed for the CGE). These structures were also to be established and inter-linked at provincial and local level. The centrepiece of the proposed NGM was to be a National Gender Policy guiding the workings of its various parts. But regardless of location, the purpose of each of these institutions was the integration, or mainstreaming, of gender into processes of policy formulation and implementation, law reform and administrative practices in both public and private institutions. All of these actions were to involve civil society organisations as the extrastate component of the NGM (Albertyn, 1995b: 4–15).

The Office on the Status of Women

Cabinet approval for the establishment of the OSW finally came in 1997. Situated in the Office of the Presidency, it was to be the apex of the NGM and specifically responsible for implementing gender equality in provincial and national government departments. The provincial structures established from 1994 onwards were also absorbed into the OSW, but the diversified imprint of their early forms and functions persisted such that they remained a relatively differentiated set of structures. Thus Gauteng never established a provincial OSW while the Western Cape closed its OSW in 2006 after opting to integrate the offices dealing with children, youth, gender, and disability into a Directorate of Social Dialogue and Human Rights (Geisler, Mokgope and Svanemyr, 2009).

Local government had also commenced with establishing structures before the OSW was formalised. These were subsequently institutionalised within the South African Local Government Association and the then Department of Provincial Affairs and Local Government. The creation of Council gender committees as well as gender desks in the office of the mayor or Chief Executive Officer

were also recommended by the OSW (n.d: 33).

The OSW's initial priority was finalising the women's empowerment policy initiated by the Gender Unit in the RDP office (closed in 1997). Three years after the Office's inception *South Africa's National Policy Framework for Women's Empowerment and Gender Equality* (NPF) was adopted by cabinet in December 2000 (OSW, n.d.). The OSW's focus then shifted to advancing the NPF and spearheading the process of gender mainstreaming, as well as liaising between international bodies and the Presidency and NGOs and parliament; and initiating training and research pertinent to its mandate.

The capacities and capabilities of the OSW were compromised from the outset. Even though planning had suggested that a staff of six would be required for the Office, it began life with a director and later a receptionist (who also doubled as an administrative assistant). Its budget for 1997/8 was just R299 000, about half that allocated to the Office for the Status of Disabled Persons (Primo, 1998). Further, because issued in the name of the OSW, an administrative unit lacking the executive authority and power to issue government policy, the NPF carried no weight (Madonsela and Hlatshwayo, 2009). Thus its recommendations and prescripts could safely be ignored. Also compounding difficulties was the status of the Head of the OSW. Because employed at Director level she was generally ranked lower than many of the departments she dealt with. The OSW also enjoyed little authority over Gender Focal Points (GFP) and provincial OSW, chiefly because they were answerable to their national and provincial departments, and not the national OSW. Even if it was recognised that the OSW was responsible for co-ordinating the NGM, this did not guarantee support or co-operation (Geisler, Mokgope and Svanmyr, 2009).

In theory, the OSW was represented by the Minister in the Presidency – including at Cabinet level. In practice, the Minister in the Presidency was not an effective advocate for the OSW, not least because gender matters were but one of a range of responsibilities delegated to the Minister. In addition the Minister had neither a department, nor an accounting officer. The OSW thus reported to the Minister on matters of policy and to the Chief Director in the Presidency on administrative matters. But because they were reporting to the Chief

Director and thus only indirectly to the Director-General, the OSW's access to resources was limited and it had no strong representative in the Forum of South African Directors-General (FOSAD) (Madonsela and Hlatshwayo, 2009). This was to have repercussions for the OSW's ability to drive mainstreaming activities across departments.

The OSW also compounded its difficulties by failing to develop a system monitoring the extent and practice of gender mainstreaming within government departments. In its absence indicators had to be drawn instead from the bureaucracy's few relevant general monitoring and evaluation indicators. Still others were drawn from the United Nations Economic Commission for Africa's African Gender and Development Index (Geisler, Mokgope and Svanemyr, 2009). This contributed to the OSW being unable to co-ordinate gender mainstreaming activities. The Office also provided little in the way of training around gender mainstreaming and analysis to GFPs, with 2006/07 for example, largely spent in attending meetings and events, rather than activities supporting gender mainstreaming (Public Service Commission, 2006; PMG, 2 November 2007). Overlapping mandates also caused tensions between the CGE and OSW around their respective roles and responsibilities (Public Service Commission, 2006; Parliament of the Republic of South Africa, 2007; Gouws, 2006).

Institutional memory was plundered by regular changes to the OSW's staff complement (Geisler, Mokgope and Svanemyr, 2009) and in 2007, the Office actually closed for eight months following the resignation of its entire staff complement over a period of two months (PMG, 2 November 2007; PMG, 23 May 2008). New staff began work without the benefit of any sort of handover process and described themselves as starting from scratch. In the absence of staff, the Chief Financial Officer in the Office of the Presidency openly admitted to having guessed at the budget required by the OSW – R1.1 million on his estimation (PMG, 2 November 2007).

One of the first tasks undertaken by the new members of staff was a strategic planning session intended to address the dysfunctionality of the NGM. But in a perfect illustration of the communication problems dogging the various parts of the NGM, the OSW not only neglected to invite the JMC to the meeting but also allocated tasks to the JMC in

its absence. Understandably, the JMC was not amused. They were also surprised to discover the existence of a Presidential Working Group on Women, which was developing a Women's Pension Fund (PMG, 2 November 2007). But by this point discussions around the OSW's difficulties were becoming moot; thinking had already begun around the creation of a women's ministry. Still, the national OSW limped on until 2009, when it was absorbed into the Ministry of Women, Children and People with Disabilities. It continues to linger in the form of some remaining provincial OSWs.

Gender Units and Gender Focal Persons

In terms of the NPF government departments were required to establish dedicated Gender Focal Persons (GFP) or gender units to ensure that departments complied with gender mainstreaming directives and established projects and programmes attentive to gender concerns. In as late as 2009, Geisler, Mokgope, and Svanemyr could still report that an unknown number of departments had no GFPs in place, either because they had not replaced the incumbent on her departure, or had simply never appointed anyone to the position. In some instances, the appointments were relatively recent and made some years after the requirement was stated. By 2011, the Department of Public Service and Administration's (DPSA) survey of 141 national and provincial departments, of which 66 (or 47%) responded, found five national and 31 provincial departments to still have no Gender Unit (DPSA, n.d).

While some GFPs enjoyed support from senior managers, others found their work dismissed and trivialised as a personal cause, rather than a professional responsibility with institutional relevance (Karlsson 2010: 505). Many GFPs worked alone and without budgets and frequently functioned as special projects officers responsible for children, youth, disability, HIV/AIDS, and even Employee Assistance Programmes. An audit conducted by the OSW in June 2006 found that only nine of the 30 GFPs appointed in national departments were solely responsible for gender; the remaining 21 were responsible for the elderly, employment equity and human resources matters in various combinations (Pahad, 2007). This was still the case by the 2011 DPSA survey, which also suggested that a number of departments' gender

programmes had become de facto bureaux of unwanted persons, being staffed by personnel made redundant by other units and who thus possessed neither an interest in, nor understanding of, gender mainstreaming (DPSA, n.d.).

Making GFPs responsible for matters of internal staffing only, or in addition to the integration of gender concerns into programmes and policies, diminished attention to gender mainstreaming; internal human resources matters took precedence because they were of greater interest to staff (Geisler, Mokgope and Svanemyr, 2009; DPSA, n.d.). As these placements and wide range of responsibilities suggest, GFPs themselves did not always have the necessary skills or experience to engage in gender mainstreaming processes (PSC, 2006; Geisler, Mokgope and Svanemyr, 2009).

Echoing an earlier theme, GFPs were not appointed at the level of seniority recommended by the NPF and faced formidable challenges as a result. Because their ranking within the bureaucratic hierarchy was relatively junior they lacked the managerial authority to drive programmes and policies – a difficulty further compounded by senior managers' lack of interest in, as well as unfamiliarity with, these processes. Their low rank also prohibited their attendance at high level budget and policy formulation meetings which ensured they had no influence on the content of these documents. (PSC, 2006; Geisler, Mokgope and Svanemyr, 2009; DPSA, n.d.). Indeed, the low ranking of GFPs symbolised the importance and value of gender equality within departments. Gender equality was not integral to departments' goals and functions but an ad hoc addition largely to be taken up through events such as Woman's Day and the 16 Days of Activism, treated as celebrations and a means of 'showing appreciation to the ladies' (PSC, 2006: 34–36). These activities consumed the bulk of GFPs' budgets (DPSA, n.d.) which, some suggested, were also the first to be reduced when budget cuts loomed (Karlsson, 2010).

In 2006, perhaps prompted by this floundering trajectory, the Public Service Commission (PSC) and the DPSA ventured into national gender machinery (NGM) territory. In November the PSC issued its study exploring the extent and nature of gender mainstreaming initiatives within the bureaucracy while the DPSA circulated A

strategic framework for gender equality within the Public Service. In August 2007 these were presented to a high-level roundtable on gender mainstreaming in the Public Service organised by the DPSA and the Office of the Presidency. While two Ministers attended the roundtable, not a single Director-General was present, despite being responsible for ensuring that their departments devoted attention to gender matters. Further illustrating the inconsequentiality of gender, Directors-General had not signed off on motivational letters elevating the position of provincial OSW heads from assistant directors, to directors (PMG, 2 November 2007).

With the OSW providing no real training around mainstreaming, the South African Management Development Institute (SAMDI) took on this task and offered its first accredited training programme for public servants in April 2008 (SAMDI, 2008). On the transformation of SAMDI into the Public Administration Leadership and Management Academy (PALAMA) in August 2008, a new course was developed in association with the OSW, with considerable donor support from the Canadian International Development Agency (CIDA). Commencing in November 2006 and ending in November 2010 (subsequently extended to June 2012 [PALAMA, 2012]), CIDA provided Canadian \$3.84 million towards gender mainstreaming activities in government (PALAMA, 2009). These included revision of the original SAMDI gender mainstreaming programme, coupled with extensive independent review of other SAMDI training curricula.⁸ PALAMA also designed a web page enabling training participants to request online followup and support, as well as engage in virtual discussion fora. While 122 gender mainstreaming sessions had been conducted by March 2012, only 744 portfolios of evidence had been received, with 634 subsequently assessed and 372 having been declared competent in

8 Commenting on their review of existing learning material for government personnel, the evaluators described these as 'rife with common gender bias' which 'could at best be described as benevolent sexism with multiple examples of overt and covert gender bias, sexist stereotyping and prejudice against women; and with concomitant reinforcement of unequal power relations between women and men with men continuing to dominate and women being disregarded, invisible or under-valued' (PALAMA, n.d: 7).

terms of the South African Qualifications Authority accreditation system (PALAMA 2012: 59).

The Gender Equality Strategic Framework for the Public Service first circulated in 2007 finally came into effect in April 2009. Its focus and emphasis were on increasing the representation of women in the public service, with gender mainstreaming reduced to a strategy supporting the implementation of the Framework. It also introduced an eight principle action plan for promoting women's empowerment and gender equality within the public service workplace. These principles included transformation for non-sexism; establishing a policy environment; meeting equity targets; creating an enabling environment; gender mainstreaming; empowerment; providing adequate resources; and accountability, monitoring, and evaluation (DPSA, 2008: 44). The full implementation of these principles would encourage 'the goals of women's equitable representation in decision making positions, their upward mobility in the workplace and their advance towards true equality and empowerment' (DPSA, 2008: 45). Ideally, one week in August was to be set aside as a 'Public Service Women Management Week'. During this period Heads of Department were encouraged to meet with senior female managers in their departments to discuss progress towards implementing the eight principles (DPSA, 2008).

THE MINISTRY OF WOMEN, CHILDREN, AND PEOPLE WITH DISABILITIES

While a women's ministry was rejected in 1994, there is some evidence to suggest that the idea was being revisited by the Free State ANC Women's League in 2002/3 (Madonsela and Hlatshwayo, 2009). But the real impetus behind the ministry can be traced to South African Women in Dialogue (SAWID) and its convenor, first lady Zanele Mbeki. In 2006 Mrs Mbeki and SAWID, in the company of the Presidency, other government departments, the Independent Development Trust, and the Association of Microfinance Institutions, visited Chile and Tunisia because they had apparently halved poverty well before 2015, a Millennium Development Goal (SAWID, 2006). What also set Chile and Tunisia apart for Mrs Mbeki was their identification of women

‘as a unit of analysis and intervention for poverty reduction’ and the existence of a Ministry of Women, with a budget and executive authority, accounting to cabinet regarding women’s advancement in all areas of human development. Two recommendations were made to South Africa upon Mrs Mbeki’s return: review of the country’s NGM and its capacity to initiate and implement affirmative programmes for women; and expediting implementation of a women’s fund (SAWID, 2006).

By the end of 2006 the PSC review of gender mainstreaming in the public service had appeared (its inception clearly predates the Chile and Tunisia visit) and in October 2007, following an initial meeting with the OSW, the African Development Bank met with the other components of the NGM to discuss their immediate research needs, with the NGM itself identified as the research priority (Geisler, Mokgope and Svanemyr, 2009). By the close of 2007 resolution 109 of the 52nd National Conference of the ANC, which referred to the establishment of a women’s ministry, had been adopted. The 2007 Polokwane resolutions noted that fighting poverty, which affected women disproportionately, was the ANC’s key objective and that the experience of countries such as Tunisia had illustrated the value of women’s ministries. However, further thorough assessment and analysis of existing instruments, their relevance, strategies, programmes and areas of focus, as well as their impact, was to be undertaken in order to inform recommendations around the form and content of new institutional mechanisms (ANC, 2007). When fieldwork for the subsequent African Development Bank study began in 2008, it was linked into this process of review (Geisler, Makgope and Svanemyr, 2009).

The rationale behind a women’s ministry thus derived from two different departure points. On the one hand the ministry was to serve as a development vehicle tackling women’s poverty (SAWID, 2006); on the other it was designed to correct the serious deficiencies exhibited by the OSW (Madonsela and Hlatshwayo, 2009). By 2008 the Progressive Women’s Movement of South Africa (PWMSA) was largely driving the process and developed a policy framework recommending a stand-alone ministry to advance women and gender equality. This was first presented to a PWMSA meeting on 4 April

2008, and then to the NGM on 25 October 2008. By October 2008 the JMC was also claiming that a Ministry had been one of their objectives and proposing to put forward their recommendation for such a structure at an upcoming NGM meeting (PMG, 24 October 2008). By early February 2009, a concept paper on the establishment of a Ministry for Women and Gender Affairs had been submitted to the cabinet for consideration (Khumalo, 3 February 2009). SAWID had also been making presentations to Cabinet and had used its dialogues, particularly around poverty eradication to advocate for the women's ministry (SAWID, 2009). But apart from SAWID and PWMSA, the only other women's organisations which appear to have participated in these discussions were People Opposing Women Abuse, and the Gender Advocacy Programme (Khumalo, 2009).

The ministry was established on 10 May 2009, and the Department of Women, Children and People with Disabilities (DWCPD) proclaimed by President Jacob Zuma on 7 July, 2009, so amalgamating the OSW, the Office on the Rights of the Child and the Office on the Status of Disabled Persons into one structure. While the ministry initially looked set to be responsible for youth, too (PMG, 9 June 2009), this mandate ultimately remained with the Office of the President (PMG, October, 2009).

The first Minister, Noluthando Mayenda-Sibiya, was the subject of much public criticism, chiefly around her perceived ineffectualness and was replaced in 2011 with Lulu Xingwana. Mayenda-Sibiya began, however, with the odds stacked against her. The DWCPD was inaugurated without a budget and only allocated funds in 2010. Much of the first year of its existence was thus spent squatting in the Presidency with the remains of the OSW. Notwithstanding the concept paper developed for Cabinet, the DWCPD still 'grappled with the challenge of defining its mandate in the context of varying public expectations' (DWCPD, 2011: 11). It eventually settled on mainstreaming, advocacy, monitoring and evaluation of gender, disability, and children's rights in all government programmes, as well as those within the private sector and civil society (DWCPD, 2011). In 2012 the DWCPD revised its mandate and purpose again. It was now to drive government's equity, equality and empowerment agenda (DWCPD, 2011: 6) by ensuring

equity and access to development opportunities for the groups for which it is responsible; monitoring the mainstreaming of gender, children's rights and disability considerations into the programmes of government and other sectors; and monitoring improvements to the social and economic circumstances of these designated groups. Its chief functions remained advocacy and mainstreaming, institutional support and capacity building, and monitoring and evaluation.

Not unsurprisingly, given these uncertainties, the Auditor-General noted in the DWCPD's first Annual Report for 2010/11, that no logical link existed between the programmes' objectives, indicators and targets. It was thus difficult to assess the performance of the DWCPD, which had also not complied with the PFMA and other financial regulations (DWCPD, 2011). The appointment of the Director-General in 2010 after the DWCPD's objectives had already been set had other consequences, these being the failure to develop a strategic plan and an annual performance plan consistent with Treasury regulations. In addition, the department overspent its budget by R22.7 million in 2011/12. This was not the result of honest error. On 11 April 2012 an anonymous letter alleging nepotism and favouritism within the office of the Director-General of the DWCPD was sent to the minister and also distributed within the department's offices. The ensuing investigation found evidence of unnecessary and reckless expenditure related to the payment of 'extraordinary' overtime claims, relocation costs, salary increases, and the appointment and remuneration of unqualified personnel (Fluxmans Attorneys, n.d.). The Auditor-General came to the same conclusions. His other comments suggested that the Women's Empowerment and Gender Equality Programme lacked both rigour and definition. For instance, 42% of the DWCPD's targets were not consistent with the indicators and targets of the approved performance plan, while 50% of targets did not specify measurable performance of the programme. More than a quarter of indicators (27%) were ill-defined and thus did not allow for the consistent collection of data on the DWCPD's progress (DWCPD, 2012: 88–89). By the end of 2012 both DWCPD and the Department of Higher Education and Training were on their way to becoming the only two national departments failing to meet any of the bureaucracy's minimum statutory requirements

for financial management (Department of Performance Monitoring and Evaluation 2013: 18). Overall, the DWCPD was the second-worst performing national department in terms of the Department of Performance Monitoring and Evaluation's Management Performance Assessment Tool, meeting just 14% of its key performance areas. This was marginally better than the Department of Military Veterans which, at 13%, was the worst-performing national Department (Department of Performance Monitoring and Evaluation, 2013: 21–22).

Despite this dire diagnosis of its performance, the DWCPD once again attempted to expand its mandate through the Women's Empowerment and Gender Equality Bill released for comment in August 2012. Briefly, the bill seeks to legislate gender parity at senior levels of decision making; make an offence of practices with adverse effects; and compel entities to mainstream gender into their policies and programmes, as well as institute a range of other measures intended to empower women. The Bill also confers extensive punitive powers on the minister which duplicate those of existing entities such as the CGE and the employment equity functions delegated to the Department of Labour. The Bill does not particularly strengthen in any meaningful way those state institutions outside of the DWCPD tasked with promoting gender equality.

Women's organisations

With the lesson internationally being that policy agendas did not shift through state efforts alone, but required the participation of women's organisations to institute change (OSW, 2000: 32), strong women's organisations within civil society were considered an integral component of the NGM (Mabandla, 1994; Mbete-Kgotsitsile, 1995; Albertyn, 1995b; Madonsela, 1995). However, while the WNC may have represented a women's movement, this was confined to a very particular point in time, with the elections of 1994 altering the configuration of women's organisations in at least two ways. The wholesale incursion of women into the State following the first democratic elections left existing women's civil society organisations considerably weaker (Geisler, 2000; Hassim, 2006), while the altered political environment allowed for the proliferation of new women's

organisations which, in the absence of a discernible centre, hastened the fragmentation of what had been a women's movement, into a host of issue-based organisations and sectors (Hassim, 2006). By 2006 it was suggested that three different types of formations had come into existence: coalitions; national policy making organisations; and local-level community groupings, some of which were linked to social movements protesting the inadequate provision of services (Hassim, 2006). These organisations were also stratified by their access to national political decision makers, as well as their access to resources and ability to engage with policy processes. These distinctions also largely mapped onto race and class and so generated their own set of conflicts between women's organisations (Hassim, 2006).

South Africa is thus home to a heterogeneous array of women's movements, rather than one single movement, which comprise organisations both feminine and feminist. While displaying a diversity both of organisational forms, as well as ideologies, these structures are nonetheless united by their focus on organising women (Hassim, 2005). Overall, however, the women's sector has been characterised as relatively weak in its capacity both to *articulate* women's interests, as well as mobilise in defence of those interests, and to develop strategies independent of the State and other groupings, while retaining the possibility of forming alliances in pursuit of its aims (Hassim 2005b: 176). These complexities provoke some of the more difficult questions around who represents women's civil society organisations in engaging with the NGM.

Gay Seidman (2003) suggest that some of these questions were at the core of the very first set of conflicts paralysing the CGE. Cautious of taking up gender issues that might prove too controversial, or alienate their political support, commissioners sought instead to emphasise initiatives that would benefit a particular and uncontroversial constituency: poor, rural African women. As a consequence the CGE did not seek to build strong alliances with the women who were their constituency: urban often middle-class, often feminist, women's organisations – which included both black and white women. Instead, they largely alienated them (Seidman, 2003). These relationships have not been built with time (Parliament of the Republic of South Africa,

2007; Watson, 2012). With the OSW similarly insulating itself from women's organisations, further exclusion from the NGM also resulted (Gouws, 2006; Geisler, Mokgope and Svanemyr, 2009). However, this ofthighlighted sense of exclusion belongs to one set of women's groupings, and it points to an additional approach to distinguishing between women's organisation – one based on linkages to the ruling party. Indeed, it is in the establishment of the DWCPD that the shifting levers of political influence within civil society are most readily discerned.

SAWID was founded in July 2003 following a meeting of some one thousand women at the University of Pretoria. The meeting, organised by a steering committee convened by Zanele Mbeki, was designed to reflect on the past; acknowledge and celebrate achievements post-1994, as well as identify current challenges; and draft a programme of action for the next decade. Administered through the Isigodlo Trust, SAWID defines itself as nonpartisan platform which aims to enable women 'to exercise our right...to participate fully in the development activities of our country and our continent' (SAWID, 2006: 9). The PWMSA, founded in 2006, is less developmentalist in approach.

The demise of the WNC left a vacuum which continued to be the focus of discussion within the ANC Women's League and its partners in the tripartite alliance, Cosatu and the SACP. According to the base document developed by the League and its Alliance partners, a movement was needed to act as 'a broad front of women's organisations, grassroots organisations of all kinds, feminist-orientated groups, researchers, faith-based organisations, traditional healers and women involved in policy formulation and programmes'. This became the PWMSA, launched in 2006 to coincide with the 50th anniversary of the 1956 Women's March, the 30th anniversary of the 1976 Soweto uprising and 10 years since the adoption of the Final Constitution (ANC Women's League, 2010). Six objectives were set for the PWMSA. Broadly, these focused on creating networks and solidarity between diverse groupings of women across race and class; combating poverty and supporting job creation, as well as meeting women's various needs; and deepening democracy by combating patriarchy in all its manifestations, as well as defending the gains women had made

(ANC Women's League, 2006).

At the time of writing this chapter, the national convenor of the PWMSA was also the Deputy Minister of Economic Development, as well as the Treasurer of the ANC Women's League, while the co-convenor was the second Deputy President of Cosatu. This simultaneous occupation of multiple positions of office not only illustrates the blurring of lines between political and civil society, but the State's mobilisation of women, too. The effect of this is to ensure privileged access to the State for some and marginalisation from state processes for many others. In this way contestation around the State's discursive construction of gender equality is contained within a narrow register.

SHIFTING SHAPE: GENDER EQUALITY AND STATE DISCOURSE

From the RDP onwards, the State's discursive framing of gender equality has troubled a number of authors and institutions (Agenda Collective, 1995; Govender, 2007). Over time these critiques have only accumulated in number, particularly in relation to gender mainstreaming as both discourse and practice (Klugman, 1999; Meer, 1999; Walker, 2005; Erlank, 2005; Gouws, 2006; PSC, 2006; OSW, 2008; Karlsson, 2010; Mankell, 2012).

Gender mainstreaming, quotas and women's empowerment

In brief, gender mainstreaming is focused on processes of policy making and seeks to transform these to ensure that they better represent women's substantive interests and result in policies more conducive to gender equality. In probing and interrogating the assumed neutrality of bureaucratic procedures, it is thought that the future consequences of existing inequalities can be anticipated and the necessary steps taken to prevent their reproduction (Squires 2007: 39). As a practice, gender mainstreaming has been subject to critique in South Africa, both for its technocratic modalities and its highly uneven application (Mankell, 2012; Karlsson, 2010; Walker, 2005). Critics have pointed to how, in making 'gender' everyone's responsibility, accountability for change is

both diffused and individualised. In its more technocratic expression – the tools, checklists, and sexdisaggregated data – it can mask the interweaving of gender oppression with other forms of social inequality such as race and class, just as it can erase considerations of gendered power relations altogether through an insistence that gender is about men and women, rather than the hierarchical relations between men and women (Mankell, 2012). But most fundamentally, the term is not well understood (PSC, 2006; Geisler, Mokgope and Svanemyr, 2009; Karlsson, 2010; Walker, 2005; Meer, 1999; Klugman, 1999).

The National Policy Framework for Women's Empowerment and Gender Equality (NPF) described gender mainstreaming as 'a process that is goaloriented. This process recognises that most institutions consciously and unconsciously serve the interests of men and encourages institutions to adopt a gender perspective in transforming themselves. It promotes the full participation of women in decision making, so that women's needs move from the margins to the centre of development planning, and resource allocation' (OSW, n.d. xviii). This definition provided little practical guidance to the aspirant practitioner of mainstreaming, bar the promotion of women's participation in decision-making. The DPSA's Strategic Framework for 2006–2015 provided more specific guidance, stating that mainstreaming 'entails bringing the perceptions, experience, knowledge, and interests of women as well as men to bear on policy making, planning, and decision making. Mainstreaming should situate gender equality issues at the centre of analyses and policy decisions, medium-term plans, programme budgets and institutional structures and processes' (DPSA, 2006: 15). Specific goals included the formulation by each department of tailored mainstreaming strategies; the consistent use of sex-disaggregated data and gender analysis, as well as the commissioning of sector-specific gender studies and surveys; making gender an explicit component of medium-term plans and budgets; and ensuring that issues of gender equality were attended to at key decision making steps in work processes, such as the preparation of parliamentary documentation, commissioning research, planning technical assistance activities and the like. And finally, managers were exhorted to take an active role in providing guidance around the objectives and responsibilities of

gender mainstreaming, as well as creating a supportive environment for the exploration of gender equality issues (DPSA, 2006: 17).

As this description suggests, gender mainstreaming is a complex and time-consuming exercise when undertaken carefully. Within the land sector, this diminished its appeal to managers under pressure to deliver services and meet targets (Walker, 2005). The transformatory potential of gender mainstreaming has been minimised in a range of other ways, including through the emphasis on establishing structures (DPSA, n.d.) and managing events – both of which disconnect substance from structure (Karlsson, 2010). There is also constant conflation by the public service of gender mainstreaming with employment equity or, as it is discursively framed, ‘women’s empowerment’. This is evident in the placement of GFPs/gender units within the Corporate Services divisions of departments, as well as the allocation of employment equity responsibilities to such staff. Further indication of this conceptual slippage is provided by the fact that employment equity was the only indicator by which the bureaucracy’s performance in relation to gender mainstreaming was measured (PSC, 2006). Indeed, this conflation was encouraged by the NPF’s formulation of mainstreaming as ‘promoting the full participation of women in decision making.’ The presence and inclusion of women thus comes to replace the ideational and conceptual dimensions of gender mainstreaming as this extract from the DWCPD’s Annual Performance Plan for 2012/13 also illustrates: ‘[t]he DWCPD has undertaken to facilitate, foster and drive the mainstreaming of women, children and people with disabilities as well as equality considerations for women and people with disabilities into government policies, governance processes and programmes’ (DWCPD, 2012) (emphasis added).

The DPSA’s Strategic Framework provides one clue to the assumptions informing this emphasis: ‘It is imperative that any strategy that aims to promote and protect human rights and human dignity of all people, must ensure that it first gets the “numbers game” right’ (DPSA, 2008: 21). In other words, representivity is a precondition for equality; indeed is equality. Thus the 1995 White Paper for the Transformation of the Public Service sought to appoint 30% of women to decision-making positions in the public service, a

target also set by the 1997 Southern African Development Community Heads of States' Declaration on Gender and Development (to which South Africa was a signatory). This target was initially to be achieved by 1999 and subsequently moved to 2005. It was finally met in March 2006 (PSC, 2006) – at which point the DPSA aimed for the Southern African Development Community target of 50% women in senior management by 2009.

Each election has also witnessed a steady rise in women's political representation, from 27.7% in 1994, to 44.5% by 2009, the fourth largest percentage internationally. Women's representation at local level has not equalled that at national level. In the first local government elections of 1995 women comprised just 19% of local councillors, prompting the Municipal Structures Act of 1998 to be issued with guidelines stating that 'every party must seek to ensure that 50% of candidates on the party list are women and that women and men candidates are evenly distributed through the list'. While the number of women councillors had increased to 38% by the 2011 elections, local government remains the tier of government in which women are most insecurely located (Beall, 2005).

This emphasis on numbers, or 'women's empowerment', isolates and abstracts women from the gendered relationships in which they are embedded; it is an approach which focuses on women alone, rather than on men's practices. As Pumla Gqola has noted, 'women's empowerment' is based on 'the assumption that ensuring that some women have access to wealth, positions in government, and corporate office is enough gender-progressive work for our society' (Gqola, 2007: 115). As a discourse it stifles radical and transformatory talk of a more gender equitable society, not least because this 'empowerment' is confined to the public sphere alone. It is utterly silent on the empowerment of women in the private sphere and the family. Domestic violence, the casualty par excellence of the public-private divide, provides a particularly useful lens on this issue.

Domestic violence

Domestic violence was subject to a long history of deliberate neglect by the apartheid state (Segel and Labe, 1990) and it was only in 1993,

with political transition thick in the air, that the Prevention of Family Violence Act was introduced – the first piece of legislation introduced for the specific purpose of combating domestic violence. However, the Act's express purpose was to promote family unity, rather than protect women, which continued the tradition of subordinating women's individual rights to their roles as wives, mothers and homemakers (Novitz, 1996; Fredericks and Davids, 1995). The remarkable changes ushered in during the first years of democracy, challenged this positioning, not least by defining violence against women as an expression of gender inequality, as well as a mechanism for maintaining women's subordination to men. This was articulated particularly clearly by the 1996 National Crime Prevention Strategy (Interdepartmental Strategy Team, 1996).

The relationship between gender inequality and domestic violence was further reinforced by the preamble to the Domestic Violence Act (DVA) of 1998,⁹ while constitutional recognition of domestic violence as a form of gender inequality came from the Constitutional Court in the 1999 matter *S. vs. Baloyi*, the judgement highlighting how ineffective state responses reinforced women's subordination and thus, by implication, reinforced inequality.¹⁰

But while one set of legislators and policy makers were positioning women who experienced domestic violence as rights claimants, others within the Department of Justice & Constitutional Development (DoJ&CD), as well as the Department of Social Development (DSD), were also positioning women as vulnerable and having special needs. By

9 And having regard to the Constitution of South Africa, and in particular the right to equality and to freedom and security of the person; and the international commitment and obligations of the State towards ending violence against women and children, including obligations under the United Nations Convention on the Elimination of All Forms of Violence Against Women and the Rights of the Child.

10 The ineffectiveness of the criminal justice system in addressing family violence intensifies the subordination and helplessness of the victims. This also sends an unmistakable message to the whole of society that the daily trauma of vast numbers of women counts for little. The terrorisation of individual victims is thus compounded by a sense that domestic violence is inevitable. Patterns of systemic behaviour are normalised rather than combated (*S. vs. Baloyi* 2000 (1) BCLR 86 (CC) at para 12).

1997 the DoJ&CD's Vision 2000 was applying the language of handicap to women, children, people with disabilities, elderly people, and rural communities, describing these groups as people who were 'different', had 'special needs' and required 'special treatment' (Minister of Justice, 1997: 26). The DVA reiterated that 'victims of domestic violence are among the most vulnerable members of society', a designation given further weight when the Directorate within the DoJ&CD tasked with addressing violence against women was subsequently named 'Vulnerable Groups'. Even when the DSD's Victim Empowerment Programme was expanded to include all victims of crime, women and children's 'particular vulnerability and specialised needs' still required 'exceptional attention' to be paid to women, victims of domestic violence, victims of sexual assault and rape, abused children, abused older persons, abused people with disabilities, and victims of human trafficking (DSD, 2008: 13).

The intellectual justification for making vulnerability synonymous with women is unclear. If the word is used solely in its descriptive sense as referring to a susceptibility to harm or injury, then it is men as a group who are particularly vulnerable to physical violence – and homicide in particular. Current data shows men being murdered at least seven times more often than women (Seedat et al., 2009). That men are not then designated a vulnerable group in need of protection only underscores the gendered logic¹¹ informing discourses around vulnerability. Replete with a host of paternalistic and protectionist assumptions about gender and victimisation, as well as the nature and status of women's citizenship, this conceptualisation defines women in terms of their difference and neediness. Their rights are no longer framed as claims upon the State, but as negative entitlements to state intervention (Gouws, 2005). Framing a right in terms of women's victimisation and vulnerability to harm also relegates women to a status warranting protection and thus something less than a free citizen (Bush, 1992).

This eroding of the status of women's citizenship has been further accelerated by how some DSD officials currently conceptualise gender

11 Interview, DSD 1, January 2013.

equality. Indeed, by 2012 officials were considering work with women specifically as a form of discrimination such that the department was now framing their work ‘as being for everyone; they didn’t discriminate’ (DSD, 2013). Gender equality meant they had to treat men and women equally by providing to men exactly the same services they provided to women.¹¹ Indeed the term ‘gender-based violence’ was preferred to violence against women (seen as exclusionary) because ‘gender’ allowed for recognition of the fact that men were also victims of domestic violence. This interpretation had farreaching implications for domestic violence shelters. By 2010/11 the DSD was reporting that it had established two shelters, both in Gauteng, for men who were victims of gender-based violence. They were also negotiating with existing women’s domestic violence shelters to accommodate men (PMG, 31 August 2011). According to members of the National Shelter Movement DSD, independently of shelters, had rewritten the 2003 Framework and Strategy for Shelters to stipulate that women’s shelters would now take in men, as well as all victims of crime.¹² In relation to the latter category, it was once again seen as exclusionary to create a shelter that dealt only with domestic violence.¹³

Gender equality was also no longer considered relevant to domestic violence by 2011 when the DSD issued its Integrated Social Crime Prevention Strategy, the descendent of the 1996 National Crime Prevention Strategy (NCPS). Instead domestic violence was pathologised and made endemic to communities characterised by widespread poverty and unemployment, substance abuse and feelings of low self-worth (DSD, 2011: 26–27). It was also transformed into a manifestation of the moral decay affecting the fibre of society (DSD, 2011: 23) and one which required family strengthening, linked to moral regeneration programmes, as its antidote. Traditional and religious structures were to be engaged in supporting families (DSD, 2011). In language redolent of charitable benevolence, ‘the poorest of the poor, marginalised, ill, uneducated, and disadvantaged groups’ were identified as the chief target of this Strategy (DSD, 2011: 14).

12 Interview, women’s shelter November 2012.

13 Interview, DSD 2, January 2013.

The subsequent 2012 Draft White Paper on Families continued this curious blend of moralism, traditionalism, and familialism. The role of traditional leaders, as the custodians of traditional values, was again emphasised, as was that of faith-based and religious organisations, the custodians of morality (DSD, 2012: 54). At the same time, the White Paper commits itself to a rights-based approach (DSD, 2012: 36) so ensuring that its various parts are frequently in tension with one another.

Promoting and strengthening marriages is one of the guiding principles of the White Paper. Consequently, Action 3 of Strategic Priority 1, the promotion of healthy family life, is to foster stable marital unions ‘on the basis [of] the established body of research showing that families founded upon stable marital unions provide significant economic and psychosocial benefits for men, women, and children’ (DSD, 2012: 39). The White Paper’s other two strategic priorities include family strengthening and family preservation (DSD, 2012: 37). ‘Promote gender equality’ is listed as action 6 (after the promotion of positive values and moral regeneration) under strategic priority 1, the promotion of healthy family life. This, it is suggested, may be achieved by promoting the sharing of domestic, caregiving and other family duties amongst all family members; promoting durable and egalitarian relations between couples; strengthening awareness and education around domestic violence and its prevention; and developing and implementing educational, therapeutic and rehabilitative interventions for perpetrators of domestic violence (DSD, 2012: 40). The silence around victims and the support they may require to live independently of their abusers is notable; it is simply not up for discussion in a document committed to family preservation.

While family preservation was emphasised in DSD’s 2003 shelter policy (‘all services should prioritise the goal to have victims of domestic violence remain within the family and/or community context wherever possible’ [DSD, 2003, Annexure B: 3]) and again in the 2010 Guidelines for Domestic Violence, both documents had included the caveat that family preservation was not to come at the expense of the victim (DSD, 2010: 28). No such caveat is included within the draft White Paper. In practise this commitment to family preservation has

meant that women are encouraged to remain with, and return to, their partners¹⁴, an approach shelters were also expected to encourage.¹⁵ ‘Family preservation’ has thus come to be prioritised over the safety of women and their children. This reassertion of the primacy of the family was evident in some DSD officials’ instructions to women’s groups to ‘Change your name from “T” Women’s Support Centre to “T” Family Centre, or Family Resource Centre’¹⁶, as well as the White Paper’s exhortation to the DWCPD ‘to locate all these groups [*women, children, and people with disabilities*] within the family setting and not treat them as disaggregated populations. Once these individuals are being approached as family members, service delivery will target families and not just women, children and people with disabilities’ (DSD, 2011: 54).

Thus, by the close of 2012, women in abusive relationships had come full circle, and were once more a derivative of the family, as they had been in the early 1990s.

CONCLUSIONS

The creation of institutions within the State specifically tasked with advancing and promoting gender equality was unprecedented in South Africa. And it is this bold experiment, coupled with the development of an impressive legal framework, that mark the State as one attentive to gender equality concerns. However, this assessment must be both periodised, as well as subjected to deeper critical scrutiny.

When examined more closely, the national gender machinery shows itself to be a protean and even somewhat mythical creature. While efforts were made to engineer its form and functioning, these were ultimately neither controlled nor finite. Evident instead are far messier, hodge-podge processes of accretion and dissolution, frequently sedimented upon previous formations. Within the legislature, for example, the PWG and the Women’s Empowerment Unit disappeared and then re-emerged in the form of the MPWC, while the Gender

14 Interview, DSD 2, January 2013.

15 Interview, women’s shelter, November 2012.

16 Interview, women’s organisation, December 2012.

and Economic Policy working group seeded the JMC, which was itself subsequently disbanded and replaced with the Portfolio and Select Committees for Women, Children and People with Disabilities. The weak and fragmented institutions of the bureaucracy have also prompted remedial interventions by other parts of the bureaucracy, such as the DPSA and PALAMA, while the DWCPD appears to have been established largely as a corrective to the OSW. It is therefore ironic, given its contested founding circumstances, that the CGE has proved the most durable of the institutions, not least because of its foundation in law. The NGM is thus more accurately conceived of as a shifting conglomeration, rather than the well-oiled articulations of a 'gender machine'.

The instability of these institutions, as well as their dysfunctions, cannot be attributed to corruption and incompetence alone, and it is striking in this regard that not one of these institutions began life with a budget sufficient to their purposes (with the exception of the Portfolio and Select Committees for Women, Children and People with Disabilities). In the case of the DWCPD its establishment could even be initially described as a hollow gesture, given that it was provided with neither a budget nor premises, let alone personnel and a clear mandate. Taking into account that PALAMA's training programme was made possible by international donors, it could even be argued that these institutions and programmes were themselves not 'mainstreamed' into the State, but treated as peripheral adjuncts. Further, as is evident from their lowly ranking within the hierarchy of the bureaucracy, both the OSW and the GFPs were subjected to de facto institutional downgrading. Following the example of the CGE, at least some of these weaknesses may be remedied through rewriting the Women's Empowerment and Gender Equality Bill to focus on strengthening these state institutions and programmes, in place of expanding the coercive powers of the Minister of Women, Children and People with Disabilities.

The State's programmes, practices and institutions have nonetheless been feminised in at least two ways, most obviously through the attempts to increase the numbers of women present in the State. More abstractly, feminisation can also be mapped through the circulation

of power across the grid of the State. The negligible political and institutional authority accorded gender equality institutions, read with the framing of these endeavours as the work of ‘women’ and ‘juniors’ and points to how these efforts have been constructed as inferior and subordinate – and therefore feminised. Gendered hierarchies can thus be maintained through the positioning of institutions and programmes in feminised relation to others.

Conversely, the reading of discourses around domestic violence offered in this chapter points to how other components of the State can simultaneously uphold masculinist domination. One method lies in subsuming women within the family and the other in the coding of women as ‘vulnerable’ – so positioning the State as women’s protector. This is an implicitly gendered pairing which effectively casts the State as the ‘man’ in the relationship, so providing further illustration of how ‘the State’ and ‘women’ mutually constitute each other in gendered terms.

Yet there have been times when gender relations have been reworked rather than reiterated by the State and women’s organisations, most notably during the early years of democracy. Discourses have also shown themselves to be open-ended and productive of new possibilities, while the assemblage comprising the NGM has sometimes renewed itself, even as its other parts have gone into decline. Interstices do appear within the patchwork of the State to advance transformatory approaches to gender equality. Even so, as this chapter has shown, the State is never entirely, or consistently, permeable to the diversity of women’s interests. Indeed, the contradictory strategies of its constituent parts make it possible for some sections of the South African state to be occupied with the business of gender equality, even as others simultaneously subvert and dismantle these endeavours.

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CHAPTER TWO

Gender and the state: Assessing feminist institutionalism in South Africa

AMANDA GOUWS

INTRODUCTION

Many feminists are suspicious of the state, viewing it as an instrument of patriarchal domination of women and queer people, with limited opportunities for them to engage in policymaking. In South Africa, there was a concerted effort to include women in government and the state during the transition to democracy. The women's movement, the Women's National Coalition (WNC) – an umbrella movement that united many women's organisations, political parties, feminist scholars and activists (Hassim, 2006) – fought to get women into seats in Parliament through a quota system and for the creation of the National Gender Machinery (NGM) in the state to promote gender equality measures and policies. The women's movement knew the importance of getting women into the state and using the state to enable gender

equality (changing unequal power relations between men and women and gendered minorities).

In this chapter, I will assess issues of women's representation and feminist institutionalism (getting women into the state) and the extent to which there has been success in promoting gender equality through the state in the past 30 years. I will discuss different feminist perspectives on the state, then look at women's representation in government and the creation of the National Gender Machinery as the vehicle for promoting feminist institutionalism in the state. Successes and failures will be illustrated with the state's engagement with a core issue of gender inequality – gender-based violence (GBV).

FEMINIST VIEWS OF THE STATE

In the 1980s, MacKinnon (1989) argued that 'feminism has no theory of the state', and that feminists should develop one. There has always been a general suspicion of and hostility to the state, specifically by second-wave feminists, who believe the state is a patriarchal instrument complicit in the oppression of women (Brown, 1992: 7; Hoffman, 1998: 161). Feminists have used different approaches to analyse the state, such as critiques of class exploitation in the capitalist state (Marxist/ socialist feminists), male dominance in the patriarchal state (secondwave feminists) and structural inequalities in the liberal state (liberal feminists) (Rhode, 1994: 1181).

Liberal feminists, who support law reform as a solution to gender inequality, have been more willing to engage with the state and view it as a way to enlarge women's political possibilities. But as Brown (1992: 8) argues, liberalism encapsulates paternalism and the institutionalised protection of women. Therefore, one of the main ways of enforcing 'protection' is by keeping the public/private divide in place. Men/ husbands, as proxies of the state, keep the state's 'protectionism' intact by preventing 'private' issues (e.g. gender-based violence) entering the political terrain. This split also depoliticises the family in relation to women's unpaid care work, and control over women's reproduction and labour. Rhode (1994) argues that the starting point of the liberal state is that women are already free and have agency, but the state

manages women's needs/issues through legitimating, suppressing or redirecting them. For this reason, second-wave feminists criticise the state's neutrality and view it as an instrument of patriarchy, arguing that the claimed universality of the state and human rights mask men's interests.

From the Marxist/socialist feminist perspective, the liberal state is weak on the economic resource redistribution that would improve the material conditions of women. From a radical feminist perspective, the state is embedded in patriarchal relations and reproduces the relations of power used to oppress women. Many radical feminists therefore prefer not to engage with the state, arguing that this should be held in abeyance.

According to Brown (1992: 13), the state has four modalities of power that need to be understood in any analysis of it: (1) the juridical/legislative aspect which forms part of its formal and constitutional dimension; (2) the capitalist dimension which provides a framework for ownership, specifically of private property; (3) the prerogative dimension, which incorporates the legitimate use of power in policymaking and a monopoly on the use of violence and coercion; (4) the bureaucratic aspect which refers to institutional arrangements, activities and discourses (or disciplining power). Brown (1992: 16) argues that state power and male dominance are interwoven so that they create a hegemonic (patriarchal) effect. Through all these modalities, women's needs and interests are mediated and regulated.

According to Brown (1992: 26–27), it is not only that women are excluded from state power. Rather, even when women's inclusion is considered, women (and queer people) face the deeply gendered nature of the state, which has the ability to create feminine subjects through its regulatory and disciplining power, as well as its discursive frameworks.

Many feminists have therefore found a post-structuralist perspective more useful for analysing women's relationship to the state. Drawing on post-structuralist theorisation of the state, feminist activists and scholars view the state as a set of uneven relations of power that provide openings through which it can be engaged, and relations of power can be challenged. As Brown (1992: 14) argues, state power and

male dominance are not unitary and do not act linearly, but rather have an intricate grid of conflicting strategies, technologies and discourses of power.

This view of the state has made it more possible for feminists to attempt to find opportunities for where and when women's interests can be inserted into the state and how to determine the most optimal space in the state for women to influence policy, make alliances and contribute to substantive representation. Earlier feminist theorisation of the state focused on functional liberal democratic states, but postcolonial states in the Global South present even bigger challenges for women and people from the lesbian, gay, bisexual, transgender, queer, intersex and asexual (LGBTQIA+) communities. Earlier Western feminist theories largely ignored the experience of women in developing and postcolonial countries.

Postcolonial states, specifically in Africa, can be considered weak states with limited ability to provide security for their citizens. Where conditions of weak states are present, state failure is highly possible, leading to internal violence preventing the state from delivering economic or political goods. This causes enduring political violence, high levels of criminal violence and corruption, deteriorating infrastructure, non-adherence to the rule of law, and a failure to deliver basic services (Lambrechts, 2017: 16).

The legacy of colonialism was material, cultural and political (Rai, 1996a: 8). Colonial interventions altered cultural practices and traditional systems captured in customary law and economic production, with the aim of extracting cheap labour from indigenous populations. The cooperation of traditional leaders with colonial forces reinforced gendered relations of power, facilitating the codification of oral traditions into static forms of customary law that were not women-friendly (see Gouws, 2014). For women, the distortion and reinterpretation of their sexuality which framed them as sexually insatiable and therefore not rape-able in law, and with limited control over their sexuality, in some countries on the African continent, had enduring effects in the high levels of gender-based violence (Gqola, 2015: 40).

It was the contribution of Black feminists and their theories on

intersectionality that captured the intersections between markers of identity such as race, class, gender, sexuality and ability. These intersections exposed the limits of Western feminist theorisation of the state, and the inapplicable colonial impositions of certain categories of analysis (Mohanty, 1988). This also challenged nationalist freedom struggles against colonialism which reinvented women as the ‘mothers of the nation’ – their bodies the symbols of national reproduction and often the terrain on which struggles are fought violently. Women’s movements, and specifically women’s party auxiliaries or women’s wings that developed during liberation struggles and decolonisation, had the effect of promoting the goals of modernising nationalist elites (Rai, 1996a: 10).

Being a postcolonial and post-apartheid state, South Africa’s transition to democracy opened a window of opportunity for women and minorities to engage the state (Waylen, 2007). The promise of gender equality was inscribed in the Constitution with the assumption, among many, that state engagement would deliver on the promise of gender equality. After the 1994 election, women were included into the government with the help of a quota, and into the state through the creation of the National Gender Machinery that opened spaces for women to insert a gender agenda.

WOMEN’S DESCRIPTIVE AND SUBSTANTIVE REPRESENTATION IN SOUTH AFRICA

The Women’s National Coalition (WNC), spearheaded by feminist activists and women’s organisations during the early 1990s, understood the importance of increasing the number of women in Parliament to enhance descriptive and substantive representation. ‘Descriptive representation’ refers to the increase in the number of women in parliament, while ‘substantive representation’ relates to women representing women’s interests through engaging with law- and policymaking. Through the endeavours of the ANC Women’s League (ANCWL), the African National Congress (ANC) adopted a 30 per cent quota for women on its election lists prior to the 1994 election, against the resistance of men in the party (Hassim, 2006).

As Franceschet et al. (2012: 4) argue, quota policies and rates of implementation have diverse effects on the compositions of political elites and may therefore influence the capacity of quota women to pursue legislative change. The ANC increased its quota to 50 per cent of women on its election lists (and internal organisational structures) in 2007, and, consequently, there were 45 per cent women in Parliament until the 2024 election. This figure decreased to 35 per cent after the 2024 election, when the ANC only got 40 per cent support at national level.

Using a quota to increase women's numbers in legislatures is based on certain assumptions: (1) that women will eventually form a critical mass that will pursue women's policy concerns; (2) that women will form strategic coalitions that will promote legislative changes; and (3) that it will eventually change male behaviour in the legislative arena (Franceschet et al., 2012: 5–6).

In South Africa, the quota system improved women's descriptive representation greatly and bore fruit during the first Parliament (1994–1999), when 111 women were elected. During this period, a large number of women-friendly laws were passed by Parliament, spearheaded by the feminists who entered Parliament after the 1994 election. Many of them were the leaders of the WNC which initiated and monitored the making of these laws (Hassim, 2006).

During those first five years the following laws, among others, were passed, which sought to improve the lives of women: the Recognition of Customary Marriages Act (No. 120 of 1998); the Choice on Termination of Pregnancy Act (CTOP) (No. 38 of 2004, concluded in the second Parliament); the Maintenance Act (No. 99 of 1998); and the Domestic Violence Act (No. 116 of 1998). These laws showed that with committed feminists in the National Gender Machinery and as Members of Parliament, policies and laws could contribute to substantive representation.

The relationship between descriptive and substantive representation depends on opportunities in Parliament for women to develop a gender-equality agenda, and the building of coalitions and engagement with the women's movement. These conditions were present in the first Parliament (1994–1999) but seem to have been eroded over time.

While the ANC managed the increase of descriptive representation, it did not guarantee women's substantive representation. This was because of the alleged manipulation, discussed below, of the proportional representation (PR) system for participation in legislative bodies, as well as the shift away from the ANCWL's earlier support for a feminist agenda to loyalty towards men in the party and a conservative nationalist agenda, especially during the Zuma administration (2009–2017).

The PR closed-list system has the benefit of enabling women to enter the state, but its biggest drawback is its accountability deficit. Because political leaders draft the final lists, candidates may feel accountable to political leaders (mainly men) rather than to citizens. This enables party leaders to manipulate the process of compiling lists (Booyesen, 2015: 107; Calland, 2013: 139). It also short-circuits policymaking that is not in line with the wishes of party leaders and therefore makes women beholden to party leaders.

Women are also disadvantaged by the highly criticised practice of 'slate politics' in the ANC. A slate is a list of candidates nominated as a group for election to party positions (Setati, 2012: 2). Often different factions within the party compile their own slates, thus reducing the chances of individuals outside these predetermined lists being nominated. Slates are hotly contested and entwined in self or factional interest. Butler (2015: 13) argues that the ANC exerts control through a mix of procedural manipulation, patronage, co-option, invented tradition and stepping stones for personal gain, and that this can significantly shrink spaces for women to be included on the PR lists for legislative bodies.

An investigation by the ANC's National Executive Committee (NEC) into widely disputed candidate processes for the 2010 local government elections found departures from the party's guidelines and manipulations of processes to achieve predetermined outcomes (Ntuli, 2022). According to Butler (2015: 24), public consultations in 419 wards had deeply concerning findings that showed that properly reached nominations were overturned to enable deeply engrained factionalism, tribalism, regionalism, gatekeeping and the bulk buying of membership. It also showed that provincial leaders did little to

supervise registration and verification processes, ignored illegitimate participation from outside branches, and turned a blind eye to other forms of manipulation.

The presence of women in legislatures therefore does not guarantee substantive representation. Thus, feminist activists and scholars supported the idea of creating structures in the state, the National Gender Machinery, through which women's interests could be inserted into law- and policymaking to enhance substantive representation.

FEMINIST INSTITUTIONALISM IN THE STATE

Feminist institutionalism refers to a context where structures that promote gender equality are institutionalised. Also called state feminism, it combines the insights of post-structuralist feminists with liberal feminism which regards it as the mandate of the state to ensure equal opportunities and law reform. Feminist institutionalism also contributes to substantive representation through policy engagement and influence. The integration of a feminist or women's agenda into the state through state machineries can be viewed narrowly as the result of the advocacy of the women's movement inside the state (Kantola and Outshoorn, 2007: 2). The success of these machineries depends on their design, staffing, resources and political will.

National gender machineries create opportunities for women's agency in the state. Institutional structures consist of socially constructed norms and roles, and socially prescribed behaviours and expectations of role players, all of which may change over time (Goodin, 2009: 19–20). These norms and behaviours are embedded in power relations through '[the] stable, recurring, repetitive, patterned nature of the behaviour' (Goodin, 2009: 22). The configuration of these power relations can facilitate or constrain agency in the state (Chappell, 2014: 575). The exercise of agency is also determined by the intentional and unintentional outcomes of formal and informal rules, which take the form of norms, practices, arrangements and power relations that become naturalised and institutionalised and can only be changed through deliberate resistance (Chappell and Mackay, 2017: 16). The ways in which these rules are engaged with and enforced can

entrench the status quo of male behaviour or open gaps for women to insert and defend feminist agendas. State institutions therefore constitute gendered interests, shape men's and women's political activities, and influence the character of social policies. The design of national gender machineries needs to engage the gendered nature of these institutions and rules in ways that make positive gender outcomes for women possible.

Feminist activists and scholars in South Africa used the opportunity afforded women by the democratic transition to insert a demand for a National Gender Machinery into the negotiations process, through the WNC (Hassim, 2006). South African women's demands for representation in the state led to the creation, globally, of one of the most integrated sets of structures tasked with mainstreaming gender through the state, and opening spaces in the state that benefit women (Gouws, 2022). With this 'package' design, feminists wanted to disperse access to power across different sites of government, such as the executive and the parliamentary committee system.

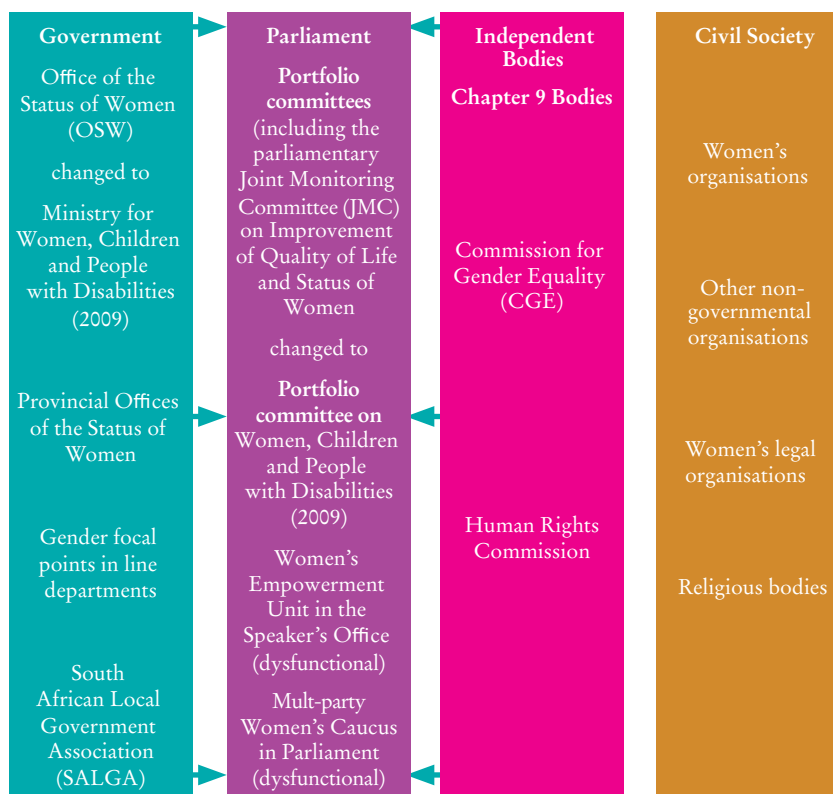
Women's issues were represented on the legislative and executive levels and in the autonomous Chapter 9 body created by the Constitution, the Commission for Gender Equality (CGE). As shown in Figure 2.1, there was an Office of the Status of Women in the Presidency, a Women's Empowerment Unit in the Office of the Speaker of Parliament, a multi-party women's caucus in Parliament as well as, in Parliament, the Joint Monitoring Committee on Improvement of Quality of Life and Status of Women (JMC) with oversight over all state departments, and gender desks in each state department.

The Office of the Status of Women in the Presidency produced the National Policy Framework for Women's Empowerment and Gender Equality (2000), providing detailed principles of gender equality to be incorporated into policies and programmes. It included longterm indicators to monitor changes in attitudes, beliefs and cultural practices, and a commitment to deal with GBV through educational programmes for police, prosecutors, magistrates and judges (Meyiwa et al., 2017: 8611).

Feminists attempted to steer clear of one-party structures such as Ministries of Women's Affairs that have a track record of failure in

Africa (Gouws, 2022). These usually concentrate ‘all things gender’

Figure 2.1: The South African National Gender Machinery



Source: Compiled by Author

in one place, with little policy output. The success of state structures or agencies often depends on their relationship with women's organisations and/or women's movements in civil society.

Several so-called ‘femocrats’ (former WNC activists) left state structures after the first five years, because they found the institutional space too constricting and they disagreed with government policy on several issues. For example, Pregs Govender, the chair of the JMC, resigned in 2002 because of President Mbeki's stance on HIV/Aids and the scandal around arms procurement in what came to be known as ‘the Arms Deal’ (Govender, 2007). The exit of committed feminists strengthened the voice for institutionalisation in the form of a ministry for women. The integrated and comprehensive set of structures

negotiated before 1994 was replaced by a Ministry for Women, Children and People with Disabilities in 2009, which was seen more as a reward for the ANCWL supporting Zuma during the 2007 ANC elective conference (Ntuli, 2022: 182). This spelt the weakening of the feminist vision of an NGM.

THE HOLLOWING OUT OF THE NATIONAL GENDER MACHINERY (NGM)

The key structure in the NGM is the Commission for Gender Equality (CGE), which was established under the Commission for Gender Equality Act (No. 39 of 1996). The Act gave the GCE a mandate for oversight over legislative activities, the power to subpoena people or organisations that undermine gender equality, and the power to have public hearings and to investigate complaints (Gouws, 2022).

As Albertyn (2022) shows, the CGE created a significant feminist footprint in law reform and in aligning gender equality legislation with the Constitution in its initial phase and thus contributed to creating a gender-friendly legal regime. Hicks (2022) shows that when the CGE worked with excluded groups and trade unions, power could be leveraged to change conditions of gender inequality, as evidenced by her success in getting maternity leave for women in the informal sector as a CGE commissioner. The CGE also succeeded in having public hearings on poverty; on salary disparities between women and men soccer players with the South African Football Association (SAFA); and on the murders of lesbians in the Western Cape with the police. The Commission handles hundreds of complaints annually. Though some of these initiatives are more successful than others, the CGE delivers on its mandate.

But the CGE has never leveraged its powerful position as a Chapter 9 institution. It lacks visibility in the public eye, and its failure to communicate its successes and to prioritise serious issues such as GBV give it a public image as powerless and uninterested in tackling gender inequality.

The CGE Act requires that commissioners be non-partisan and independent to enable the Commission to function as an autonomous

oversight body protected by Chapter 9 of the Constitution. Yet, many commissioners are perceived as partisan – either as members of or loyal to the ANCWL (Hassim, 2014: 124–125). This has affected the CGE in several ways, such as hampering oversight over government or resistance to criticising political leaders such as President Zuma, making the whole commission compliant with the Presidency.¹ This earned the Commission serious criticism from civil society, specifically women's organisations (Gouws, 2022). Consequently, the appointment of CGE commissioners has become politicised with party loyalty tending to trump skills in gender analysis and expertise (Vetten, 2022), and thus preventing the Commission from delivering on its mandate.

Since the components of the NGM are state institutions, any form of corruption that undermines them will also undermine the NGM. The large-scale repurposing of state institutions (state capture) under the Zuma administration also had far-reaching implications for NGM structures.

State capture aimed to change formal rules, legitimising informal ones and enabling some to become involved in corrupt actions. Chipkin and Swilling (2018: x) call this 'repurposing the institutions of state': institutions are structured, governed, managed and funded in a way that gives them purposes different from their formal mandates. This leads to a symbiotic relationship between the constitutional and the shadow state – the repurposed state of rent-seeking networks of corrupt politicians and state officials (Chipkin and Swilling, 2018: xi). These networks allow unelected people to engage in political decision-making.

The state department responsible for women has undergone a variety of shifts and name changes. Since its inception in 2009, as the Ministry for Women, Children and People with Disabilities, it has had five ministers, none of them able to elevate the department to an effective champion of gender equality. The unwieldiness of the department's three mandates is indicated by the fact that it has never reached more than 30 per cent of its targets (Ntuli, 2022). It lacks urgency to deal with even the most pressing issues of social justice

1 The author was a commissioner for the CGE during this time.

challenging women, such as GBV, reproductive health and joblessness.

At the end of 2012, it was the second worst-performing national department, managing to meet only 14 per cent of its performance targets (Ntuli, 2022: 183). In 2014, it shed the portfolios of 'Children' and 'People with Disabilities' to become the Ministry of Women in the the Presidency. Again, it did not meet its targets. The annual report 2014/2015 of the Ministry shows that of 11 short-term goals/targets, only one was achieved. The bulk of its budget was spent on salaries and the procurement of goods and services. The constant reconfiguration of the department and changing targets frustrated the oversight role of the Portfolio Committee on Women, Youth and Persons with Disabilities to track performance. It also meant little policy output on long-term goals of achieving gender equality and empowering women (Ntuli, 2022: 187). After the 2019 election, the department was again reconfigured as the Department of Women, Youth and Persons with Disabilities (DWYPD).

Targets that were achieved relate to short-term, practical gender issues rather than longer-term strategic gender issues that aim to change gender power relations. The targets that were achieved were mainly those regarding the organising of events such as the celebration of National Women's Day or the 16 Days of Activism for No Violence Against Women and Children. These were just two of 24 core performance targets. In 2014/2015, the Department had a budget of R77,580,000 of which R48,504,000 was spent on salaries. From then onwards, more than 52 per cent of the budget was spent on salaries (Ntuli, 2022: 187). As Ntuli (2022: 194) points out:

Because of the relationship of benevolence political appointees have with the appointing political structure, and culture of cadre deployment, they are constrained in their ability to raise critiques of the party. This has grave implications for women who may seek to challenge patriarchy within the political institutions that appoint them.

Another major problem with the way the DWYPD functions is that it duplicates the functions of the CGE, while also being responsible

for allocating the Commission's budget. This complicates the CGE's oversight role over the department because it is difficult to criticise the institution that also provides its funding. This situation also allows for interference by the Portfolio Committee on Women, Youth and Persons with Disabilities in CGE matters, such as the appointment of its CEO (Vetten, 2022: 100). All this points to the co-optation of the NGM in a way that would result in anti-feminist outcomes.

FEMINIST INSTITUTIONALISM AND GENDER-BASED VIOLENCE

One of the most vexing problems to eradicate through policy, legislation and practical action is the high level of gender-based violence (GBV) and femicide in South Africa. One can consider GBV (which includes domestic violence, sexual assault and rape) as a contextual factor that influences many other policies. As long as women are not safe, many other policies essentially become meaningless. Statistics for sexual offences and rape of women in South Africa are among the highest in countries that monitor and report on this scourge. The South African Police Service (SAPS) reported that there were 52,694 cases of sexual offences in 2021/2022, of which 41,739 were rape. In 2023/2024, there were 53,285 cases, of which 42,569 were rapes (an increase of 2.5 per cent) (SAPS, 2023/2024; saps.gov.za). These figures must be considered within the context that rape is underreported in South Africa. The One-in-Nine Campaign shows that only one in nine rapes is reported. To make matters worse, South Africa's incidence of femicide is five times the global average (Brodie, 2020; Gouws, 2021).

Law-making and implementation

The protracted 30-year struggle for women and gendered minorities to use the state to alleviate the problems facing them is illustrated when using GBV as a lens through which to measure policymaking and implementation regarding gender justice.

In the first five years of the NGM, feminists and femocrats could point to the success of substantive representation, such as the Domestic Violence Act which was initiated as a legislative priority by the chair

of the JMC (Vetten et al., 2012). In 1996, the ANC Parliamentary Women's Caucus initiated the joint Campaign to End Violence Against Women and Children in collaboration with women and children's organisations in the Western Cape. This initiative involved weekly meetings and a range of activities, including working with organisations to draft submissions to the South African Law Reform Commission on domestic violence; intervening in rape cases involving schoolgirls in the Western Cape and Northern province (now Limpopo); drafting questions for MPs to raise during parliamentary meetings; and supporting ANC MPs in addressing violence against women within the ANC Parliamentary Caucus and their constituencies (Vetten, 2016).

The campaign proposed urgent tabling of the Domestic Violence Bill because Parliament had delayed after receiving the draft Bill from the Judicial Services Commission (JSC) (Hodes, 2011). In response, members of the ANC Women's Caucus met the then deputy president to advocate for women's legislative priorities. The JMC successfully prioritised the legislation and prevented the replacement of the feminist-influenced draft law with a more conservative version. These efforts culminated in the promulgation of the Domestic Violence Act in 1998 (Vetten, 2016). This Act was amended recently through, *inter alia*, the involvement of feminist legal scholars to enlarge the definition of domestic violence and make provision for online applications for court interdicts, and simultaneous issuance of a warrant of arrest and a protection order, among other reforms (Moolla, 2013). The Domestic Violence Act was successfully promulgated because of feminist initiatives, collaboration with femocrats in government, and the mobilisation of civil society to apply pressure for the Bill to be passed.

The process for the passing of the Criminal Law (Sexual Offences and Related Matters) Bill was more arduous and protracted, requiring feminist activist intervention. Its aim was to repeal the common law offence of rape and replace it with the expanded statutory offence of rape, applicable to all forms of sexual penetration without consent, and to all forms of sexual violation.

Despite constraints, including parliamentary schedules, women's legal organisations and non-governmental organisations developed the skills necessary to prepare legislative submissions. The passing

of the Bill was delayed by parliamentary amendments that ignored feminist concerns. These changes included altering or removing crucial provisions, such as clauses mandating medical treatment and counselling, safeguarding adult and child victims from adversarial rape trial processes, reintroducing consent as a component of rape definition, and eliminating the concept of ‘coercive circumstances’ (Hodes, 2011; Vetten and Watson, 2009). The vigilance of feminist activists and legal scholars outside Parliament ensured substantive representation in this matter.

This legislative process prompted the Shukumisa Campaign, which involved a coalition of organisations. It started out as the National Working Group on Sexual Offences, formed in 2004 with organisations focused on violence (Gouws, 2016: 404). To promote understanding and engagement, the group developed 12 fact sheets about the proposed Bill and encouraged public submissions. They received support from several organisations: the Centre for Applied Legal Studies (CALS) at the University of the Witwatersrand; the Thohoyandou Victim Empowerment Programme (operating in rural areas); and the Tshwaranang Legal Advocacy Centre, which concentrates on violence against women. (Gouws, 2016: 405). Cape Town-based organisations closely monitored the deliberations by attending meetings of the Parliamentary Portfolio Committee on Justice and Constitutional Development. These examples show the importance of identifying openings in the state and utilising feminist allies within the state who are also able to draw on their relationships with civil society organisations. These organisations can help set the agenda and put pressure on the state to deliver.

Most research on GBV points to a failure to implement laws, a lack of inter-departmental cooperation within government, and a lack of engagement with civil society and consultation with communities (Connolly, 2017; Lewis, n.d.; Meyiwa et al., 2017; Vetten, 2014; 2016). Piecemeal and ad hoc implementations of progressive legislation are the order of the day. A major issue with GBV policy is that it does not include accountability mechanisms; for example, who holds the police or justice system accountable for failures? Where multi-sectoral processes exist, they are either not well developed, fragmented, overlap or are

duplicated (Connolly, 2017: 27). The 2018 GBV Presidential Summit Report (Department of Justice and Constitutional Development, 2018) acknowledges these weaknesses. It indicates that the core elements of an effective response to gender-based violence and femicide (GBVF) should be scaled to include, among others, rooting the response at a local level, optimising systems, policies and legislation, resourcing and calling for multi-sectoral responses.

In order to create the necessary mechanism to enforce GBV law and keep the criminal justice system accountable, structures in the state (now left to the DWYPD) must take responsibility for implementation. But as Bosilong and Mbecke (2019: 124) argue, there is no leadership forthcoming from the DWYPD, to the extent that the Deputy Minister of Justice and Constitutional Development, John Jeffery, had to acknowledge the insufficiency of specialised services for women victims of violence in 2017. He also indicated that existing services are underfunded and uncoordinated (Bosilong and Mbecke, 2019: 127). This would include the institutionalisation of Thuthuzela Care Centres (one-stop centres for rape victims) and Sexual Offences Courts. Those who have to enforce and implement the law, such as the police, lack the necessary training to deal with rape complainants.

As tackling GBV involves the services of more than one department, it requires cross-departmental collaboration, rather than ministries working in silos (Meyiwa et al., 2017: 8611). Departments must set priorities and allocate funding to implement laws and victim empowerment programmes. The CGE has an obligation to monitor and evaluate policies and the legislative agenda, but this is done in a very limited fashion, if at all.

Preventative policies are not developed, nor are the overlaps between GBV, poverty and HIV/AIDS considered in an intersectional way. This shortcoming is important, because GBV is not a single issue (Meyiwa et al., 2017: 8612). Lewis (n.d.) points out that there are many hidden forms of violence against women and minorities that cannot be solved only by law, such as harmful cultural practices (e.g. virginity testing). One ANC woman mayor wanted to create 'virgin scholarships' for young women to study and remain virgins. They would have had to undergo regular virginity testing (TMG Digital,

2016). The idea was prevented from gaining traction because of an outcry from civil society.

The relationship between government and civil society

Substantive representation requires a strong link between femocrats in government and women's organisations. As Connolly (2017) shows, this link is ephemeral and not sustained. It is often civil society organisations that approach the state, rather than the state having consultative processes with civil society organisations and communities.

In the case of both the Domestic Violence Act and the Sexual Offences Act, the involvement of women's organisations, feminist legal organisations and men's organisations was the determining factor in the passing of these laws. For GBV solutions to work optimally, it is important to involve men's organisations that specifically focus on masculinities. The work of Sonke Gender Justice, which has a 'men as partners' programme, has supported anti-GBV work for decades and helped to develop strategies around optimising its influence. Sonke, for example, joined the Shukumisa Campaign to work in a coalition that has a greater probability of influencing policy, rather than being only an NGO. Sonke also emphasises the importance of working across different levels, from communities to government. It drafts submissions for Parliament and carries out interventions with stakeholders (Connolly, 2017: 33). It also uses advocacy as a strategy to expose policy shortcomings.

The work of civil society organisations also involves follow-ups with government to see if their advocacy strategies have worked. It is often difficult to assess this, however, especially in the absence of interdepartmental cooperation. Where advocacy strategies fail, direct action becomes an option to engage the state.

It was #TotalShutDown and its march to the Union Buildings that forced government to draft a National Strategic Plan on Gender Based Violence and Femicide in 2020 (Department of Justice and Constitutional Development, 2020). This comprehensive plan, with the potential to reduce violence, includes six pillars: (1) accountability, coordination and leadership; (2) prevention and rebuilding social

cohesion; (3) justice, safety and protection; (4) response, care, support and healing; (5) economic power; and (6) research, information and management. What is, however, clear is that this plan can only be successfully implemented through interdepartmental cooperation, alliances with civil society and community-based organisations and researchers. Its ambitious nature has the potential to become its greatest obstacle to successful implementation. The plan was workshopped in all the provinces, enhancing substantive representation, but the rollout and budgeting for it are not sufficiently coordinated.

Discursive shifts

Feminist responses to GBV have located violence in postcolonial and post-apartheid conditions of structural violence, dispossession, social exclusion and harmful attitudes. A multi-pronged approach is required to address these, in which both prevention and access to rights are crucial. Unfortunately, many decontextualised approaches are encountered. These reinforce the notion that rapists are exceptions to the norm, despite the fact that the number of GBV cases in South Africa show that GBV and rape are both normalised. The ANCWL, for example, invokes the carceral state as a solution to GBV; one of its mantras is ‘rapists must rot in jail’. This approach is seen in some government articulations too. The Minister for Women, Youth and Persons with Disabilities in 2014, Lulu Xingwana, attended the bail hearing of the alleged rapists of a young woman, Anene Booysen, where she pleaded outside the court for the ‘rapists to rot in jail’ (author’s notes from attending the hearing).

Another discursive shift is a move away from aligning an end to GBV with gender equality, to a more moralistic stance which equates violence with moral failure. Moreover, this approach centres the family as the primary moral bulwark against GBV. Vetten’s (2014: 54) analysis of the White Paper on Families (2013) shows that it exhibits a complex blend of ideological approaches. It is primarily familialist, emphasising familyoriented policies. However, it also incorporates elements of moralism, traditionalism and what is termed ‘innocuous constitutionalism’. It attaches significant importance to traditional leaders, viewing them as custodians of traditional values and, similarly,

it designates faith-based and religious organisations as the guardians of morality.

The White Paper on Families should be read in tandem with the White Paper for Social Welfare (1997), which places the family at the centre of all kinds of services for those with social challenges. Examples include services for people with disabilities, ill family members and the aged. No consideration is given to whether the necessary infrastructure or finances exist for this work (Sevenhuijsen et al., 2003).

As Vetten (2014: 55) argues, the depoliticisation of the family and the framing of domestic violence as a symptom of moral failure (rather than of gender inequality) prevent the search for alternatives. Consequently, it prioritises a particular sort of family preservation as well as normalising interventions which leave women feeling blamed for domestic violence. It has the effect of obscuring men's central role in the violence.

With the creation of the Ministry of Women, Youth and Persons with Disabilities, there was a shift from emphasising women's agency to focusing on women (and children) as vulnerable groups. This casts women in the mould of permanent victimhood, framing women's difference as neediness and focusing on paternalistic and protectionist assumptions (Vetten, 2014). This discursive shift resulted, in 2011, in the Department of Social Development arguing that gender equality means equal treatment of men and women, and, therefore, that men should also be allowed into women's domestic violence shelters (Vetten, 2014).

By viewing state feminism through the lens of GBV, we see the importance of a post-structural analysis of the state, i.e. how the openings and closings of spaces make a difference to policy outcomes. Such a perspective also demonstrates the tensions and competing agendas in the state, and the importance of strong relationships with civil society, and of the timing of raising policy issues amid other competing imperatives.

CONCLUSION

This chapter assessed the state of feminism, and its relationship with the South African state, over South Africa's 30-year period of democracy.

The democratic transition in South Africa opened a window of opportunity for women. It enabled them to be elected to Parliament through a quota system and introduced state feminism through institutionalising, within the state, an integrated set of structures designed by feminist scholars, activists and women's organisations. The roll-back of the most important of these structures created opportunities for the strengthening of a nationalist discourse about women as mainly the reproducers of the nation. The establishment of the Department of Women, Youth and Persons with Disabilities (which is largely dysfunctional, especially on substantive issues), undermined the National Gender Machinery. This approach reduced women's access to the state, erased feminist spaces within the state and co-opted the remaining structures. Regarding women's representation, women's causes will be better served by a focus on critical actors who champion women's issues – who are prepared to speak out for gender justice, regardless of the consequences – than large numbers of women.

This chapter illustrated successes and failures of state feminism through the lens of gender-based violence in South Africa. The spaces to engage with the state need to be expanded, so as to create a virtuous circle in which the state and civil society work together to find solutions to GBV and to ensure more effective attention to broader issues of gender equality.

The approach to gender in the state in 2025 leaves a lot to be desired from a feminist perspective. Weaknesses in implementing progressive laws, and minimal cooperation with civil society organisations, as discussed earlier, underscore the reasons why feminists are wary of the state. At this point, the state protects a patriarchal bargain between the men in the state and women who are perceived as compliant. As a result, the argument that all women stand to lose rather than gain through women's access to the state finds resonance among many feminists.

The contraction of the National Gender Machinery after 2009 lends

credence to post-structural theories of the state, namely that certain openings in the state are necessary to insert women's interests. As these spaces contracted, it became more difficult for women to engage with the state. The contradictory and, at times, competing agendas of women's interests in the state result in detrimental outcomes for women. An illustration of this is the feminist agendas – around law reform and well-resourced practical programmes, for example – versus narrow descriptive representation.

RECOMMENDATIONS

A revitalised National Gender Machinery (NGM) could help to advance gender equality in South Africa. However, there would need to be an important transformation in the staff structures of a recreated NGM. It must be staffed with people who have expertise in gender analysis and gender-responsive budgeting. Gender analysis is a specialised skill. The lack of skills in the state is evident in the undervalued capacity of gender analysis for policymaking, in contrast to the ability to organise events such as Women's Day and the 16 Days of Activism for No Violence Against Women and Children.

To resuscitate the National Gender Machinery, there should be an overhaul of Chapter 9 bodies (specifically the CGE) to strengthen their independence from interference by politicians. A women's ministry does not have to be dysfunctional, but it cannot be expected to include more than one mandate, such as 'women, youth and people with disabilities'. This list makes it impossible to do justice to any of the portfolios included. There have been suggestions that children, youth and people with disabilities be moved to the Department of Social Welfare, which seems a more appropriate home for them.

Since the institutionalisation of the Department of Women, Youth and Persons with Disabilities, many of the gains made in gender equality have been rolled back. These gains were made over the three decades of a democratic state, through feminist institutionalism and women's representation in the state. Feminist oversight and the vigilance of civil society are required to prevent further rollbacks.

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CHAPTER THREE

The violence of the harmony model: Common narratives between women and lower-level traditional leaders

SINDISO MNISI WEEKS¹

INTRODUCTION

Political and policy discussion about traditional leadership in South Africa often focuses on senior traditional leaders (formerly referred to as ‘chiefs’) and kings or queens. However, the bulk of the leadership in rural areas is carried out by headmen, with the everyday support of other lower-level traditional leaders such as those formerly known as ‘tribal policemen’. Since the completion of a number of extensive studies on the full traditional governance system, carried out in the early to mid-20th century, the lower strata of the traditional governance system have lost some popularity as a scholarly enterprise, leaving a

1 This chapter is dedicated to ‘Nduna Mshushisi’ and to the many women who must live with material insecurity and everyday violence.

lacuna in the literature. This lacuna has allowed public discourse to fall back on platitudes about and caricatures of traditional authority that are out of keeping with reality.

Public mischaracterisations of traditional courts, and how they function, have been rhetorically presented as reclamations of precolonial conceptions of traditional institutions. Ironically, however, this rhetoric is in fact predominantly formed of colonial and apartheid distortions of traditional leadership. These faulty stereotypes therefore ignore the paradoxes produced and presented by the historical and present-day political economy of rural South Africa. For example, Christine Mhongo and Debbie Budlender (2013) show evidence of a steady decline in marriage rates over the last half-century,² which has important consequences for the patriarchal assumptions on which traditional leadership and dispute processes are based. These over-romanticised notions of traditional governance are not innocuous. Rather, these notions are highly political and have tangible consequences for people's lives – to the point of affecting whether people (both ordinary rural residents and those in traditional leadership) live or die. The gendered nature and consequences of these over-romanticised notions – particularly for women – are especially troubling.

This chapter fills part of the lacuna in scholarly and public knowledge of the reality of lower-level leadership and courts in rural

2 Also see Walker (2009), according to whom, in 2004, female-headed households made up 44 per cent of rural households.

South Africa following the end of apartheid.³ It is based on empirical data, painstakingly recorded over a period of 11 months, about what headmen do on a day-to-day basis, observations of traditional courts at various levels in Msinga, KwaZulu-Natal (see Mnisi Weeks, 2018; Mnisi Weeks, 2016; Mnisi Weeks, 2015a; Mnisi Weeks, 2012) and participant observation in Mbuzini, Mpumalanga (see Mnisi Weeks, 2015b; Mnisi Weeks, 2011; Mnisi Weeks & Claassens, 2011). The chapter argues that national, provincial and local government policies that focus on senior traditional leaders as the primary means of regulating customary law and providing justice and security for its adherents is misguided. Furthermore, such an emphasis in policy making can serve to undermine both the interests of the ordinary people these leaders purportedly represent (the majority of whom are women), and also the role and efficacy of leaders (the majority of whom are men) operating at lower levels in the customary system.

The argument offered in this chapter might first present as an account

3 This article is based on empirical research that formed part of a study I completed in Msinga, KwaZulu-Natal for the Rural Women's Action Research Project while I was a senior researcher in the Centre for Law and Society at the University of Cape Town. The study was conducted between October 2009 and June 2015, with the bulk of data collected between March 2011 and January 2012 (inclusive). Data collection took the form of daily recording of headmen's activities and day-to-day work, observation of traditional dispute management processes such as dispute hearings that the headmen participated in managing, follow-up interviews with parties to these disputes and traditional authorities, as well as focus groups with the members of the traditional councils and groups of local men and women. Preliminary interviews and observations were conducted from October 2009 to February 2011, and follow-up interviews, focus groups and report-back sessions were conducted from February 2012 to June 2015. The statements made about Mbuzini, in Mpumalanga, and its members are drawn from data collected over a period of eight months in which I conducted ethnographic research by participant observation within this rural, Swati-speaking South African community that is situated close to the Swaziland and Mozambican borders. This research was initially published as Sindiso Mnisi, *The Interface between Living Customary Law(s) of Succession and South African State Law* (2010) (PhD dissertation, University of Oxford) but has since featured in multiple other academic publications.

of the lived realities of rural⁴ women, subject to traditional leadership. It describes the disconnect between these women's experiences, on the one hand, and the laws that seek to regulate the institutions that govern them, on the other. Yet, with closer attention, there is a second layer of argument being presented here. The chapter demonstrates how the same lived realities of women in rural areas that are ignored by legislation, affect and shape the ability of headmen to carry out their responsibilities, especially in the realm of local dispute resolution. Hence, this chapter shows that the sources of vulnerability for women that are ignored by government similarly render the headmen vulnerable and undermine their ability to assist the government in keeping the areas under their leadership justly administered and secure.

The chapter makes this argument, systematically, through several key points:

- Rural people's existences are dependent on access to power, and women have little of it with which to negotiate their security.
- Apartheid distorted customary law, firstly by stripping women of any power they had under pre-colonial customary law, thus making women more vulnerable than they had been pre-colonially. Secondly, it stripped away much territorially based, bottom-up and decentralised customary power from headmen, thus leaving them with less authority than they had pre-colonially.
- The security of people living under customary law is highly embedded in and contingent on the reciprocal relationships that make up customary communities⁵ and the rights enjoyed within

4 Primarily, in Mbuzini in Mpumalanga and Msinga in KwaZulu-Natal. However, based on the work of other scholars cited herein, I argue that the analysis largely extends to other areas as well.

5 The concept of community is difficult to define, partly because it is very contested. As shown in this chapter, the South African government defines customary communities in terms of their having a formally recognised traditional leader and externally defined boundaries. However, there is plenty of literature that shows that customary definitions of community are fluid, nested and overlapping (Cousins, 2011; Okoth-Ogendo, 2008). As I have argued elsewhere, I am of the view that customary communities should self-identify on a case-by-case basis, as demanded by the circumstances as the members of the self-defined community see it (Mnisi Weeks, 2018; Mnisi Weeks & Claassens, 2011).

them. Hence, for women, the loss of power with which to negotiate has resulted in the tremendous absence of security for them; so too has the coincidence of headmen's loss of authority at the same time as the severe degradation of the social fabric in customary communities, due to socioeconomic disadvantages, resulted in tremendous loss of security for headmen.

- The solution to this double challenge is *not*, as South African lawmakers seem to assume, the centralisation of power in senior traditional leaders. Legislation like the Traditional Leadership and Governance Framework Act No. 41 of 2003 (TLGFA), Communal Land Rights Act No. 11 of 2004 (before it was struck down) and the Traditional Courts Bill B15-2008/B1-2012 (and now, the TCB B1-2017) Act change the balance of power in favour of senior traditional leaders (who are predominantly men), making it even more difficult for women to negotiate physical, social and material security. Fatefully, while strengthening the position of senior traditional leaders, these laws simultaneously weaken the position of lower-level traditional leaders and make it more difficult for them (along with women) to negotiate greater human security for themselves and their communities.

Each of these points is addressed in detail below, with brief narratives used to illustrate key arguments.

The argument advanced is ultimately that the legislation impacts on the power balance crucial for changes that would enhance women's and headmen's security on the ground. But so far, the South African government has failed to recognise the damage it is doing to even lower-level traditional leaders. Perhaps this failure is due to the fact that the debate has so far been presented as one between traditional leaders and ordinary rural people, when the reality defies such oversimplification. The chapter therefore ends with the proposal that government's response should be based on an approach that may seem counter-intuitive at first but is the only solution that is consistent with preserving the integrity of rural communities and their cultures. The government should foreground the decentralisation of traditional leadership in order to strengthen the everyday social relations within

which customary norms and the maintenance of social order are negotiated in very localised spaces.

POWER: WOMEN HAVE LITTLE WITH WHICH
TO NEGOTIATE THEIR SECURITY

A middle-aged woman, MaNovalo,⁶ was repeatedly tormented by her husband, Cijimpi, who would brandish his gun whenever he was drunk, which was not infrequently, and threaten her with it. When her husband used his firearm to threaten a neighbour for harbouring her, the neighbour took the matter to the local dispute management council. The council's decision was insipid: they insisted that Cijimpi should have gathered the family council to help resolve the root issue of his affair with another woman and would do better to move MaNovalo back to her natal home than shoot at her. The council then concluded by asking that Cijimpi stop harassing his wife while simultaneously instructing MaNovalo to extend respect and patience toward Cijimpi in his affair. MaNovalo, on the other hand, was resolute: she would not leave to another woman the home for which she had worked so hard, even if it meant that her daughter was being visibly traumatised by the ongoing abuse. MaNovalo tearfully accepted the real risk that she herself would leave her home in a body bag.⁷

The first case made by this chapter is that rural women's existences are largely determined by unequal power relations; in this context women have very little power with which to negotiate their security (physical, social and material). The following problems reported by women living in rural areas are well-documented by scholarship on women's vulnerability and insecurity under customary law (Claassens & Ngubane, 2008; Mnisi Weeks, 2011; Weinberg, 2013; Mnisi Weeks, 2013; Thornberry, 2016). Women are often evicted from their marital homes when their marriages fail or when they are widowed (Himonga, 2005; Venter & Nel, 2005; Higgins et al.; 2006). Divorced or widowed women who return to their birth homes when marriages end are often

6 The names of all participants in the study have been changed to protect their privacy.

7 Interview with MaNovalo, Msinga, KwaZulu-Natal in July 2011.

made unwelcome and evicted by their brothers. Unmarried sisters are often evicted from their birth homes by their married brothers after their parents die, as sons assert that they alone should inherit the land, even when the father may have chosen a daughter to be responsible for the family home (Mbatha, 2002; Kingwill, 2008; Mnisi Weeks & Claassens, 2011). Married women are not treated as people with rights to land, which is seen rather as the property of the husband and his birth family. Wives are therefore often not consulted on decisions regarding land use or transactions, and women are still treated as minors in their families and communities (Budlender et al., 2011; Mnisi Weeks, 2015).

Furthermore, women, especially single women, struggle to access residential land because ‘traditionally’ residential sites in patrilineal areas are allocated only to men (Cousins, 2011). Women are often excluded from traditional institutions, such as traditional and village council meetings, where key decisions about land rights are taken – including the decision that women are not to be represented in traditional councils and courts and are not allowed to address meetings. In fact, women are often denigrated or ignored when trying to speak in these forums. Men generally dominate the traditional courts that decide family and land disputes, and these courts are perceived to favour men over women (Curran & Bonthuys, 2005).

One should not draw the conclusion from this evidence that women are powerless or without authority – indeed, in many respects they hold relatively powerful socio-cultural roles (see, for example, Griffiths, 1998; Redding, 2004). Yet, largely as a consequence of the interventions of formal law, women have less authoritative power in relation to men in the more structured aspects of their status (McClendon, 1995). It is this limited negotiating power that negatively affects their ability to negotiate security for themselves in their often-precarious circumstances (Whitehead & Tsikata, 2003; Mnisi Weeks, 2015). The next two sections discuss how this power asymmetry came into being and how, in practice, it disadvantages women in and through day-to-day outcomes.

APARTHEID DISTORTED CUSTOMARY LAW
AND STRIPPED WOMEN AND HEADMEN
OF POWER AND AUTHORITY

Women and headmen are most unlikely allies, and there are certainly limits to their commonalities. However, I can show that apartheid affected their positions in similar ways, albeit to differing degrees. As men and traditional authorities, headmen were regarded by the apartheid government as being superior to women. Nonetheless, apartheid distorted customary law to strip headmen of their authority and power, as well as women. In the case of women, this was achieved by making them perpetual minors and ever subject to the authority of the men in their lives. For headmen, this was achieved by fixing 'tribal' boundaries, inverting the 'bottom-up' nature of the power in customary communities (Okoth-Ogendo, 2008) and centralising power in senior traditional leaders.

Distorted customary law, limited power for women

Make Musha's fiancé, Myeni, had called her to the area in which he worked, where the two got married and acquired a house. When Myeni died, it turned out that he had another wife in the rural areas who he had married before his marriage to Make Musha. In order to claim some of the death benefits through her, Myeni's family resurrected the old wife, Make Mdala, and chased away the new one saying that the man already had a wife. When they went to the Magistrate's Court and Make Musha produced a marriage certificate, the deceased's family turned against the first wife, Make Mdala, who did not have written proof of her marriage, and asked her who had married her and Myeni. In the back and forth, Make Mdala's fate seemed dependent on the interventions of others – Myeni, his family, and the law – thus demonstrating the limits to her power as a consequence of having married Myeni prior to black women's liberation from the perpetual minority status accorded them under apartheid law.⁸

In this section, I show that women's relative disempowerment

8 Interview with Make Khansela, Mbuzini, Mpumalanga in September 2007.

was not always a fixture of customary law. Pre-colonially, traditional communities were both patriarchal and matriarchal (Mamdani, 1996; Claassens, 2013). This did not necessarily mean that women were equal (Guy, 1990). But, within the context of the delicate balance between those two political poles (matriarchy and patriarchy), women had some power with which to exercise agency and control over their lives and thus also negotiate their security. For instance, women were able to select their own spouses or draw on customary law to extract themselves from undesirable marriages (Comaroff & Roberts, 1977; McClendon, 1995; Mamdani, 1996). With the distortion of the principles of customary law by colonial and apartheid governments, women lost this negotiating power, which has had devastating longterm consequences for their security.

Readers are probably familiar with this history but, for the sake of completeness, I will summarise it briefly here. The Native Administration Act No. 38 of 1927 (NAA), section 11(3)(b), as inserted by the Native Administration Amendment Act No. 21 of 1943, laid down a new ‘customary’ law: ‘a native woman who is a partner in a customary union and who is living with her husband shall be deemed to be a minor and her husband shall be deemed to be her guardian’. Women (and young people) were disproportionately disadvantaged by a system that privileged ‘the adult male members of the tribe’, as exemplified by section 3(1) of the NAA, under which men were the only ones who could participate in local decision making.

This is not mentioning laws such as the infamous and pervasive KwaZulu Act 16 on the Code of Zulu Law and Natal Code of Zulu Law.⁹ In very similar wording, their respective sections 20 prescribed that:

The family head is the *owner of all family property* in his family home. *He has charge, custody and control of the property* attaching to the houses of his several wives and may *in his discretion* use the same for his personal wants and necessities, or for general family purposes or for the entertainment of visitors.

9 Hereinafter, Natal Code. Published in Proclamation R151 of 1987, GG No. 10966.

*He may use, exchange, loan or otherwise alienate or deal with such property for the benefit of or in the interests of the house to which it attaches, but should he use property attaching to one house for the benefit or on behalf of any other house in the family home an obligation rests upon such other house to return the same or its equivalent in value (emphasis added).*¹⁰

Section 22 of the Natal Code went on to say that '[t]he inmates of a family home irrespective of sex or age shall in respect of all family matters be *under the control of and owe obedience to* the family head'.

Of course, historians, social anthropologists and legal ethnographers have shown how (especially in Tswana society) in lived reality, customary norms tended to follow traditional practice which meant that, as demonstrated by John Comaroff and Simon Roberts (1981), women and men negotiated their way around the formal restrictions, despite the overarching colonial legal system. Similarly, Ann Griffiths (1997) shows how fluid the lived reality and the practice of justice under customary law were. And, as seen in this chapter, women were important agents in sustaining and exploiting the negotiability and fluidity of customary law.

In other words, to the extent that (i) formal laws allowed, (ii) distortions of power had not set in too deeply and (iii) the state was absent, people in traditional communities continued to practice customary law and customary relationships as they saw fit, and according to norms that they determined. Yet what they saw as fitting was profoundly shaped by the social and political economy of colonialism, and then apartheid (McClendon, 1995; Hunter, 2005).

While in their negotiations, women even used the new colonial structures to their advantage to the extent possible. Women turned to these external forums for leverage against decisions they deemed problematic in their own traditional settings but felt otherwise powerless to avoid. This is itself a sign of the multifaceted impact of the state's direct and indirect force in these communities.

The Constitutional Court has had opportunity to consider the

10 KwaZulu Act on the Code of Zulu Law 16 of 1985

falsifications of customary law represented in the NAA and has made the following statements on the subject:

In our pre-colonial past ... women, who had a great influence in the family, held a place of pride and respect within the family. Their influence was subtle although not lightly overridden. Their consent was indispensable to all crucial family decisions. Ownership of family property was never exclusive but resided in the collective and was meant to serve the familial good (*Gumede (born Shange) v President of the Republic of South Africa and Others* 2009 (3) SA 152 (CC), at para 18).

First, it must be acknowledged that even in idyllic pre-colonial communities, group interests were framed in favour of men and often to the grave disadvantage of women and children (*Mayelane v Ngwenyama and Another* 2013 (4) SA 415 (CC), at para 71).

Hence the Court concluded that while customary law must be accorded the respect it deserves, there remains a need to ensure that it develops in accordance with the framework of the Constitution. Such development should take account of the vulnerability of women and ensure that their right to equality is robustly protected. Yet, any development of customary law must take as its starting point the recognition that customary law was fundamentally altered by a colonial government that sought to exploit it to enforce its own indirect rule.

Distorted customary law, limited authority for headmen

Landzela was the apparent heir to the headmanship of his ward but elected not to take it up. The reason Landzela's aunts (one biological and the other by affinity) gave for supporting his rejection of the office was the preservation of his life. It was repeatedly said that the young man's father, Nduna Cala, had died because of the position; there were allegedly people who were not happy about Nduna Cala being in the position and resorted to supernatural means to remove him. In the estimation of Landzela's aunts, for a job that did not even pay, it just was not worth it for him to risk his life. Nonetheless, they as

well as others acknowledged that it is one's duty to serve when one is called by the chieftainship, bukhosi, to do so. Landzela was therefore living with the tension of having violated an acknowledged cultural and social duty on the grounds of what he and his family perceived as a matter of his survival. At the same time, some people in positions of authority acknowledged the internal tensions surrounding not just the headmanship but bukhosi as well. Groups within the community – like the 'civics' (young people, mostly male, leading the rural resistance in the latter days of apartheid) – were reputed not to wish to be under a chief. Most striking was the explanation given for why the chiefs themselves were not rendered perpetually insecure by this internal resistance; namely, that it had been made evident to these factions that government supports the 'chiefs'. It was broadly understood then that most of the senior traditional leadership's extant power is assigned by government.¹¹

The argument advanced in this section is that much like women's roles under customary law were distorted by the dominant legal system, so too were headmen's, which resulted in the undermining and limiting of headmen's customary authority. The NAA was in fact based on preceding legislation passed by the then Transvaal government, Law 4 of 1885, which distorted the authority of headmen by ignoring the lower-level customary dispute resolution forums led by headmen. In fact, legislators considered several cases that revolved around whether or not headmen played a role in the traditional judicial process. Relying upon the Western conception of a court as a forum governed by a single individual in his or her capacity as judge, Law 4 of 1885 recognised only chiefs as being entitled to having courts, and to make decisions in those courts. However, cases were brought to the colonial courts in which people argued for recognition of the fact that headmen were empowered to resolve disputes in their own forums and also to participate in chiefs' forums.

For instance, in the 1923 case of *Makapan v Khope* (1926: 555, 561) decided under Law 4 of 1885, the Appellate Division of the Supreme

11 Interviews with Ndvuna Tigodzi and Ndvunankulu, Mbuzini, Mpumalanga in August and September 2007.

Court observed that the headman's court was 'recognised by members of the tribe as having authority to hear and decide disputes', but was not recognised by the legislature and, hence, the court found that in terms of the legislation, the chief 'alone' constituted 'a court of justice'.

It is important to observe as the subtext for such decisions that the courts' conclusion that the 'native chiefs' ruled like despots formed the basis of its rationalisation that 'the Governor-General', as the 'Supreme Chief', was in terms of Law 4 of 1885 permitted to expel native men from their land because '[t]he Government today has the power the old chiefs exercised' (*Mokhatle and Others v Union Government*, 1926: 77). This was the decision delivered three years after *Makapan* (1912), by the same Appellate court in *Mokhatle and Others v Union Government*, where the court implied that the 'native mind' was not particularly suited to democratic process, and it was thus appropriate for the chief to have full discretion to determine such matters, and others need not be consulted (*Mokhatle and Others v Union Government*, 1926: 79).

Following on from Law 4 of 1885, the NAA recognised and regulated traditional courts as forums primarily – if not exclusively – constituted by 'chiefs' (that is, senior traditional leaders). This description of traditional courts can be seen from the titles of the relevant sections of the NAA, namely, 'Settlement of civil disputes by native chiefs' (section 12) and 'Powers of chiefs to try certain offences' (section 20). In terms of the legislation, senior traditional leaders were made both legislators and adjudicators. It was only in 1929 that the NAA's sections 12 and 20 were amended in order to recognise headmen's courts as forums below the level of chiefs' courts.

With respect to traditional governance, the apartheid administration used principles laid down in the NAA to both extend and alter the authoritative power of senior traditional leaders. Furthermore, the systematic preference of 'chiefs' over headmen has continued in the legal system until today. According to section 2 of the Traditional Leadership and Governance Framework Act No. 41 of 2003 (TLGFA): '(1) A community may be recognised as a *traditional community* if it (a) is *subject to* a system of *traditional leadership in terms of* that community's customs; and (b) observes a system of customary law'

(emphasis added). Yet, section 28(3) titled, ‘transitional measures’, says that ‘any “tribe” that, immediately before the commencement of this Act, had been established and was still recognised as such is *deemed* to be a *traditional community* contemplated in section 2 ...’ (emphasis added).

In terms of the NAA, ‘chiefs’ (and subsequently headmen too) were empowered to settle disputes that arose in the areas under their jurisdiction – that is, within the territories over which they had statesanctioned ‘control’. The ‘chiefs’ (and later headmen) themselves had to satisfy two criteria: first, they had to be formally recognised or appointed by the state and, second, they had to acquire specific authorisation for deciding civil matters, with this permission having to be written in order for ‘chiefs’ (and later headmen) to legitimately hear criminal cases.

Under section 28(1) of the TLGFA, ‘(a)ny traditional leader who was *appointed* as such in terms of applicable provincial legislation and was *still recognised* as a traditional leader immediately before the commencement of this Act, is *deemed* to have been recognised as such in terms of section 9 or 11, subject to a decision of the Commission in terms of section 26’ (emphasis added). Furthermore, in terms of section 28(4): ‘any tribal authority that, immediately before the commencement of this Act, had been *established* and was *still recognised* as such, is *deemed* to be a *traditional council* ...’ (emphasis added).

Under apartheid, those communities that were acephalous (literally, ‘without a head’, and so meaning having no ‘chief’, king or queen) were not recognised, and therefore could not own land, because they could not become a ‘tribe’ or have a ‘tribal authority’ without the construct of a ‘chief’. The effect of the legislation cited above is that these same communities are not recognised as traditional communities under the TLGFA. Some such communities were claimants in the Constitutional Court challenge to the Communal Land Rights Act No. 11 of 2004, *Tongoane v National Minister for Agriculture and Land Affairs* 2010 (6) SA 214 (CC). Under the apartheid legislation, there was only one exception for acephalous communities; ‘community authorities’ were the only (rarely used) model available under the Bantu Authorities Act No. 68 of 1951 for recognising black communities that did not have a

‘chief’ or exist as a tribe under the NAA.

The ‘transitional measures’ in section 28 are still in effect 15 years after the TLGFA came into being and, under this section, ‘community authorities’ are presumed to have all been disestablished in terms of the TLGFA. Hence, there is no provision for acephalous communities.

Besides that, communities in the Eastern Cape that customarily elected their headmen (as opposed to having their headmen appointed by the Royal House or senior traditional leader) have no provision for doing so under either the TLGFA or the Eastern Cape Traditional Leadership and Governance Act of 2005. This is an issue that the Amahlathi community was the first to challenge in court (but not in the numerous provincial and national government commissions constituted to investigate disputes over traditional authority and land). The Amahlathi won their challenge in an order of the Bhisho High Court dated 27 June 2017.

It is evident therefore that apartheid distorted customary law and stripped women of power and headmen of authority. The significance of this distortion of customary law is immense and can be seen through the practical consequences described in the next section.

HIDDEN IN THE SHADOWS OF
‘HARMONIOUS’ COMMUNITY:
CONTINGENCY AND CONTESTATION¹²

The third major point is that the reason women’s and headmen’s security declines with their loss of power and authority, respectively, is that for both, their security is highly embedded in and contingent on the reciprocal relationships that make up customary communities and their normative frameworks. Moreover, what is presented in South African policy and legislative discourse as an uncontentious relationship between ‘senior traditional leaders’ and their ‘subjects’ is rarely that (Mamdani, 1996; Oomen, 2005; Comaroff & Comaroff,

12 Refer to Laura Nader’s extensive evaluation of how ‘harmony’ is a fiction that is exploited by both oppressive (colonial) governments and oppressed groups to advance their own political, and coercive, ends (see Nader, 1990; 1991; 1996).

2009; Mnisi Weeks, 2018). In fact, as this section goes on to show, senior traditional leaders are typically engaged in negotiations to protect and enhance their own 'roles and status' (Comaroff & Comaroff, 2009). Making themselves sound more authoritative than they are under existing customary law, or were under pre-colonial norms, aids their endeavours to extend and entrench their powers in and through formal law.

The context in which women and headmen (actually, all people living in customary communities) negotiate for greater rights under customary law is worth describing in some detail here. This context is one where the law comprises a range of rights and duties and the rule that prevails is negotiated on a case-by-case basis, depending on the needs of the people involved in a particular real-life scenario. This is what scholars (Mbatha, 2002; Himonga, 2005; Bennett, 2008; Claassens & Mnisi, 2009; Mnisi Weeks & Claassens, 2011; Cousins, 2011) and the Constitutional Court refer to as 'living customary law'.

This point has been demonstrated by John Comaroff and Simon Roberts in their work, *Rules and Processes* (1981). In essence, they show that living customary law (in their study, Tswana '*mekgwa le melao*') is made up of a 'normative repertoire', which is a variegated set of norms drawn from a general, undifferentiated repertoire. This means that there is a multitude of norms that exist at different levels of specificity and generality; these norms may even contradict one another but the contradictions are resolved by interpreting some norms figuratively (that is, elevating the norms to the metaphorical or symbolic level as opposed to enforcing them literally). This determination – that is, the differentiation of an otherwise 'undifferentiated repertoire of norms' – is made on the basis of each particular situation (Comaroff & Roberts, 1981).

There are obviously certain norms that enjoy wide social acceptance, and these are typically complied with and regarded as obligatory, but this may change over time as the community's lived reality and demands shift. Thus, the specific weight of most norms is meaningfully determined only in relation to the situation in which the norms are invoked. This means that a particular – even widely held – norm does not *necessarily* determine the outcome of dispute. Of course

there are some non-negotiable norms, but these are not determined by any individual but rather are typically evident in practice. Yet it is also true that while norms are generally negotiable and offer some room for manoeuvre to the authorities overseeing dispute resolution, norms are not *completely* non-determinant of outcomes. This is one of the fundamental tensions that must be resolved with the flexibility inherent in the nature of living customary law (Comaroff & Roberts, 1981).

This fundamental negotiability of the norms constituting living customary law is achieved through what the authors describe as the ‘paradigm of argument’, which they explain operates as follows in the context of cases under Tswana ‘*mekgwa le melao*’. The process of resolving a dispute is sometimes devoted primarily to debate over precisely the question of competing norms. Disputing parties, and the authorities managing the dispute, organise their utterances (their statements in their argument) with reference to referential principles (the various norms available for them to select from). Disputes are seldom decided by the prescriptive application of norms alone. Rather, the parties will contrive a ‘paradigm of argument’ that offers a coherent picture of relevant events and actions, in relation to one or more implicit or explicit normative referents (Comaroff & Roberts, 1981).

The ‘paradigm’ the parties formulate is case specific, not fixed or predetermined. The complainant will establish the paradigm by ordering the facts around normative referents that may or may not be made explicit. In fact, an individual will not typically refer to norms explicitly, except in the anticipation that his or her opponent will question the characterisation of the dispute offered; the individual will try to erode his or her opponent’s paradigm in advance. The other party may then either stay within the paradigm that was established by the complainant – thus, arguing the circumstances of the case – or the respondent may choose to present a competing paradigm while accepting the presented facts. In the latter case, an explicit reference to norms seems necessary because the respondent is imposing a different paradigm on the case and so attempting to assert control over or change the terms on which the debate is proceeding (Comaroff & Roberts, 1981).

It is evident from this account that the power to negotiate is an

essential factor in any party being able to win a dispute under living customary law, and in influencing the ways in which living customary law develops in and through the pronouncements made during dispute resolution (see, for example, Mnisi Weeks, 2011). The necessity of the power to negotiate becomes even more evident when one considers the options the dispute resolution forums are given when presented with competing 'paradigms of argument' (Comaroff & Roberts, 1981) and, hence, presented with competing norms.

In such situations, the authority responsible for resolving the dispute and/or the senior men who are observing the case may (a) accept the paradigm agreed to by the parties (if such agreement exists), (b) choose between the competing ones presented by the parties or (c) impose a completely new paradigm on the disputed issues (Comaroff & Roberts, 1981). If the authority goes with option (b) or (c), then he will most often refer to rules explicitly (though usually indirectly, even then) because they are seeking to legitimise the distinction and justify the finding. The dispute resolution authority may also distinguish the issues and thus apply two or more frames to the case (Comaroff & Roberts, 1981).

Under Tswana '*mekgwa le melao*' (Comaroff & Roberts, 1981), legislative pronouncements can sometimes customarily become part of the normative repertoire of the governed communities when they are endorsed by the traditional authority. However, the legitimacy and execution of these pronouncements depend on their:

- reflecting public opinion,
- being delivered by an authority considered legitimate, and
- being of utility to individuals in the circumstances in which they might be raised (Comaroff & Roberts, 1981).

This is fundamentally different from the claim of their being determinative merely at the sovereign's say-so – the latter being the way in which state law is deemed authoritative.

It is therefore significant when customary authorities speak of their legislative rules as 'determinative', in order to advance their claims to institutional legitimacy. This is because the argument that their legislative pronouncements are unconditionally authoritative gives

more law-making authority than they have under living customary law, and when they succeed at having it enacted in state legislation it is extremely difficult to overcome. These claims to authority are therefore usually made at the expense of the authority of ordinary rural people to create and observe living customary law based on their values, choices and evolving practices. Again, this is a fundamental disruption of the delicate power balance that is essential to living customary law and makes living customary law the effective legal system that it can be when it is honoured in its true essence as described above.¹³

Entwined power and the vulnerability of women

Make Mdala's case was brought by her birth family to the traditional council as a claim against her in-laws for reimbursement of the cows that had lobola'd (that is, paid bridewealth for) Make Mdala's child. The grounds for the claim were articulated as being that Make Mdala had not been lobola'd and yet the deceased's family had made her wear inzilo (the mourning outfit) for the deceased and taken her through kumeketa (the terminal marriage ceremony). The deceased's family objected and said Make Mdala should lobola herself with the money she was earning from her husband's death (through the formal inheritance process of the Magistrate's Court). At the traditional council, the deceased's, Myeni's, family lost the case because, as it was pronounced, a woman does not wear mourning clothes when she has not yet been lobola'd. Moreover, the traditional council said Make Mdala had moved into the marital home as a wife-to-be with permission from her husband's family; she had then not been lobola'd even though she had birthed a (girl) child who was married and lobola'd. The child's (paternal) grandparents had taken the lobolo cows and enjoyed them but the child's mother had not been lobola'd. As one female member of the council definitively pronounced, 'The cows [that had lobola'd Make Mdala's daughter] were supposed to go and lobola [the girl's] mother – this is what the traditional law requires.'¹⁴

13 For further discussion of this subject, see Comaroff and Roberts (1981, especially at pages 80–83 and 180).

14 Interview with Make Khansela, Mbuzini, Mpumalanga in September 2007.

The case presented in this section is that the balance of power in traditional communities is delicate. Women's security, in particular, is vulnerable to the shifts in this delicate balance because of the fragility and contingency of women's control over the security and strength of their relationships. That is, women's security declines with their loss of power to negotiate, because women's security is highly embedded in and contingent on the reciprocal relationships that make up customary communities and rights under the normative frameworks that prevail in these groups.

How do we apply the understanding articulated above of the nature of living customary law to women's ability to ensure their livelihoods and their general security within their local communities? The argument has previously been made that women extend their security in their local contexts partly by mobilising 'rights' (both customary and constitutional) (Claassens & Mnisi, 2009) as part of their 'paradigms of argument' (Comaroff & Roberts, 1981). They thereby emphasise the aspects of living customary law that accommodate and address their particular needs as experienced within a particular, contemporary context. In this way, women may also explicitly or implicitly develop the applicability of both living customary law and constitutional rights to their lives (Claassens & Ngubane, 2008; Claassens & Mnisi, 2009; Mnisi Weeks & Claassens, 2011).

Thus, when women mobilise 'human rights' they typically do so in relational ways that emphasise that autonomy is achieved through positive relationships that strengthen them, rather than in the individualist sense in which human rights are typically conceived of in the West (Mamdani, 1990; Nedelsky 1993; Lacey, 2004; Nyamu-Musembi, 2005). Hence, using rights as part of their 'paradigms of argument' within customary law is a coherent approach for them because customary law tends to emphasise relationships over individuals and interdependence over independence (Claassens & Ngubane, 2008; Claassens & Mnisi, 2009; Mnisi Weeks & Claassens, 2011). Yet, at the end of the day, women are only able to negotiate their security effectively in these terms – that is, introduce and defend 'paradigms of argument' that draw on values within customary law that support their wellbeing and security and that of their children and

families – if they have the power (recognised as legitimate) with which to do so (McClendon, 1995; Curren & Bonthuys, 2005; Claassens & Mnisi, 2009; Mnisi Weeks, 2016).

As discussed in greater detail below, one observes a difference in rates of participation between lower-level and higher-level vernacular dispute management forums (Mnisi Weeks, 2015a; Mnisi Weeks, 2018). This coincides with the observation made as early as the mid-20th century that increasing formalisation of the forums results in increased alienation from the forums within the community (Hailey, 1953). Hence, the role of ordinary members of the vernacular grouping (customary community) diminishes the higher up one goes in the forum system (Mnisi Weeks, 2015a; Mnisi Weeks, 2018).

As shown, at least in part, initially colonial law deliberately engineered this formalisation in order to centralise authority in the ‘chief’ (and, to a much lesser degree, the ‘chief’s council’). Interestingly, what has resulted is a gaping chasm between the processes in the headmen’s and the senior traditional leaders’ forums (Mnisi Weeks, 2015a; Mnisi Weeks, 2018). One manifestation of this difference is that women have a little bit more ability to participate effectively in the headmen’s forums (Mnisi Weeks, 2018). Of course, the membership of vernacular dispute management forums (or traditional courts) is mainly male and a man, who is the key authority figure for the social unit that the forum serves, typically chairs each forum (Mnisi Weeks, 2016; Mnisi Weeks, 2018). In this sense, these forums retain their patriarchal nature and women are still substantially excluded from this process, resulting in their voices not being well represented in the development of the normative repertoire in their communities.

Nonetheless, lower forums typically allow greater independent female involvement due to the forums’ less formal Constitution and procedure, though the forums vary in how much female participation they each allow (Mnisi Weeks, 2016; Mnisi Weeks, 2018). Ultimately, these highly significant dimensions of dispute management suggest that interpersonal and professional relationships premised on social trust are critical to the vernacular dispute management system’s strengths and weaknesses. They also suggest that such important matters as how much say women have in the development of local norms should not

be left to the whims of individual traditional leaders or to the culture of female non-participation that develops in each sub-community but should be firmly directed by law and policy (Mnisi Weeks, 2015a; Mnisi Weeks, 2016; Mnisi Weeks, 2018).

Entwined authority and the vulnerability of headmen

Nduna Mshushisi presented as very confident and was regarded as authoritative even by other headmen in his traditional community, some of whom consulted him on how they should settle their own confounding matters at times. In disputes before the chief's council, Nduna Mshushisi was often the foremost interrogator. With his powerful voice and above-average height, he cast such an authoritative shadow over proceedings that one might have mistaken him for the chief headman. Or one might have mistaken him for umshushisi (prosecutor), which is how one chief headman had described the role that the chief headman is required to play in dispute proceedings. Suffice it to say, Nduna Mshushisi was strong. Yet, that did not make him invulnerable. During the 11 months of my team's data collection, he reported the least dispute management incidents of all six headmen concerning whom we were collecting data daily, and most of the matters were minor. Yet two key conflicts that Nduna Mshushisi had managed and did report to us were ones that dealt with intense violence. After the period of our data collection, our NGO partner informed us that, on 13 February 2016, Nduna Mshushisi had been assassinated in broad daylight. According to our NGO partner's annual report, 'he was the third induna [in his traditional community] to be killed in six months, a tally that makes it difficult to find a replacement for the job'.¹⁵

To illustrate how headmen's authority and vulnerability are entwined in practice, I delve deeply into the example of headmen in Msinga. The composition of vernacular dispute management forums there and the restraint with which the local headmen conduct themselves must

15 From fieldwork conducted in Msinga, March 2011–January 2012, and report from Mdukathani Rural Development Trust annual report, 2015 (available at www.mdukathani.com/resources/Annual%20report%20for%20Mrdp%202015%20final.pdf)

be read against the historical background of traditional male roles in Zulu communities. It is well known that precolonial Zulu society was patriarchal and, moreover, that men were also ranked according to a hierarchy based primarily on age, in terms of which older men received greater respect than those who were younger (Guy, 1990; Hunter, 2005; Carton & Morrell, 2012).

As Benedict Carton and Robert Morrell (2012) describe, emphasis was placed on patriarchal honour and morality – specifically, ‘household honour’ entailing ‘patience, sobriety and wisdom’. Responsibility to relatives and peers was prized because agrarian Zulu society depended on mutual support within and between households for its survival and health (Carton & Morrell, 2012: 41–42). Carton and Morrell explain that ‘guiding idioms of the Zulu kingdom promoted subsistence – not ‘man slaying’ – with one particular metaphor, *isbuko sikababa*, inspiring herd boys (the protostick fighters) ‘to mirror’ the ‘gravitas’ of their fathers who oversaw homestead production’ (Carton & Morrell, 2012: 41). These authors conclude that, in terms of precolonial ideals, ‘all people, young and old, were expected first to uphold life-affirming heroic and householder traditions that preserved domestic security’ (Carton & Morrell; 2012: 42).

As these and other authors such as Mark Hunter (2005) observe, with time ‘man slaying’ (Carton & Morrell, 2012: 41–42) has come to acquire prominence in Zulu communities’ dominant conceptions of masculinity. This change co-occurred with two dynamics that manifested almost concurrently. On the one hand, African men were co-opted by the state as it sought to tighten control over women and their sexuality. On the other hand, the changing economy and forced labour migration made it ever more difficult for men to maintain a strong household as required by the Zulu masculine ideal (Hunter, 2005: 394). These factors, along with men’s participation in urbanisation due to the circumstances they found themselves in, did not render obsolete traditional beliefs about manhood, which revolved around the centrality of marriage and the establishment of a homestead. However, they did contribute to the development of male practices that presented competing conceptions of masculinity (Hunter, 2005: 397).

The restraint shown by headmen as they approach their role must

be understood against this background. The headmen approach their roles both in practice and in speech in ways that hearken back to the traditional values that undergirded Zulu society until the mid-20th century, during which time the headmen were born and raised in the area. Indeed, the headmen came of age before the crisis of Zulu masculinity hit its peak in the 1980s (Hunter, 2005). They therefore approach their role as that of safeguarding the legacy with which their grandfathers entrusted them.

The challenge is that things have changed more than they are able or willing to recognise and accept (Campbell, 1992; Hunter, 2005; Mnisi Weeks, 2018). Their approach therefore rubs against the reality and demands of the historical moment, which presents a social context that is vastly different from the context in which their grandfathers lived. Nonetheless, the headmen fail to fully confront this challenge and largely behave as though they can take for granted that those in their charge more than notionally share their beliefs about Zulu gender identity – especially masculinity (Mnisi Weeks, 2015a; Mnisi Weeks, 2018). As the headmen attempt to realise the historical vision of Zulu society given to them by their forefathers, using ‘time-tested’ methods to perform their role, they are falling further and further out of step with the increasingly challenging contemporary circumstances (Mnisi Weeks, 2015a; Mnisi Weeks, 2018).

The result is a tension between the headmen and their sons’ generation that mirrors the tension described by scholars between fathers and sons today (Campbell, 1992; Mchunu, 2007). In brief, fathers largely committed to the ways of old (and, likewise, committed to traditional governance institutions) experience alienation (Marx, 1988; Mészáros, 1970) from having been emasculated by the unemployment and poverty that resulted from the oppressive systems of colonialism and apartheid (Campbell, 1992; Hunter, 2005; Mchunu, 2007). They may self-medicate with alcohol, and sometimes seek comfort in multiple sexual partners or relieve their frustration and try to reclaim their agency through violence. Their sons – many illegitimate or raised by their mothers alone – emerge ambivalent about tradition as they too are demoralised by unemployment and lack faith in institutions. They therefore also widely engage in alcohol abuse, extramarital sex,

violence and crime (Campbell, 1992; Hunter, 2005; Mchunu, 2007; Mentjes, 2017; Mnisi Weeks, 2018).

Even though they share the experience of alienation due to political economic causes, there is tension between older and younger men in this context (alienation from each other). Specifically, the older men feel unable to control or even reach the younger generation who they experience as undisciplined. The younger generation feel misunderstood, abandoned and let down by the same older generation who would impose what they perceive as failed notions of masculinity, tradition and order. These younger men also reject the structures that would seek to control – and from their perspective, further repress – them (Campbell, 1992; Hunter, 2005; Mchunu, 2007; Smith, 2015; Mnisi Weeks, 2018).

Symbolising the traditional systems of constraint and the attempts of the older generation to control the younger generation, the headmen are, in many ways, located at the centre of the divide between younger and older men (Mnisi Weeks, 2018). Indeed, the striking symbolism of the generational division in the midst of which the headmen stand is made palpable when one of the young male perpetrators who assassinated a headman shouts the words, '*Babulaleni bonke, bayizinja!*' ('Kill them all, they are dogs!'). This was the case in 2016 when Nduna Mshushisi was killed – reportedly the third headman in six months to be murdered (Mnisi Weeks, 2018).¹⁶

The fundamental point here is that the internal cultural disparities – shaped by history – between the headmen and the people they serve indicate the necessity for the headmen to re-evaluate their propensity to cater to the 'traditional ideal' of what gender identities should look like in Msinga. Such re-evaluation would hopefully result in a reform of how the headmen carry out their function of leading dispute management in customary communities.

Summary

In essence, then, for both women and headmen, their power or authority

¹⁶ Refer again to the Mdukathsani Rural Development Trust annual report, 2015.

and vulnerability are entwined. Women's security is embedded in and contingent on the reciprocal relationships and rights within customary communities. Arguably, to a significant extent, headmen's security is also embedded in and contingent on the reciprocal relationships and rights within customary communities.

Evidently, in contexts such as these, relationships are the seedbed of both security and vulnerability. For women, the power they possess or have access to is the key determinant of whether their relationships will yield security or vulnerability. The moral authority the headmen possess, which is based on personal affiliation and the strength of the gendered and generational relations within their communities, is essential to the amount of security they are able to ensure for themselves and others. For both women and headmen, outcomes of their negotiations for security are also contingent upon broader socioeconomic factors such as social fabric and social trust, which in turn are significantly determined or affected by political economy.

Customary law legislation passed by pre- and post-1994 governments changed the balance of power in favour of male minorities and particularly senior traditional leaders, which does not bode well for rural women and lower-level traditional leaders. If the law were to accept that the dream of harmony is a rarity and its projection highly political (Gluckmann, 1955; Bohannan, 1957; Nader, 1960; Gulliver, 1963; Gibbs, 1963; Aubert, 1969; Abel, 1982; Schweitzer, 1996; Nader, 1996; 1991; 1990), and furthermore that negotiation is the more common and persistent reality, then it would have to embrace the reality that power is central to the nature of customary law, justice and security. Likewise, if the South African legislature were to account for the discrepancies between what it espouses and what it does in practice (or what it says it aspires to achieve and what it actually accomplishes), it would then also have to acknowledge that the interests that serve senior traditional leaders often fail to serve not just ordinary people but also lower-level traditional leaders such as headmen. This reality demands that the government reorients its attention and alliance and makes provision for a redistribution of power and a reorientation of authority in rural communities from top-down to bottom-up (Okoth-Ogendo, 2008).

Put differently, what if the government were to stop legislating on the basis of the illusory presumption that traditional communities are simplistically harmonious and peaceful, with only *minor* conflicts for which reconciliation is sought? What if government were to acknowledge that, at least in some rural communities, the political economy of the last centuries has led to *severe* ruptures in the social fabric? On the wall of one Msinga home I took a photograph of a plaque displayed that says:

*Kubi okwenza kimi;
Ungeke uthole lutho;
Udlala ngesikhathi sakho,
Muntu wakithi.*¹⁷

It roughly translates as follows:

It is terrible, what you are doing to me;
You will not get anything (out of
it), You are wasting your time, My
friend/relative.

What if hidden in the shadows of ‘harmonious’ rural communities are contestation and serious contingencies that need to be given voice if healthy social conditions are ever to be achieved?

LAWS CHANGE THE BALANCE OF POWER
WITHIN WHICH WOMEN AND (HEAD)MEN
NEGOTIATE UNAVOIDABLE CHANGES

When the family of the deceased (Myeni), took his first wife, Make Mdala, to the Magistrate’s Court – hoping to receive some death benefits through her – and Make Musha produced a marriage certificate, the deceased’s family turned against Make Mdala, who did not have written proof of her marriage, and asked her who had married her and Myeni. With the Recognition of Customary Marriages Act 120 of 1998

17 No attribution was given.

in place, Make Mdala was able to receive her due. When her family brought a customary challenge against deceased Myeni's family, the latter objected, saying that Make Mdala should lobola herself with the money she was earning from her husband's death. Evidently, the laws of inheritance were having a significant influence on social interactions in this case and impacting on Make Mdala's ability to negotiate her material and social security.¹⁸

This section details the ways in which legislation passed by the post1994 government of South Africa has affected the ways in which women and headmen navigate the changes that are taking place in their communities. Study participants in Mbuzini who recognised tensions surrounding the roles of senior and lower-level traditional leaders and the internal resistance traditional leadership faced in their community were asked why 'chiefs' themselves were not rendered perpetually insecure by these tensions. The explanation they gave was that it had been made evident to the factions that oppose *bukhosi* (royalty) that government supports *emakhosi* (chiefs/senior traditional leaders). According to these interlocutors, all members of their traditional community generally understood that government power is behind senior traditional leaders.

The overarching political parameters that are enacted in law alter the balance of power that determines how women and men negotiate their norms under living customary law and negotiate changes in their social and material existences (Oomen, 2005; Mnisi Weeks & Claassens, 2011). In most cases, women come out as the losers under these laws. This impact is clearly shown by two laws that the government either enacted (the Communal Land Rights Act No. 11 of 2004, which was struck down in 2010 as unconstitutional by the Constitutional Court) or attempted to pass but met with public resistance (the Traditional Courts Bill B18-2008/B1-2012). These overarching political and legal parameters also delineate the possibilities for headmen to carry out their charge of leading dispute management and limit the prospects of their success.

Women stood to lose under the Communal Land Rights Act

18 Interview with Make Khansela, Mbuzini, Mpumalanga in September 2007.

(CLRA) in several ways. With radically declining marriage rates in rural areas, single women make up large (and growing) numbers of rural women (Claassens & Ngubane, 2008; Mhongo & Budlender 2013; Claassens, 2013). Yet, they would have been excluded from benefitting in terms of registration of land under the CLRA, which only referred to married women. Furthermore, even though married women were provided for under the CLRA, it was only in the context of joint registration of property with their husbands, which would mean that even property that the women had on their own would have to be shared with their husbands. This would potentially have had negative consequences for these women's pre-marital children as well (see Mnisi Weeks, 2015b). Women also would not necessarily have been guaranteed a part in decision-making bodies that determined customary land rights under the CLRA since this was not specifically mandated.

Women stood to lose under the Traditional Courts Bill B18-2008/B1-2012 (TCB 2008/2012), and may still do in certain instances under the Traditional Courts Bill B1-2017 (TCB 2017), in the following ways: women were not assured of membership of traditional courts under the TCB 2008/2012 and, now that the Portfolio Committee on Justice and Correctional Services has mandated the Department of Justice and Correctional Services to remove the requirement in the TCB 2017 that women be included as members of traditional courts, there may not even be the single 'token' woman that might otherwise have been included in some courts.¹⁹

Women were not guaranteed self-representation (or attendance) in courts in the TCB 2008/2012. Regardless of the problems mentioned earlier faced by women in mourning, such as evictions, the TCB 2008/2012 said that husbands could represent wives just as wives could represent husbands 'according to customary law' (clause 9(3) (b)). In other words, men could continue representing women, even in inheritance, and since women have never been permitted to represent men in traditional courts this was a false comparison. Clause 9(2) (a)(i) paid lip service to formal equality but the TCB 2008/2012

19 More can be found on this decision: 'Traditional Courts Bill: Deliberations – Justice and Correctional Services', 21 August 2018 at <https://pmg.org.za/committee-meeting/26863/>.

as a whole entrenched unequal power relations. The TCB 2008/2012 would therefore have silenced women's voices even where they were beginning to be heard. Moreover, issues affecting women's land rights were not excluded from traditional court jurisdiction (e.g. land matters or succession) under the TCB 2008/2012. The TCB 2017 allows for traditional courts to provide 'advice relating to customary law practices in respect of ... (v) succession and inheritance'. However, it is not clear what the parameters for 'advice' are. Without these parameters, it is difficult for women to assess the il/legality of the traditional courts' conduct in a given succession or inheritance dispute, on which the traditional court has provided 'advice'.

More insidious still, the TCB 2017 is based on the fallacious harmony model (Nader, 1990) – thus assuming voluntariness, consensus and reconciliation within communities that I have shown are not always of that default description. This is in many ways an improvement on the TCB 2008/2012, which largely awarded vernacular dispute management forums similar powers to state courts, but provided nowhere near the same degree of requirements for accountability and safeguards to which the state courts are subject. However, the 2017 bill does not abandon the misguided idea of traditional communities as simplistically harmonious and peaceful, which means that it does not provide for traditional communities' true needs; on the contrary, it denies many of them, especially the security needs of women and headmen. Furthermore, directions given to the Department of Justice by the Portfolio Committee in August 2018 will result in the removal of measures of accountability in the TCB 2017.²⁰

Under the TCB 2008/2012, lower courts would not have been recognised – only the courts sitting at the level of 'traditional community', and hence 'chief's courts' (Mnisi Weeks, 2012). Headmen would only have been permitted to 'preside' over that court in the senior traditional leader's absence, and to do so at the bidding of the senior traditional leader and with written permission from the then minister of Justice and Constitutional Development. The TCB 2017 attempts to

20 Refer to the Portfolio Committee on Justice and Correctional Services' deliberations above.

remedy this by allowing headmen to have their own courts, but it still centralises the ‘convening’ of traditional courts and prescribes that the ‘delegation’ of power or authority for decision making is to devolve downwards from the senior traditional leader. It does this by assuming that government will issue credentials.

Presumably to occur under the TLGFA, this credentialing would continue the legacy of apartheid ‘tribal leaders’ and ‘tribal authorities’ by relying on section 28. This now-permanent, though still allegedly ‘transitional’, set of provisions allows the institutions that were invented and/or distorted by apartheid to continue and to pass power and authority downwards to lower institutions like the headmen. In practical terms, this means that lower-level courts could not be established independently of an existing, recognised ‘traditional community’ with a formally recognised ‘senior traditional leader’ presiding over it. In other words, vernacular dispute management forums could not come into being – or be recognised as having done so – (a) if they evolved organically, from the bottom up, in the absence of ‘delegation’ of authority to manage disputes from the ‘senior traditional leader’; or (b) if they developed and functioned in an acephalous customary community.

Furthermore, this grounding of the TCB 2017 on the TLGFA’s section 28 amounts to the formalisation of these informal forums. I described above how increased formalisation had a negative impact on the participation of ordinary people, and especially women. Unfortunately, the TCB 2017 would not improve or address this as it is a rather technical document reliant on formalistic procedures and judicial and legal criteria for legitimacy. Additionally, the Portfolio Committee’s decision in August 2018 to have ‘traditional courts’ in the TCB 2017 be recognised as ‘courts’ under section 166(e) of the Constitution further formalises these forums which are, in reality, mediated spaces for negotiation. More disconcerting still, in late 2018, the TLGFA is expected to be replaced by the Traditional and KhoiSan Leadership Bill (B23-2015) (TKLB), which is even more deeply entrenched in the colonial and apartheid imagination of traditional leadership, further centralising power in traditional communities in senior traditional leaders.

The TCB 2017 assumes jurisdictions based on fixed apartheid boundaries which have similar foundations to ‘tribal authorities’. With respect to the re-perpetuation of external ‘traditional community’ boundaries fixed by the apartheid government in particular, the TLGFA (and, building on it, the TCB 2017) further undermine the authority of headmen and their ability to resolve disputes. This is because much of the conflict that arises locally is due to the fixity and location of these boundaries, which go against the grain of customary communities. The TKLB would not provide any relief here. Moreover, the Portfolio Committee’s August 2018 decision to do away with allowing people to opt out of ‘traditional court’ jurisdiction in the TCB 2017 will only exacerbate local conflict (see Mnisi Weeks, 2015a). These laws – that is, laws such as the TLGFA (and TKLB), CLRA and TCB – entrench the shifts brought about by apartheid distortions and impositions (as discussed earlier in this chapter). The legislation does this at the expense of the possibility of shifting the balance of power more in favour of women, and enabling bottom-up authority to be imparted to headmen as fitting, both of which would be a corrective for the distortions introduced by colonialism and apartheid. The same laws fail at their stated task of giving effect to the living customary law. As I have described, this law is highly adaptable by nature, and can therefore enable women, subject to a very delicate balance of power, to ensure greater security and potentially allow headmen to respond appropriately to the complex demands of their work in the present age.

CONCLUSION: LESSONS FOR GOVERNMENT REGULATION

As Ben Cousins and others (2011: 58, 68–69) argue and conclude:

- wider social dynamics in favour of women’s equality can have a significant impact on women’s ability to negotiate greater equality locally under living customary law,
- women’s representation on local traditional decision-making bodies can do the same, and
- space for women to speak, and for their voices to be taken seriously, within local institutions is an important factor in women’s ability

to achieve greater security under traditional leadership and living customary law.

The argument I have advanced in this chapter is that power lies at the foundation of all three of these preconditions. The wider social dynamics and political symbolism of law can send the signal that women are supported in their local struggles for greater equality and security. Women's representation in local bodies allows women greater roles, power and voice with which to speak in the debates on living customary law, and how it should evolve to respond to changing local needs. This form of legitimacy and power then opens up greater space for women, situated both inside the traditional institutions and outside of them, to be taken seriously when they speak about their circumstances and needs. Power is therefore at the core of everything that affects women's security in traditional communities.

As shown, the laws passed by South Africa's democratic government undermine the power that women had under customary law. These laws also undermine the power women had been able to acquire through the Constitution's equality clause, which had temporarily made clear that government supported women's equality. These laws shift power dynamics in rural areas so that women are no longer able to use the flexibility and negotiability of living customary law to negotiate greater security for themselves where they are situated. They therefore return women to the disempowerment, disenfranchisement and dispossession they suffered under colonialism and apartheid. By also ignoring women's realities – such as the extent to which marriage rates have declined and are continuing to do so – these laws put women's existences and those of their children and families at risk. In fact, they threaten women's livelihoods directly.

The provisions pertaining to women in laws such as the CLRA and the TCB exemplify the ways in which the law fails to provide for women's need for equality and security. Even when the democratic government's laws on traditional leadership and customary law do try to give a small boost to women's equality – as in the one third quota for traditional councils enunciated by the TLGFA – these provisions are not implemented and are therefore rendered ineffectual.

Changes in legislation, and in implementation, are necessary to address women's side of the equation. These changes include government ensuring women's equal representation in decisionmaking bodies in traditional communities. I spoke to one young woman and her friend in Mbuzini. Although they had never been inside *libandla* (the chief's council), she was pleased that there are women there to represent her. She noted that:

there are people chosen to come and listen to cases here and otherwise we don't come. And now they have women too. Before, anyone could come and listen and women could come but they could not answer; but now they can listen and answer, and share their views. This helps because if I, being a woman, come into a problem that leads to my appearing here, it may reach a point where I feel intimidated to raise it with only men and, even if I can see that they are oppressing me, I might not be able to say that they are oppressing me, but if there are women there, I, being a woman, gain strength to declare my problem.²¹

Similarly, government should ensure that women – who make up 59 per cent of people living under traditional leadership (Mhongo & Budlender, 2013) – are always robustly consulted in the making of laws for customary communities. Women have not been consulted in the past.

Gender matters are *power* matters. The fact is that, as the Constitutional Court said in *Tongoane v National Minister for Agriculture and Land Affairs* 2010 (6) SA 214 (CC), when government passes legislation regarding customary law, it can safely assume that it is *not* intervening in a vacuum.

The field that CLARA²² now seeks to cover is not unoccupied. There is at present a system of law that regulates the use, occupation and administration of communal land. This system

21 Informal interview with anonymous young women in September 2007

22 Communal Land Rights Act No. 11 of 2004.

also regulates the powers and functions of traditional leaders in relation to communal land. It is this system which CLARA will repeal, replace or amend ... CLARA replaces the living indigenous law regime which regulates the occupation, use and administration of communal land. It replaces both the institutions that regulated these matters and their corresponding rules. CLARA also gives traditional councils new wide-ranging powers and functions (see paragraphs 79 and 96).

It is clear, therefore, that the government can assume that it is disturbing whatever power balance is in place right now. Thus the question is always: which constituencies will government engender with power through its laws, and to what degree?

Laws meant to govern traditional communities should be tailored to the reality of the political economy of rural areas wherein women are not just (or even primarily) wives, and headmen are caught in the crosshairs of the generational tensions between older and younger men in their communities. Not only that, it is clear that the casual aggregation of 'traditional leaders' in policy discussions creates the false impression that 'senior traditional leaders' and lower-level 'traditional leaders' like headmen have identical interests. This chapter has rather argued that the headmen's interests are more accurately seen as aligned with those of women and other ordinary members of their communities who are marginalised members of rural society.

The legislative agenda developed by the South African government is an indictment of its lack of commitment to women's full equality. It shows how the government is complicit in perpetuating conditions that deprive women of full and equal citizenship. As this chapter has argued, the government can be said to have similarly failed to show commitment to the equality of headmen. Furthermore, it is not just that the disregard the government shows for women and headmen is similar, but that the source thereof is largely the same and, hence, the forms of neglect shown by the government to both groups are deeply entwined and mutually reinforcing. The proposal here is essentially that the government is looking in the wrong place for solutions to the problems of people living in rural areas. It assumes that the solution is

to centralise and formalise power and authority in senior traditional leaders through legislation (Oomen, 2005), but the solution appears to lie elsewhere entirely.

In order to address the issues I have described above, the government – rather than blindly assuming communal harmony exists – should aim to strengthen relationships in customary communities by empowering vulnerable parties to enable effective negotiation. Government should also permit dispute management authority to come into being independently of the existence or formal recognition of a ‘senior traditional leader’ in law. Again, it is worth noting that such recognition of the bottom-up authority of customary communities and traditional leaders would effectively undo the legacy of colonial decisions like that in *Makapan v Khope* (1912).

Furthermore, my suggestion is that the government can achieve these changes by means of strengthening, firstly, the power of ordinary people (especially women) and, secondly, the ability of headmen to draw upon the bottom-up authority of lower-level traditional institutions (that is, the authority imparted by their constituents). Such interventions would better allow both women and headmen to negotiate greater security within the context of their respective interpersonal and social relationships. Taking this approach requires passing and implementing laws that place women in influential positions, such as traditional councils, and jettisoning the apartheid model of customary communities that is based on externally fixed boundaries and centralised models of traditional leadership concentrated in ‘senior traditional leaders’.

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CHAPTER FOUR

Academy-based feminist intellectuals and the nexus of state, globalisation and civil society

DESIREE LEWIS

As feminists from several traditions have shown, the most powerful feminist intellectual work has come from visionaries, iconoclasts and artists – those who transcend established institutions and forms for scholarship to create knowledge provocations resonating across geographical boundaries with the enduring power to compel and uplift. The poetry and short essays of Audre Lorde, for example, will continue to inspire critical interrogations of networks of power, as well as radical visions of social and personal change.

Despite the dubious and ambivalent role of universities in knowledge making, I focus on the academy as a site of current challenges around feminist intellectual influence. On the one hand, as several critics have stressed, universities play pivotal roles in the selection and socialisation of elites. They have, therefore, been sites for social reproduction – irrespective of the efforts of individual departments, academics or the ethos of particular universities. On the other hand, universities have

been, and remain, influential sites for generating new political registers and frameworks around wide-ranging social and cultural concerns, for influencing public discourses about what kinds of knowledge matter, as well as for shaping knowledge making among successive generations of graduates who eventually enter several areas in public life.

Exploring the pressures on, and possibilities for, university-based feminist intellectuals, who consistently assert their commitment to social change rather than reproduction, is therefore especially significant in South Africa's present. At a stage when many lament the impoverishment of intellectual thought and the urgent need for critical public debates around, for example, xenophobia, racial transformation, public history, as well as explicitly gendered dynamics such as pervasive and normalised social violence, reflecting on what feminists have to offer and what constrains these interventions is crucial.

AFRICAN FEMINIST INTELLECTUALS, CRITICAL KNOWLEDGE AND THE STATE

Much discussion of the role of academy-based intellectuals in South Africa and the continent more generally focuses on developments within Africa. Emphasis has been placed on the ethical imperative of intellectuals to challenge neo-imperial injustices, as well as their need to retain autonomy from neocolonial and authoritarian governments and state engineering through nation-building and structural adjustment.

Alerting us to the consequences of not doing so, Paul Zeleza (2004) notes that African universities are sites where donor funding, state authoritarianism and market-driven skills entrench a deep acquiescence in universities' intellectual cultures. The current fixation with techno-scientific knowledge, the normalising of academics' moonlighting as 'consultants', instrumentalised knowledge in the service of 'nation-building' and 'development' both mirror and reproduce technologies of state-driven priorities and neoliberal governance.

Pursuing a related argument in South Africa, William Gumede and Leslie Dikeni (2009: 9) argue that:

Since 1994, there has been a decline in the vibrancy of intellectual

engagement within the ANC and within the society as whole. Debate has been narrowed and dissent discouraged. Many of the leading intellectuals have now become politicians or work in the civil service and the rest have remained in policy think-tanks or universities, mostly focusing on policy research (2009: 9).

Key arguments in their collection of essays reveal that the quality of intellectual thought, whether emanating from NGOs, independent research sites, trade unions or universities has steadily declined (see Gumede and Dikeni, 2009, 1–11).

Intellectual work on gender and sexuality has not been immune to the instrumentalising that Gumede and others identify. African feminist scholar. Charmaine Pereira (2004), argues that deeply constraining forces affect gender research in African contexts so that, despite its current growth, it has increasingly veered towards social reproduction rather than social transformation. First, the perceived imperative of servicing the state leads many researchers to validate government departments' projects in genres such as reports. These convey little about their own passions and politics nor those of women's movements in civil society. Secondly, the reliance on foreign donor support prioritises Western-centric and elite imperatives as well as ameliorative intellectual work through, for example, policy recommendations. This conservatism often overrides critical perspectives with the potential to radically destabilise the status quo. Thirdly, the emphasis on vocational education fosters teaching and methods of student recruitment geared towards training students to slot into the labour market in various sectors, rather than towards critical literacy and equipping graduates with the confidence, theoretical insight and political focus for making interventions.

I believe that it is timeous to deepen Pereira's diagnosis in a way that encourages feminists to grapple courageously with current and emerging challenges. In so doing, we are more likely to transcend disillusionment and defeatism with a renewed sense of the vitality that feminist knowledge-making has to offer. As I suggest in what follows, grappling boldly means squarely confronting a matrix of coercion and co-option in the knowledge economy vortex as the current lynchpin

of neoliberal governance and state power. This vortex is not only regional or national; rather, it pervades a globalised world in which knowledge, knowledge capital and human potential are increasingly homogenised in the interests of rampant global capitalism manifested both in relationships and in ethical values and morality.

GLOBAL FORCES AND UNIVERSITY- BASED INTELLECTUALS

Scholars repeatedly remind us of the potential of the humanities in maintaining a critical role for universities and university teaching. Shortly before his death, Jakes Gerwel, one of South Africa's best-known public intellectuals, stressed his absolute confidence in the humanities both in the anti-apartheid struggle and post-apartheid transformation (see Higgins, 2013). This role, Gerwel suggests (Higgins, 2013), transcends the mere inclusion of social justice critique into social transformation practices and principles; it entails invigorating public debate and education – both in and beyond institutions – in ways that actively shape values, practises and beliefs among a country's inhabitants; in other words, ways that change the 'deep culture, ideologies and mentalities of our political culture' (Gramsci, 2001: 12).

John Higgins (2013) draws attention to the way that humanities teaching extends these effects. Equating substantive academic freedom with robust and rigorous scholarship and teaching in the humanities, he shows that the drive towards economic efficiency, material productivity and economic development is progressively whittling away critical studies of culture, history and text/language/discourse in a higher education environment obsessed with vocational training and bolstering neoliberal capitalist productivity and governance.

Dealing with developments throughout Africa, Stephen Arnold (1990) pursues this argument by showing how rigorous study of human subjectivities and experiences has been 'Balkanised' by technologies and industries of Development Studies. These, he writes: 'are technocratic in nature; they tend to treat humans as cyphers and often regard concrete problems as abstractions calling for technical solutions (1990: vii).' He contrasts this with forms of study that 'are

humanistic ... fully accepting the significance of human subjectivity in almost every single human event' (1990: viii). As these writers indicate, the shift towards intellectual work that services developmentalism, nation-building and neocolonial state agendas has been occurring alongside the marginalising of humanities scholarship that is often seen as 'soft', as self-indulgent and as irrelevant.

Critiques of trends in Africa echo several decades of scrutinising the beleaguered place of the humanities in the global North. Two of the key radical intellectuals who have done this are Stuart Hall (1990) and Terry Eagleton (2010). Rooted in their engagement with social justice issues in Britain during massive liberalisation under Thatcher, these scholars show how the cauterising of the humanities has been integral to the efficacy of the neoliberal project: the creation of market-driven knowledge and skills devoid of the philosophical and theoretical legacies, tools, research cultures and public discourses that enable critical responses to the status quo. Universities have increasingly become sites for supporting the status quo rather than spaces for generating imaginative and animated scholarship, teaching and talk about justice, freedom, philosophy, the arts and literature.

It is in some ways disturbing that critiques of the erosion of the humanities are often outraged condemnations of their marginalisation in higher education planning and funding. For example, Premesh Lalu (2012) and John Higgins (2013) remind us in great detail that South African universities – as intricate agents and repositories of neoliberal practice and ideology – are steadily eroding deep explorations of human subjectivities and, alongside growing support for the hard sciences and applied social sciences, are stifling humanities research through market-orientated trajectories of teaching and research.

Such critiques, however unintentionally, suggest a nostalgia for the lost freedoms of universities, although the 'freedoms' of universities have always been hostile to women (especially Black women), to racialised others, and to knowledge-making from the global South.

There is a tendency in such arguments to elevate liberal¹ understandings of universities and to ignore the extent to which these earlier liberal notions, while countenancing ‘academic freedom’ for some, have often entrenched masculinist, Western-centric, elitist biases in the name of ‘universality’.

A more difficult step in seeking to revitalise the humanities would involve interrogating exactly what the reasons and implications of its erosion are, as well as what forms of humanities scholarship truly encourage university-based teaching and research as free and critical inquiry. This kind of scrutiny would also mean confronting present institutional dynamics, not as external forces constraining hapless academics, students and university administrators, but as diffuse forms of power that recruit academics and students as active participants in liberal and neoliberal projects. As Margaret Thornton (2009) reminds us, academics, including feminist academics, have become ‘active subjects’ in the new regimes, and feminist intellectuals often do respond in the form of implicit compliance and accommodation.

In the following section, I survey some of the ways in which current work in the academy reflects the embedded symptoms of the neoliberal and neo-imperial corporatising and management of universities. I suggest that there is evidence of a downward spiral even within humanities and feminist work. Interrupting this trend will require considerable effort, courage and risk.

NEOLIBERALISM, THE KNOWLEDGE ECONOMY AND FEMINIST INTELLECTUALS

At face value, the growing body of work on gender, sexuality and feminism in Africa augurs well for its persistence as a beleaguered yet resilient site for critical knowledge production and teaching. Yet,

1 In contrast to neoliberal preoccupations with defining universities’ roles according to the logic of the market, liberal understandings have defined universities as elite enclaves. Classical liberalism protects the academy as a site of free inquiry from state and capital’s interference as well as from the marginalised groups who threaten to unsettle the elite’s racialised, gendered and regional authority as knowledge-makers.

there is much about recent work on gender and feminism, and much about how feminist intellectuals situate themselves within the academy that is discouraging. It is worth unravelling the embedded layers of managerialism in our current higher education environment and procedures to understand how corrosive and debilitating recent forms of accommodation to power have been.

One manifestation of this is the co-opting of feminist scholarship and teaching to tie in with bureaucratic control and numerous auditing technologies. Here the proliferation of regulating mechanisms – functioning coercively through promises of rewards and threats of ostracisation – shifts the focus away from academics retaining authority over their own work and the work of peers towards an audit regime revolving around surveillance and homogenisation. Within this regime, academics, including feminist academics, are often enlisted to police one another. In South Africa, these mechanisms include bodies such as the Council on Higher Education and the National Research Foundation. The NRF offers academics considerable rewards on the basis of their submitting to its auditing procedure in the first place, and also conforming to its technicist procedures for individual rating, a primary basis for promotion and appointment. Especially insensitive to the intellectual value of humanities and interdisciplinary feminist work that straddles boundaries and refuses inherited norms of ‘field excellence’, the NRF rigidly grades research outputs and the standing of individual academics. It therefore locks academics into schemas that pay little attention to the merits of robust and rigorous intellectual thought.

The impact and force of the work of a feminist intellectual such as Patricia McFadden, who over several years has regularly written for regional and international progressive periodicals, magazines and newspapers, would simply not register in the NRF’s criteria for academic influence and merit. And this would be the case despite the fact that McFadden has, among other interventions, launched the first African feminist exploration of gender, racial dynamics and HIV and AIDS in southern Africa, produced pioneering studies of how a gender research industry has watered down feminist intellectual thought in Africa, and regularly pursued a transnational perspective in

her work on feminism and global struggles for justice long before the popularising of ideas about ‘transnational feminism’.

Another dimension to the regulation of university-based academics is an increasingly aggressive and obfuscatory system of ‘output accreditation’, one that often judges publications associated with vibrant feminism as mediocre, and elevates even the most tedious articles as valuable. The status of the essay, for example, a genre that encourages exciting, imaginative and innovative insight, has steadily been devalued in favour of the technically slick but often mundane ‘scholarly article’.

The privileging of this form goes hand in glove with the promotion of ‘marketable’ sectoral research areas. In terms of this, laborious but ‘thoroughly researched’ empiricist investigation of examples of gender-based violence could be deemed more valuable than a provocative interdisciplinary analysis of how violence pervades the fabric of our society. As Thornton (2009) has observed, valuable knowledge in the new knowledge economy is increasingly defined as data, rather than as wisdom, and it is data that has come to constitute an untapped source of wealth in terms of market logics. The brittle information often conveyed by the scholarly article is likely to be seen as rational, focused and valuable as ‘potentially applicable’ research. In contrast, the essay would be considered diffuse, scattered and having no real ‘rational’ or ‘use’ value. Regulation and reward mechanisms have therefore increasingly promoted both data and information generation and sectoral work in niche areas. This threatens to supplant the provocative critical work that opens up debate and contestation that threatens to destabilise, rather than support market logic.

Regulation and reward systems have been taken up very swiftly by many academics, students and universities, a terrifying reminder of how the ‘market has entered the soul of the university’ (Thornton, 2009: 3), and of how poor a fight academics have put up to defend their autonomy. The aggressive ethic of survival of the fittest seems to be seen as the only way to thrive in academics. Few academics have the courage or stamina to pursue what feminism has always needed to pursue: namely, to take risks; to risk the security, not only of jeopardising tenure and promotion, but the security of attaining

prestige and authority in the corporatised, technicist and masculinist milieu of the newly 'engaged' university.

Another way in which unbridled neoliberalism affects feminist scholarship is the growing individualism and competitiveness among university-based intellectuals. It would be naïve to suggest that universities have ever encouraged egalitarian and communalistic forms of knowledge production. As elite institutions that carefully regulate a particular person's merit, universities have historically encouraged exclusivity, individualism and competition. But the present emphasis on outputs, achievements and productivity under the new audit culture encourages unbridled and ruthless competitiveness.

As Alan Burton-Jones argues: 'Capitalism and emerging knowledge capitalism thrive on capital accumulation, open-market competition, free trade, the power of the individual and survival of the fittest' (1999: 3). The overwhelming worldly pressure to 'succeed', to be counted and to be 'recognised' in the university system, often supersedes any impulse to create thoughtful and critical knowledge. The rise of social media may contribute significantly to this, since it can increase the value of celebrity intellectuals whose worth is often measured by, for example, the frequency with which they appear on television or produce punchy sound bytes of information, rather than by the vigour of sustained arguments or analysis.

The progressive uses to which new media have been and can be put by feminist intellectual activism are immeasurable. At the same time, it is at great cost to feminist political and intellectual integrity that these platforms are uncritically embraced. In the absence of careful reflection on how they can frame, reconstruct and disseminate knowledge, they can be conscripted by a knowledge economy whose express purpose is to flatten and simplify, to narrowly instrumentalise knowledge in the service of quick-fix closure, and to blunt, rather than to activate, critical public discourse in civil society. The formulaic language of the celebrity intellectual or specialist can implicitly reinforce systems of global neoliberal governance in which information is processed as digestible sound bytes, segments of information that can be quickly registered and then forgotten. Thus, among many who are strategically placed to influence public debate, the recent xenophobic attacks

in South Africa have been met by simplistic moralising of others' Afrophobia. Blog essays, tweets and Facebook postings have therefore avoided the searching analysis of post-apartheid South African public history, the entrenchment of racism and compromise after 1994, and the new government's abdication of responsibility to the poor. In contrast to these sorts of complexities, much social media talk reveals a simplistic denunciation of Afrophobia among those 'out there', as though we were not living in a country where, in fact, Afrophobia is routinely naturalised by, for example, the disparaging attitude that many influential (white and Black) academics have towards scholarship from Africa, the attitudes of many middle-class Black and white people to travelling to African countries beyond South Africa, the deeply embedded idea that South Africa is not 'quite African' and is in many ways exceptional.

Similarly, the hugely complex debates about power, intersectionality, class, patron-clientalism and Western-centrism that the 'Rhodes Must Fall' campaign initiated at the University of Cape Town generated disappointingly flat position-taking on social media, rather than a necessary unravelling of class, complicity, co-optation and the inevitably disparate political agendas of middle-class Black students, Black feminists and Black workers at universities.

Globally and continentally, feminist epistemologies and teaching rigorously question social and personal relations and identities, pushing back boundaries around relationships, values, epistemologies and arguments set in place both by overt authoritarianism and by prevailing 'common sense'. Immediate challenges often require radical intellectuals to make quick responses. But radicalism can easily be compromised when individuals seem motivated primarily by the voracious impulse to enter into and acquire visibility in public debates, and so fall short of framing or posing difficult questions, interrupting consensual ideas, and generating the discomfort (both for others and for themselves) that comes from truly taking risks.

A further area in which the potential for radical humanities work has been eroded is teaching. Feminist traditions, including feminist popular education and the links made between academic feminism and popular education, have long pioneered innovative methods for encouraging

critical literacy among students. Both popularised and academy-based feminist education connects the intellect, the body, the spirit and the emotions, contesting separations that have traditionally reproduced exclusions, silencing and marginalisation in knowledge-making and teaching. Globally, feminist educators have also experimented boldly with creativity, active learning, and the use of students' knowledges in challenging elite and masculinist forms of education.

In South Africa, feminist popular education has a long history in the work of feminist activists working for NGOs and trade unions. Drawing on the philosophy of the Brazilian educator, Paulo Freire, this work has enlisted traditions of popular education, specifically feminist pedagogies that establish the personal as political, and challenge hegemonic epistemologies and patriarchal claims to universality.

In fact, the University of the Western Cape has been an influential site for this work, having housed the Centre for Continuing and Adult Education (Cace), which drove critical literacy programmes for adults whose social marginalisation constrained their educational goals. Like other radical teaching sites, Cace not only sought to 'prepare students academically', instead it supported students' critical engagement with their worlds, preparing them to challenge local, interpersonal and global injustice, and the ways in which governments and market economies safeguarded minority privileges. It is an indication, not only of the direction taken by this particular university but also others in South Africa, that the University of the Western Cape, alongside its pursuit for a market-orientated form of 'social engagement', recommended the closure of Cace² on the grounds of its no longer being relevant to the institution's educational priorities.

In tandem with this, enormous financial and academic resources went into transforming 'teaching and learning' into a new site for professionalism and regulation. Apart from the employment of full-time staff for overseeing teaching and learning in all departments and faculties, the university appoints Teaching and Learning Deputy Deans in several faculties, and considerable energy and resources have

2 Cace has not closed; however, it has now merged with another centre and its original focus on critical popular education has been significantly weakened.

been invested in managerial strategies for ‘enhancing’ this ‘new field’. Long-established academics, with excellent track records of innovative teaching, are now required to submit elaborate teaching portfolios or attend training sessions to qualify for promotion.

It is profoundly disturbing that the new teaching and learning expertise offers far less than the rich, animated, organic and impassioned pedagogical explorations that many feminists, humanities teachers and popular educators have pursued in and beyond South Africa. And it is equally disturbing that the new ‘field’ has selectively used (and diluted) rich pedagogical traditions that include popular education in South America, adult education in South Africa and feminist teaching in both the North and the South. None of these earlier progressive traditions countenance the authoritarianism implicit in distinguishing between ‘teaching’ and ‘learning’; in fact, codifying ‘education’ as ‘teaching and learning’ explicitly entrenches the belief that ‘learners’ lack knowledge and require instruction, whilst ‘teachers’ own knowledge and the authority to impart it.

Ultimately, the new technologies for teaching and learning operate within broader bureaucratic systems of managerialism, auditing, and student regulation.³ And faculty, infrastructure and resources have been mobilised in burgeoning university bureaucracies that now work to micro-manage teaching under the guise of ‘quality control and assurance’. (Generally, the language of the market in universities’ new technologies speaks volumes about their new lines of accountability.) Unless the lively traditions of popular and feminist education are reactivated and energised, the future of education in South African universities promises to be shaped by technocratic monitoring.

The surveillance, regulation and management of teaching has also been manifested in postgraduates’ training. Academics and university

3 I have dwelt on trends at the University of the Western Cape since I am most familiar with these. But the trends I identify are national. For a revealing indication of these, see a report titled ‘Quality Teaching and Learning in South African Universities: Policies and Practices’, which calls for a ‘broader scope of quality assurance in higher education ... leading to a better interface with industry and society’ (25). The report was cowritten by Fourie, M.; van der Westhuizen, L.; Alt, H. and Holtzhausen, S. based at the Unit for Research into Higher Education at the University of the Free State.

departments are constantly enjoined to generate the ‘throughput’ of postgraduates. Traditionally, the mission of universities has been to undertake research and to teach. More recently, with the emphasis on a ‘third mission’ for universities, emphasis has been placed on harnessing university teaching to the academy’s direct engagement with society and industry. Clearly, the ideal of universities’ increased social engagement is a noble and positive one. It promises to deepen academy-based intellectual engagement with civil society and the generation of vibrant public discourse. But the call for a third mission for universities has come not from progressive and transformative agendas, but from a neoliberal quest to exploit knowledge as a new source of wealth creation. The preparation of graduates for ‘employment’ has therefore concentrated on vocationalism, with so-called ‘research universities’ now making little distinction in their vision and mission statements or publicity from sites of tertiary-level vocational training.

Currently, the emphasis has been on measuring throughput primarily in quantitative terms, so that the energy and time required to mentor and encourage students as critical and independent knowledge producers has been neglected. This is especially evident in how postgraduates in the social sciences and humanities are currently being encouraged to pursue research. The popularising of theses and research proposals in terms of graduates using a formula (including a theoretical and conceptual framework section, a literature review section, a methodology section, followed by one chapter on findings – often linked to implications for development or society) – is an especially grotesque manifestation of the call to encourage applied research. It is alarming that much postgraduate work on gender and sexuality is currently being produced in terms of this formula, one that stifles independent thought and integrated arguments, and that encourages technicist work that often confirms what is already known or anticipated.

REINVIGORATING THE HUMANITIES AND FEMINIST THOUGHT

The intellectual climates of many African universities and others in

the Black diaspora were initially marked by animated conversations around the humanities and especially literary studies. Robust debates were generated by the work of humanities scholars and poets including Leopold Senghor, Aime Cesaire, Edouard Glissant, Chinua Achebe, Wole Soyinka, Ngugi wa Thiongo, Eskia Mphahlele and Njabulo Ndebele. These figures, many of whom have been poets and fiction-writers, shaped intellectual cultures and political ideas about the public good that reverberated beyond the university.

Currently, intellectual work in African universities has become terrifyingly conformist, uncritical and mundane. Attributing this solely to external forces, such as the power of the state or the authority of global surveillance cannot take us very far, since the success of the system has rested on the manufacture of consent, on ensuring that universities and academics manage themselves within the new knowledge economy regime.

It is noteworthy that the hierarchy that this regime has currently put into place, one disparaging the humanities as irrational, soft and dispensable, is a gendered one.⁴ This gendering of the intellectual landscape is revealing about the challenges that disparaged knowledges pose. As a zone that has been reviled and ghettoised, critical humanities scholarship has a similar potential force and power to feminist subject matter. Even as it is vilified and marginalised, the fear of what it can lay bare, destabilise and unsettle remains. And the response of managers, certain academics, administrators and education policymakers is to contain, regulate and sideline the threat.

What would it mean to revitalise humanities teaching and research from the perspective of feminist thought and knowledge-making – given the seemingly overwhelming system in which governmentality works, not only to maintain the status quo, but to assure all subjects within it that the status quo is inevitable, rational and just? One important route is for feminist intellectuals to undertake courageous, self-reflexive critiques, not only of where they are currently situated, but of their own complex relations of dependence, co-dependence

4 I have used this notion elsewhere, but am indebted to Margaret Thornton's discussion of it in the higher education environments in the global North.

and complicity with the embedded hierarchies and technologies of management and self-management in the academy. Such self-assessment would entail questioning collective stakes in their comfort and security zones, the complex and layered investments they make in affiliation and disaffiliation, the dangers of speaking out and stepping out of line. These are the kinds of challenges that generations of feminist intellectual activists have urged within, and especially outside, of the academy.

Alongside this kind of self-reflexivity is the value of rebuilding research communities that have traditionally strengthened feminism. By this I do not mean the opportunistic bonds among women scholars that often reinforce patriarchal forms of patronage, authoritarianism, mentorship and obedience. All too frequently, these ensure that a minority of powerful women gain 'recognition' and 'respect' on the backs of others. Nor am I referring to the support groups that, while seemingly necessary in addressing the erosion experienced under patriarchal and racist academic regimes, often create ghettoised comfort zones by distorting our sense of ourselves, our work and our 'commonality'. Rather, I am endorsing an energising sense of feminist community where nourishing relations of contestation, debate, argument and personal and intellectual growth strengthen our critical sense of ourselves and where we can go.

Among recent feminists based in the corporatised academy, Jacqui Alexander and Chandra Mohanty (2010) have provided especially compelling discussions and explanations of radical networking. They have argued that the following are central questions within new radical transnational networks: 'What are the specific challenges for collaborative transnational feminist praxis given the material and ideological sites that most of us occupy? And what forms of struggle engenders cultures of dissent and decolonised knowledge practices in the context of radical transnational feminist projects? (2010: 26)' It is ironic that the cult of individualism generated by the new knowledge economy often leaves individual feminist intellectuals extremely vulnerable, isolated, fragile and battered. It is not surprising that Black feminists in the South African academy especially have suffered tremendous physical, emotional and psychological distress. Few things

can replace the sense of security, power, vitality and confidence that feminist networks can create.

A third area where feminism can invigorate the stifling impasse in academy-based knowledge creation and teaching is in subject matter. It is wearying and demoralising to find that feminist journals, seminars and conferences return with unfailing regularity to familiar and well-trodden ground: for example, sexualities, teaching and learning, HIV and Aids and gender, gender-based violence, gender mainstreaming and citizenship.

Paradoxically, this constant revisiting of 'gender themes' entails feminist academics living up to the expectation of their appropriate and 'relevant' reproductive roles in the new knowledge economy. Since one need of this economy is how to manage social crises such as HIV and Aids, gender-based violence and overt evidence of inequality and social injustice, the revisiting of sectoralised social problems, such as violence against women, or gender disparities in politics and higher education, conveniently compartmentalises feminist work. Implicitly or explicitly constructed as ancillary servicing fields, sectoral feminist work – irrespective of the intentions of researchers – guarantees the efficient productivity of our newly instrumentalised knowledge economy. This work's servicing role revolves around the care, welfare and support functions that neoliberal universities need – on the one hand to demonstrate a token concern with social challenges, and on the other to absolve institutions and academics as a whole from collectively engaging with social justice challenges. Feminist work is therefore ghettoised as reproductive work.

Certain kinds of feminist work can also be co-opted for obviously conservative ends. For example, the abundant work on violence against women in the global South can often reinforce the racial othering of certain women as perpetual victims. As Hester Eisenstein (2010) has argued, it can confirm the neo-imperial myth that gender and sexual minorities in 'other cultures' require rescue by the West – even if this includes the violence of the 'war on terror'. Irrespective of the forceful ways in which these subjects might be pursued, sectoral work devoid of cross-cutting and holistic attention to power, can function to stabilise the status quo. Unless their consequences are interrogated

and integrated into knowledge production, the objects and effects of certain kinds of work on gender and sexuality can recycle and confirm particular power dynamics.

Currently, the pervasive bureaucratisation and surveillance entrenched in the academy seem so terrifying that academics, including feminist academics, simply dare not step out of line. Yet, thinking through, for example, the historical and contextual implications of human sexualities, might entail a very rigorous exploration of what heterosexuality has meant and how it has been coerced – and so interrupt the hegemonic compartmentalising of knowledge fields in ways that atomised work on, for example, non-normative sexualities does. Or the familiar feminist forays into politics and leadership might push back the boundaries around this field to explore how, alongside the gendered power structure that exists ‘out there’ as expressions of gender injustice, all socially constructed subjects are enjoined to take up positions in a gendered and heterosexualised hierarchy, or risk exclusion, punishment or ostracisation.

Lastly, despite significant amounts of feminist work on higher education, it seems to me that an ongoing challenge for feminists would be to undertake a radical analysis of what the new patriarchal corporatising and auditing of universities is doing to the production of critical knowledge. While existing feminist qualitative studies of the HE environment are informative and insightful, it may require bolder analysis to confront just what it means to fully grapple with what the new status quo is doing, and how it works.

An array of linked subjects deserves and needs feminist attention. These linked subjects may not fall into categories approved by the NRF or by the various donor, university or government-funded projects that guarantee our research moneys or support for our graduate students. But they are areas that we must, if we are to be honest with ourselves, pursue with passion, with courage and with integrity.

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Section Two

*Women and the economy in
democratic South Africa*

CHAPTER FIVE

A feminist perspective on women and mining in South Africa

SALIMAH VALIANI AND NESTER NDEBELE¹

In a 2009 article of the World Bank Extractive Industries and Development Series, based on consultations with mining communities around the world, it is argued that the benefits and risks of extractive industries are distributed differentially among segments of affected communities. In greater detail, men have the greatest access to the benefits of extractive industries, in the form of employment and income, while women and the families they support are far more vulnerable to harmful social and environmental impacts (Eftimie et al., 2009).

More recently, through a synthesis of transdisciplinary academic and policy-oriented research, Katy Jenkins (2014: 330) argues that women of the Global South are disproportionately affected by the negative aspects of mining and that this is not well recognised or

1 The authors acknowledge the female artisanal miners who agreed to participate in this study; the contributions of Patience Salane, who assisted in facilitating the focus groups, transcribing and translating the data and the contribution of Temoso Mashile, who provided general research assistance as well as transcribed and translated fieldwork data.

understood. Drawing from seven country studies of the impact of extractive industries on women in Africa, WoMin-African Gender and Extractives Alliance (Valiani, 2015) argues that mining in the continent cannot constitute sustainable development because, in most instances, mineral and oil-based development involves the misuse or/and destruction of crucial but typically undervalued resources: community wealth, food production systems and women's labour. In a study of the disjuncture between corporate social responsibility discourse and the impacts of gold extraction on women in Tanzania, Lauwo (2018) underlines that the impact of environmental and social risks has fallen disproportionately on women through the loss of productive land, marginalisation and increased health risks. Building on these arguments, this chapter focuses on South Africa – with its century-long history of mineral-based wealth generation and the recent, formal inclusion of women in the mining industry. It is argued that from a feminist perspective, mining thus far has not constituted a positive development experience for women. This is due to the myriad occupational challenges faced by the still relatively small numbers of female mine workers, and the yet larger numbers of women negatively affected by the mining industry since its inception in the last quarter of the 19th century. Lahiri-Dutt and Macintyre (2006) have identified that women in mining areas in developing countries are typically not seen as active participants in the economy. Attempting to help reverse this misconception, it is further argued here that suboptimal use of female labour, destruction of community wealth and stunted social reproduction are the overall outcomes of mining for women in South Africa. The argument is demonstrated through discussion of the experiences of various groups of women examined by both academic researchers and advocate-researchers: female asbestos mine workers, female underground mine workers, female agricultural producers affected by mining and female artisanal mine workers. Academic studies from the fields of history, health science, sociology, anthropology and others are drawn on here, as well as research and surveys conducted by non-governmental organisations.

Given the paucity of research on female artisanal miners in South Africa, fieldwork was conducted with female artisanal diamond miners

in Kimberley, Northern Cape. Though not representative of all female artisanal miners in South Africa, a sub-argument of the chapter is that the artisanal workers who were engaged constitute the one exception whereby mining is a relatively more positive experience for females. The working experience of female artisanal diamond miners in Kimberley provides some insight into the possibilities for a more inclusive future of production in South Africa, though not explicitly tied to mining.

CONCEPTUAL APPROACH

Drawing from ecofeminism, the feminist perspective applied here puts a lens on the majority of women in and affected by mining, the majority of communities affected by mining, as well as the ecosystems of which all human societies are a part.² As Lozeva and Marinova (2010) elaborate, patriarchal tradition exacerbates male dominance over the environment, similar to the ways in which it supports male dominance over women. Mies and Shiva underline in the 2014 edition of their classic volume, *Ecofeminism*, that ecological disasters have a greater impact on women than on men, and relatedly, that the maintenance of everyday life within the context of ecological destruction and industrial catastrophes has been made the particular responsibility of women (Mies and Shiva, 2014). Hence Lauwo (2018) argues for the need for feminist approaches, which formulate questions that place women's lives, and those of the marginalised, at the centre of inquiry.

While these notions are especially pertinent to women and communities affected by mining, ecofeminism also offers theoretical insight relevant to an analysis of the experience of female mine workers – particularly through its questioning of the concepts of 'productivity' and 'development'. Shiva (1988: 44) argues that rather than being 'benign and gender-neutral', dominant models of thought and development strategies are rooted in patriarchal assumptions of homogeneity, domination and centralisation. In turn, Shiva (1988: 42)

2 As such, this paper does not focus on the experiences of female administrative and managerial workers in the mining industry. Far less particular to the mining industry, the experience of these women is much like that of female administrators and managers in other male-dominated industries.

rejects the notion of ‘productivity of labour’ as defined in mainstream economics as ‘man producing commodities using some of nature’s wealth and women’s work as raw materials and dispensing with the rest’. As will be shown, such narrow notions of productivity and development underlie the undervaluing and suboptimal use of female mine workers in South Africa, in the past as well as the present.

FEMALE ASBESTOS MINE WORKERS

Crocidolite asbestos, one of three types of asbestos mined in South Africa until 1980, was mined in the north-west of current day Northern Cape province from 1893. The asbestos industry was dependent on female labour, which comprised close to half of the mining workforce in northwest Northern Cape province and north-eastern Transvaal (current day Limpopo) from 1893 to 1980, though records of mining companies and the Department of Mines as well as accounts of most historians date the employment of women from 1893 to 1955 (McCulloch, 2003: 414).

Taking the work not wanted by men, women worked largely in cobbing and sorting asbestos. Small numbers of females were employed in sorting asbestos and pressing it into bags to be transported (Davies et al., 2001: 87; McCulloch, 2003: 421). At some mines, such as Westerberg and Pomfret, long fibres were hand-sorted from the mill feed, trimmed using four-pound hammers and then bagged separately, largely because long fibres fetched better prices in the world market (McCulloch, 2003: 428). But the large majority, specifically three-quarters of female asbestos mine workers, cobbed asbestos or pounded the asbestos ore with hammers weighing two kilograms – the first stage of extracting asbestos fibres from the rocky ore (McCulloch, 2003: 418). Done on the surface, this work was attractive to women, who worked in groups and shared food preparation and child-minding tasks on the mining sites.³

The cobbing method was preferred by mining companies because

3 This differed from domestic work, the other employment option for colonised female South Africans of the region, which obliged women to leave their families to earn an income.

feeding cobbs into processing machines prevented damage to the ducting and other parts of the machinery. In greater detail, when ores were fed directly into the machines, large amounts of host rock and dust also entered, causing damage and lengthening the refining stage (McCulloch, 2003: 417). In addition, the meals prepared by female mine workers for male underground mine workers saved companies the expense of providing meals and running canteens. Despite these gains from having female workers on site, mining companies paid less for cobbing and other female work, in many instances subsuming the wage of female mine workers into the wages paid to males (McCulloch, 2003: 418, 422).

For all of these reasons, the employment of female cobbers and sorters persisted, even following World War II when parts of asbestos mining were industrialised. McCulloch provides extensive evidence of how, up to 1980, asbestos mines were regularly granted exemptions under the 1956 Mines Act (which prohibited the employment of female mine workers) in order to employ women in cobbing, breaksorting asbestos, ore sorting, re-sorting fibre and other 'surface risk work' (McCulloch, 2003: 424).

Though unrevealed to workers for much of the 1893–1980 period, all of the work performed by women in asbestos mines involved far greater health risks than the underground mining of asbestos ore given the close, direct contact that female workers had with asbestos fibre (McCulloch, 2003: 416). A study of 770 female asbestos mine workers employed in the Northern Cape province between 1929 and 1992 found that a clinical diagnosis of asbestosis was made in 96.2 per cent of the women (Davies et al., 2001: 87).⁴ The average length of employment was 10.8 years, with 21 per cent of the 770 women first employed in the mines between the ages of 10 and 14, 49 per cent between the

4 Asbestosis is a non-cancerous yet deadly lung disease characterised by severe scarring and inflammation of lung tissue. The disease is caused by asbestos fibres lodged in the lungs, leading to symptoms like coughing, shortness of breath and tightness in the chest. Radiological evidence of tuberculosis, the illness more often recorded as cause of death of female asbestos mine workers, or a history of previous treatment for tuberculosis, was found in only 7.5 per cent of these women (Davies et al., 2001: 87).

ages of 15 and 24 and 3.4 per cent before the age of 10 (Davies et al., 2001: 89). Needless to say, the costs of this particularly female work in asbestos mines are immeasurable and most likely undervalued in payments made as a result of court claims brought against asbestos mining companies by former asbestos mine workers.⁵

Valiani (2015: 13) defines stunted social reproduction as the inability of families affected by mineral and oil extraction to reproduce the workforce, nurture talents and potential talents of youth and to grow culturally and socially. Given the contract system used in asbestos and other mines, whereby ill workers were simply terminated and replaced, it is unknown how many asbestos mine workers died over time as a result of asbestos-related illnesses and conditions. In 2001, Davies et al. (2001: 1) argued that there continued to be a 'large, unrecognised burden of asbestos-related lung diseases among rural women' who had worked on asbestos mines. Overall, given the extremity of the known diagnoses – and the imagined but undiagnosed health effects of asbestos mining on women, men and their children who played among cobbles and asbestos fibres – stunted social reproduction can be seen as the defining outcome of asbestos mining in the medium to long run.

FEMALE UNDERGROUND MINE WORKERS⁶

Reversing the banning of female underground mine workers in the Minerals Act No. 50 of 1991, the Mine and Health Safety Act No. 29 of 1996 and the Mineral and Petroleum Resources Development

5 The largest of these is probably the £21 million settlement reached by Cape PLC (formerly Cape Asbestos Pty) and former asbestos miners and their families in 2001 (see Hodge, 2002).

6 The analysis in this section draws heavily on data from Asanda Benya's 2009 master's thesis on female underground mine workers at Impala Platinum in Rustenburg. Benya's is the only ethnographic study of female underground mine workers in South Africa. Based on in-depth interviews and participant observation over a period of two and a half months, Benya's study is rich in description, leaving room for analysis. The data is arguably quite representative in that according to the latest data, the largest number of women employed in mining (across occupations) in South Africa today are working in platinum mining, at 21,278. They constitute a large proportion, therefore, of the total 57,472 women employed in mining (Statistics South Africa, 2017).

Act No. 28 of 2002 permitted the employment of female underground mine workers. This change was affected in the name of gender equality (Benya, 2009: 4).

Beyond the legalisation of female underground mine workers, more instrumental in bringing women into the mining industry is the 2007 Mining Charter requirement that females constitute at least 10 per cent of each mining company workforce by 2009. The Department of Mineral Resources (DMR) subsequently increased these targets such that by April 2016 targets for female employment were set, in a new draft Charter, at 50 per cent for top management, 60 per cent for senior management, 75 per cent for middle management, 88 per cent for junior management, 40 per cent for skilled and semi-skilled occupations and 3 per cent in other occupations. In response to this targeting, most companies instituted elaborate programmes to assist women's entry and advancement in the industry. In the case of Impala Platinum, these include career-development plans for women with mentoring and accelerated training to achieve benchmarks such as blasting certificates, pregnancy and sexual harassment policies and separate female toilets and changing rooms. In terms of male mine workers, Impala Platinum has endeavoured to raise awareness around equality and female mine workers' rights through videos and call centres where men can put their questions anonymously (Benya, 2009: 6).

Despite formal inclusion in the industry – in the form of legislative and company measures – retention of women in the industry remains the key challenge, according to both Impala Platinum and the network of professionals Women in Mining South Africa (WiMSA) (Benya, 2009: 5; WiMSA, 2016). According to the Statistician-General, female employees constituted 14.7 per cent of the total platinum mining workforce in 2015 (Statistics SA, 2017). For the mining industry as a whole in 2015, female employees amounted to 57,472 of 353,344 total employees, or 16 per cent of the workforce (Statistics SA, 2017). This low percentage of female employees – well under half and far below DMR targets – is due to persistent structural inequality making for the suboptimal use of female labour in this historically masculine industry. Various instances of structural inequality are elaborated below in support of this argument.

Cockburn (1981) traces the construction of capability and the gender bias of technology through the history of compositors in the British printing trade. Theoretically, Cockburn (1981: 56) argues that bodily strength and capability are socially constructed and deployed politically. This is a process involving several converging practices: the accumulation of physical capabilities by males who are taught, trained and encouraged from childhood to develop the body in certain ways, the definition of tasks that match these capabilities and following from these, the selective design of tools and machines (Cockburn, 1981: 44).

The design of tools, tests and protective gear which are biased toward male physique and capabilities can also be traced in the mining industry. The first test encountered by aspiring underground mine workers is the heat tolerance screening (HTS) test. Designed to ensure endurance while working under high temperatures and in humid conditions typical inside mine chambers, the test is extremely difficult for women to pass. According to an HTS supervisor at Impala Platinum, only 6 per cent of women pass on the first attempt, with most passing on the second or third attempt after following dietary and exercise regimes recommended by the Impala Platinum HTS Centre (Benya, 2009: 62). This is largely due to women's higher body temperature level (relative to men's) rooted in different phases of the menstrual cycle. That women do tend to eventually pass the exam after following dietary and exercise programmes is an instance of Cockburn's social construction of bodily strength and capability; when trained a certain way, women's bodies perform as men's in the hot temperature and humidity underground.

Perhaps even more important to stress in terms of structural inequality within the mining industry, however, is that the standard of the test is set by what has been deemed normal for males. A worker with a body temperature exceeding 37 degrees Celsius at the start of the test is not admitted into the test. This immediately bars many women from taking the test. On completion of 30 minutes of light exercise (i.e. climbing up and down stairs) underground, a body temperature of 37.6 degrees Celsius or less is considered a pass, meaning that the worker is deemed able to perform under heat levels rising to 32 degrees (Benya, 2009: 57–59). If the industry invested in developing

HTS science particular to the norms of female bodies, both the starting and passing body temperatures of the HTS test would likely be set differently for females.

In terms of tools, headlamp batteries and rescue packs must be carried while working underground at all times. These tools are designed for men and are heavy for female workers to carry. Given that the majority of females are allocated work involving the transport of heavy materials within the mine – to be discussed in greater detail below – the weight of the batteries and packs adds to the weight of materials which are either carried by female workers or pushed in a cart.⁷ Benya gives the example of a female transport worker who carries three packets of explosive material from one work station in the mine to another. The packets weigh 23.5 kilograms each and the route involves climbing a rope (Benya, 2009: 95). Other material typically transported by female workers are roof bolts, pipes for water and compressed air and ore (Benya, 2009: 67, 95). If headlamp batteries and rescue packs were designed with consideration for the needs of female workers, the load for female workers would be lessened. Paradoxically, despite regular handling of these heavy loads, female mine workers are seen as ‘weak’ and only ‘fit for household work’ by male mine workers (Benya, 2009: 72).⁸

Male bias can also be seen in the protective gear provided to underground mine workers. Most shafts have one-piece overalls, which are a challenge for female workers when using the toilet. Toilets are very small and not cleaned regularly. Female workers must therefore remove headlamp batteries, rescue packs and overalls outside the toilet before use (Benya, 2009: 97). In addition to complete lack of privacy

7 Females are by far not the only workers doing this type of work. According to Impala Platinum data, by June 2008, 978 female and 20,549 male mine workers were employed as ‘unskilled and defined decision-making personnel’ of a total 21,527 in this category.

8 While providing ample evidence, Benya (2009) does not identify this paradox. Similarly, she does not link the design of tools, tests and protective gear to gender bias. In this sense her argument is limited to describing the various forms of discrimination faced by female mine workers. In turn, Benya does not have a structural explanation for this discrimination. She attributes it to biological difference and individual prejudice.

and increased sense of vulnerability from removing the overall and exposing the body, this takes time and contributes to male workers' perceptions of female workers as slow (Benya, 2009: 97).⁹

Beyond tools, tests and protective gear, the standards by which bonuses are awarded to workers are set in accordance with male worker abilities, making bonuses unobtainable for female workers in a variety of ways. Given that male wages are low – another structural inequality inherent in the South African mining industry – bonuses are regarded by male workers as crucial. In greater detail, between 2000 and 2008 for instance, labour (i.e. workers as opposed to management) at the three large platinum producers only received 29 per cent of the value added produced (Bowman and Isaacs, 2014: 1). As Bowman and Isaacs point out, this is much lower than the national average whereby 50 per cent of value added was distributed to workers in the South African economy over the same period. On the flip side, 61 per cent of value added produced in the platinum industry went to profit (Bowman and Isaacs, 2014: 1).

Hence it is understandable that male workers and several human resource managers interviewed by Benya (2009: 78) reported that bonuses could exceed monthly wages, amounting at times to more than R10,000 per worker per month. Bonuses are awarded by team for elevated production levels with targets set by dominant (i.e. male) standards of production. Even one female worker in the team is thus seen by male workers as a hindrance. Verbal harassment of female workers follows from this (Tau, 2015). As one shift supervisor remarked to Benya:

For a team to take on a woman it means forgoing a man, which means less production and compromising bonus. Workers and myself, I do not want my team to not get bonus because they all have slow-working women that are always complaining and arguing with other team members (Benya, 2009: 79).

9 In shafts where two-piece overalls are available, appropriate sizes for females are often missing. Female workers then tend to revert to using one-piece overalls (Benya, 2009).

Although the annual base wages of platinum miners have since increased due to the 2014 Association of Mineworkers and Construction Union strike, the average 8 per cent increase (just above inflation) means that the relative largesse of bonus schemes remains the same. In turn, the structural constraint for female workers to be accepted and treated equally in teams by male workers also remains.

Moreover, the highest bonuses are received by teams working in 'stopping', or the actual extracting of ore containing the mineral, where the vast majority of female miners do not work (Benya, 2009: 77). This is due to formal and informal job allocation by male and female managers, as well as male underground workers. In addition to being seen as slow and weak, female mine workers are perceived as lazy and less willing to take risks (Benya, 2009: 80). Female workers are thus allocated jobs in 'development' sections responsible for opening up new spaces to mine (i.e. installing pipes for water and compressed air), and in the transport of materials as elaborated above (Benya, 2009: 67). Other jobs done by females include cleaning the travelling way between sections, loading ore onto hoppers and taking ore from various underground sections to the surface, installing and uninstalling railway lines, issuing supplies to other workers, carrying the shift supervisor's bag and measuring work stations (Benya, 2009: 73).

The few women who are formally allocated positions at higher skill levels in stopping sections – for instance as panel operators, winch operators or rock drill operators – though paid the corresponding wages, rarely work in these positions because they are considered 'too difficult for women' by male colleagues (Benya, 2009: 73). Male team members thus operate the machines for female workers while females are given 'small easy tasks' (Benya, 2009: 82). Without stopping experience, promotions are difficult.

For all of these reasons, female mine workers encountered by Benya frequently expressed the desire to leave mining (in contrast to males) and common complaints were around unequal wages and the inability to support family and extended family on mining wages (Benya, 2009: 84). This is consistent with findings of a survey carried out by WiMSA (2016) in which only 34 per cent of female professional mine workers expressed that their employer pays females and males

equally, and only 38 per cent of whom said that disparities were performance related. Given that male underground workers generally have more years of service and are socially, culturally and physically more able to accumulate skills and experience in the industry, male workers generally earn more than female workers. While some female underground workers envision moving to jobs on the surface, this is only possible for those with matriculation passes or those able to study while working underground (Benya, 2009: 83).

It is not hard to understand, then, why taking a *nyatsi*, or supplementary sexual partner, underground is a widespread practice among female mine workers. The *nyatsi* typically provides money, transport to work (a particular need for morning shifts, when the use of local taxis and buses is particularly unsafe for women), promotions and dinners and holidays in exchange for sex. This is an open practice among underground workers. Most female workers and the *nyatsi* have permanent partners, such that these underground relationships are limited to transactional sex (Benya, 2009: 84).¹⁰ Transactional sex allows the female worker to transfer most of her salary to the family members she supports while her own daily financial needs are taken care of by the *nyatsi* (Benya, 2009: 85).

Sexual violence underground is the final major structural inequality preventing greater participation of women in underground mining. In Benya's findings, female workers in stoping teams report avoiding night shifts due to fears of sexual violence by male team members, and several females report experiencing groping and sexual rubbing in the cage descending to the mine and while waiting for chairlifts (Benya, 2009: 91, 93). Occasional media reports have featured female mine workers and their female union representatives speaking of rapes in mine changing rooms and forced sex in exchange for assistance with strenuous tasks underground (Tau, 2015; *News24*, 2015). Perhaps the most publicised case of rape and murder underground is that of Pinky

10 It should be noted that because of company policy to not perpetuate the migrant labour system in the hiring of female mine workers, females are employed within a 60-kilometre radius of Impala Platinum mines. Female workers thus live with families and commute daily to mines while more male workers live at the mines.

Moisane in 2012 (*News24*, 2013).

Given the high rates of male sexual violence against women in South Africa, what is particular to the mining industry is the approach taken by employers to sexual violence in mines. According to the Centre for Applied Legal Studies (CALS), mines maintain that male sexual violence underground is a criminal justice matter and not a responsibility of mining companies (CALS, 2015: 7). Though CALS views employer protection of female mine workers as falling within occupational health and safety standards under labour legislation, the fact that such protection is not conceived of, by mining employers, as under their jurisdiction is further evidence of the structural barriers preventing significant female presence in the industry.

In sum, gender-biased tests, tools, protective gear, performance standards and formal and informal work allocation prevent the optimal use of female labour in underground mining in South Africa. Female mine workers' dependence on transactional sex – to compensate for the lack of work experience, meaningful skills development, occupational advancement, and in turn, adequate wages – sexually objectifies female mine workers and reconfirms the suboptimal use of female labour in the industry. The line between transactional sex and sexual violence in mines is, not surprisingly, thin, and the threat of such violence, in addition to the gender biases elaborated above, makes the low retention rate of female workers in the industry equally unsurprising.

FEMALE AGRICULTURAL WORKERS AFFECTED BY MINING

As with the instance of female mine workers, there is a paucity of studies on rural women affected by mining in South Africa. To the best knowledge of the authors, only one study on the subject exists: a report by the advocacy organisation, WoMin-African Gender and Mining Alliance (2017), entitled *No longer a life worth living – Mining impacted women speak through participatory action research in the Somkhele and Fuleni communities, northern KwaZulu-Natal, South Africa*. The report tells the story of water pollution, largely caused by coal mining in northern KwaZulu-Natal, and focuses on how

women living in the area cope with the resulting crisis. Further or future research with a focus on women affected by mining in other parts of the country – including Mpumalanga and Limpopo (coal), North West, Gauteng and Free State (gold) and Limpopo, Gauteng and Mpumalanga (platinum group metals) – would likely tell similar stories of the destruction of community wealth and the resulting burden of crisis management carried by women.

In greater detail, the participatory research was carried out over a period of eight months in Somkhele and Fuleni, two communities (of several villages each) in the uMfolozi River catchment area. With a total population of 180,000 in Somkhele and 16,000 in Fuleni, just over half of the households in the communities are female-headed (WoMin, 2017: iii). Despite this, due to the gendered nature of ‘communal land tenure’ under the Ingonyama Trust, of which Somkhele and Fuleni are a part, a hierarchy of traditional leaders makes all major decisions related to land use. Precisely through this relation of gendered control and exclusion – as in several other parts of South Africa – the Petmin Group-owned Tendele coal mine was established in Somkhele.

Compounding this inequality, since 2015 drought has severely affected water supply in Somkhele and Fuleni. In addition to the drought, the Petmin Group-owned Tendele coal mine in Somkhele is largely responsible for depleting the water supply through its underground and surface exploitation of the uMfolozi since 2007 (WoMin, 2017: iii). According to the women of Somkhele, this has been done primarily through the pumping of water from the uMfolozi River, the main water supply which had run dry by the time of the research, and the fencing off of communal water sources. In addition to water grabs, the Tendele mine has caused air, water and soil pollution, which all research participants link to the destruction of crop and livestock farming in the area (WoMin, 2017: iii).

Water available to the communities has become unclean water collected from dams, giving rise to gastrointestinal problems such as vomiting, nausea and diarrhoea (WoMin, 2017: 22). As women are responsible for water and food provision, desperate attempts to purify the dirty water include using Jik bleaching liquid, cement and ash (WoMin, 2017: 22). According to the affected women, the use of this

water is causing skin irritations and vaginal infections (WoMin, 2017: 22). The WoMin study highlights the case of a Macibini (Somkhele) family admitted to hospital after consuming water ‘purified’ with cement. Given the toxic compounds in cement – lime, crystalline silica and chromium – cement-laced water damages lungs, corrodes human tissue and causes allergic reactions.

Mine-related destruction of community wealth, in the form of water, thus leads to stunted social reproduction in Somkhele, whereby the community is unable to reproduce itself and grow culturally and socially. With regard to Somkhele women in particular, the inability to farm and raise livestock due to mine-related air, soil and water pollution further amounts to the suboptimal use of their labour. All of this occurs within a historical structure of gendered decision making around land which puts not only the majority of women, but the majority of the communities of Somkhele and Fuleni at the receiving end of – typically uncalculated – human and environmental costs of mining operations. For these reasons, female leaders of Fuleni have been among those at the forefront of opposing Petmin’s intended expansion of coal mining into Fuleni (see Centre for Civil Society, 2016).

FEMALE ARTISANAL MINE WORKERS

In her survey of academic and practitioner-based literature on women and mining in the Global South, Jenkins (2014: 332) underlines the importance of recognising the continued resilience, entrepreneurship and tenacity of female artisanal miners, with the proviso that these should also not be romanticised. Focusing on South Africa, Thornton (2014: 127) asserts that *zamazama* are widely misrepresented by the public press and misunderstood by the South African government, for example, as the stereotype of gang-run work teams engaged in dangerous turf wars underground and perceived as ‘stealing from the nation and legitimate mines’. In an anthropological study of goldmining *zamazamas* in Roodepoort, Johannesburg, Nyoni (2017: 144) underlines that there is ‘scarce information’ on the roles and experiences of women in these ‘spaces’.

All of these broad points are consistent with the findings of the

fieldwork with female artisanal diamond miners undertaken for this chapter. As the only study focusing solely on female artisanal miners in South Africa, this chapter cites direct quotes from the participants as much as possible below. It is argued that of the various groups of women in and affected by mining examined here, the experience of female artisanal diamond miners demonstrates a relatively more positive mining experience for women and provides some broad strokes of a future vision of inclusive development favourable to women.

The fieldwork undertaken was with a group of female artisanal diamond miners on the outskirts of Kimberley, Northern Cape. A total of 35 women gathered voluntarily over two days to speak of their living and work experiences in focus groups. In order to gather more in-depth personal and work histories from those willing, five of the 35 women were also interviewed. All of the women who participated work at Beefmaster and/or Samaria camps, an artisanal mining area and informal settlement stretching over some 5 kilometres on the southeast edge of Kimberley, at the tail end of Samaria Road.¹¹ Some of the women live in Samaria camp and others in townships surrounding Kimberley. The miners search for diamonds left behind in a mine dump sold by De Beers to Ekapa Mining in 2015.

Living conditions

Not unlike other informal settlements surrounding mines, Samaria and Beefmaster are completely lacking in water sources, electricity and other basic infrastructure. An exposed, broken water pipe about two kilometres from Samaria camp is used as a water source which women access using buckets. Running water, toilets, lights and a health clinic were therefore stressed by participants as key, immediate needs. Given the particular health needs of women as physical reproducers of the community, as well as the fact that women carry the heaviest burden when basic resources and infrastructure for social reproduction are absent, these negative aspects of female miners' lives are significant.

11 There are six camps in total with an estimated 5,000 artisanal miners: Samaria, Collville, Beefmaster, Gumtree, Green Point and Buffalo.

In the words of Lindiwe,¹² one of the first female miners at Samaria camp and ANC ward committee member:

I drew up and submitted a proposal to the Premier's Office for assistance in building a water pipe system. The councillors from both the ANC and the DA came and viewed our camp site and asked what would happen in the case of a fire. I answered that if one shack burns all of them would burn down. Luckily for us that has never happened. They then asked us why we don't build our own water system since we make enough money. We told them that we want the water to be funded from the government. After many back and forths, I spoke to the Speaker who is ANC, we agreed that they would deliver jojo tanks in the interim but we are still waiting for them (Lindiwe, Focus Group 2, 27 May 2017).

Participants also drew connections between the need for infrastructure and the particular dangers of informal settlement living for women:

We have to fetch water from far and most women don't have the strength to do so because the buckets are heavy. It's also not always safe as a woman to walk that distance alone, sometimes at night, carrying heavy water. So its toilets, water and lights because at night it gets really dark (Akhona, Focus Group 4, 28 May 2017).

We have a mobile clinic that comes once every three months. We need a permanent clinic since working with the sand does have its disadvantages. I particularly get shortness of breath because of constant contact with the sand. The clinic could help with regular TB testing and other special tests specifically for women since we use the open veld as our toilet and that can bring with it many kinds of diseases (Silvia, Focus Group 3, 28 May 2017).

12 To protect identities, all names of artisanal miners have been changed.

Working conditions

There are six informal mining camps in total, with some 5,000 artisanal miners – both men and women – searching the top soil for diamonds left behind by De Beers industrial mining operations. A mining permit for the area was previously held by De Beers and has now expired. Another company now claims to hold a permit to mine the area. The artisanal miners were served an eviction notice by Ekapa Mining and an interdict by the municipality of Kimberley, both of which they were challenging in court when the fieldwork was undertaken (Christiana, interview, 26 May 2017).

As with workers in underground mines in South Africa, the artisanal miners around Kimberley are of multiple origins. Unlike in underground mines, where ethnic divisions are prominent, at Samaria and Beefmaster miners reported amicable coexistence. As two of the female miners put it:

We all respect each other, it's as if we all come from one place or town but we're all different: There's Xhosas, there's Sothos and all kinds of people. It's a normal neighbourhood for us where we borrow things to each other when the other one needs something (Lindiwe, Focus Group 2, 27 May 2017).

Remember the majority of the people here do not originate in Kimberley. You find people from Lesotho, from Mozambique, and then there are South Africans from different provinces. There is a common understanding that everyone comes from somewhere so there are no conflicts around that issue (Christiana, interview, 26 May 2017).

Female artisanal miners reported a wide range of previous occupations, including domestic worker, underground mine worker, security guard, care worker and soldier. Most of the occupational stories encountered reflect the observation of Janet Munakamwe (2017: 155) that nonformal mining activity is the result of economic exclusion and inequality. About one third of the participants reported not working outside the home prior to undertaking either artisanal mining or accompanying male partners to the informal settlement. The

role of the latter recalls that of female asbestos mine workers in the 20th century:

I was home when he came to fetch me to come and stay with him here. The reason was that it was difficult for him because when he finishes at the mines there isn't anyone at home helping him to clean, cook and heat the water (Thandi, Focus Group 4, 28 May 2017).

Two artisanal miners reported being former underground mine workers and both recounted experiences resonating with Benya's findings:

I used to work at Kumba Resource as a miner. I would say I prefer working here because here I am my own boss; when you work with a supervisor they don't always treat you well, so here I am able to navigate everything at my own time and pace. It's much better here (Khosi, Focus Group 2, 27 May 2017).

I used to work in the mine underground for about five years, it wasn't always safe because we always had a fear that when we are travelling in the cages that the ropes would come undone. I decided to take a break from underground to try my luck with the informal sector, I haven't found anything yet in the month that I've been there but I am hopeful (Gabi, Focus Group 2, 27 May 2017).

Several domestic and care workers reported taking up artisanal mining to replace or supplement traditionally undervalued, female work:

I used to work as a domestic worker, I came here once and in two days I found a diamond. After selling it I immediately realised that this was something I could do full-time; it was much better than waiting for a small salary at the end of the month. So I quit and came to work here (Reena, Focus Group 2, 27 May 2017).

I also worked as a domestic worker. But the salary was so terrible that we used to run out of food in the house in the middle of the month. When I came here our livelihoods really improved, there was a difference from before. I am even able to save a little bit of money in the bank (Nokuthula, Focus Group 2, 27 May 2017).

I am a care worker. I want a good life for my children. Only one of my children has a good life. I work here in the evenings because I only earn a stipend. I have been coming here for five years but I haven't really been able to supplement my income yet (Sonia, Focus Group 3, 28 May 2017).

I used to work at Mediclinic as a hostess. The difference now is that I don't have to deal with the stress of patients and supervisors screaming at me all day. And the money here is also much better (Buni, Focus Group 4, 28 May 2017).

Not unlike the underground mine workers and caregivers, the one former soldier encountered in the focus groups opted for artisanal mining as a means to escape discrimination and achieve a degree of freedom and respect in the workplace. As a professional, unlike other participants, her assets allow her to excel in artisanal mining:

I was 24 years in the air force. We were the first women to be integrated: two ladies and 600 men. We weren't welcomed. So we shifted, started behaving like men. In 1999 more women started entering. We trained the incoming women, and then watched them get promotions while we didn't. Our inferiors were then our bosses and they were horrible to us. I had a certificate to work with ammunition and did the job of four people but didn't get paid for it. I became taken for granted, so I thought, I know of another job. I came to the mine in 2013 and saw only men. I thought to myself, no, I have worked with men. I am comfortable with men. I can do this job. I interviewed the men and they told me you can find small stones a couple in a month. So I went back to the air force for three years. I wrapped up some commitments, and then I started mining. I got my first luck on my third day.

Two weeks later I found another rock. Then my fiancé and I started driving to other camps to search. Because we can travel far we find good rocks every month, me and my fiancé. When we find small stones we don't sell immediately. We sell in parcels and get better prices from better buyers. Christiana helps to connect to the buyer who pays higher. Then she gets a commission (Zandi, interview, 28 May 2017).

In addition to better financial reward, which most participants agreed was the major attraction of artisanal mining, many talked about the freedom of determining one's work and break times and the pace of work. Several participants highlighted the enjoyment of working with the soil, the challenge of sharpening their skills to detect soils likely to contain diamonds and a near-spiritual hope that the searching would be fruitful. This combination of materiality and belief without excessive materialism among female artisanal mine workers is unique as compared to other 21st century workers of South Africa and elsewhere. Though most female artisanal miners do not find much of value on a regular basis, they remain driven by the space to develop and the autonomy offered by the work. In the words of a former store manager and a former security guard:

My father died in 2009 so I have been responsible for my mum, sister, two brothers, four children and one grandchild. They all live in Charlene (a village) on my mother's grant. No one has a job. I do piecework with the school lunch programme to buy food, so I can spend most of my time working hard in mining. I have hope when I do this work. And I have patience and trust that something will come together. I don't feel this in the piecework. I have been here since 2014, working alone. I haven't found anything yet (Karabo, interview, 28 May 2017).

The advantages are impressive because you manage your time, you push your own production. You have it in your mind that you are running your own company, so you are able to wake up at a time that suits you. The other advantage is the money. I was working as a security guard and my salary was about 3,500

Rands a month for 21 days of work a month, 12 hours a day. That's 12 hours that you spend away from home, away from your blankets. But if I find say, a three-carat diamond, I would have to work 6 to 8 months as a security guard to achieve the same money. In my year here, I have found one 68 point diamond, with colour. I got 70,000 rand, which I and my two kids are still surviving on. We of course don't get the big diamonds that the mining companies get so the sizes are small compared to what's really out there. So really, we are working on their leftovers. When they have cleaned the soil, there are the small leftovers (Botshelo, large group discussion and interview, 27 May 2017).

In terms of access to the mining camps, virtually all participants reported that artisanal mining was accessible only to those who had tools. Tools involve one shovel, a pick, two buckets, some bags for sorting and two sieves. Tools thus become a barrier to entry for those who can't afford them but want to mine. Theft of tools is common, particularly given the temporary nature of the informal structures in which people live in the camp. In large part, the materials used are recycled heavy plastics. Most huts are therefore not lockable, making for easy entry.

As in other cases of female workers of lesser means, tools can and do become a currency for abuse. The spread of the problem was not clear through the focus groups conducted:

If I as a man have tools, I lure women without tools and that is how they end up staying together. It's a very abusive system because the men end up physically abusing the women. We have many cases of domestic abuse here (Lindiwe, Focus Group 2, 7 May 2017).

That's something that needs to be highlighted; some women come here, and they do not have tools. They then have to rely on their male colleagues for assistance, the males would use that to their advantage by taking advantage of the women (Kananelo, Focus Group 2, 27 May 2017). When asked specifically about transactional sex, one former underground mine worker and

one artisanal miner shared experiences.

I worked with a lot of men underground. I had my own group of guys that I would work with, so I never felt unsafe. I hated working the night shift, I was scared and asked that they give me a straight shift, but they refused. I was hired in the right way, although I know of many women who weren't. Some would sleep with their bosses to either get hired or get promoted. I have heard cases of when the women do get these promotions, the bosses keep going back to them and requesting sex. When the boss is having problems at home, you have to 'substitute' those problems with your body because he did you a favour with the promotion. If you refuse he threatens to fire you or rescind the promotion (Gabi, Focus Group 2, 27 May 2017).

Even some women who arrived here arrived in that way. They had to pay a protection fee to have access to the soil (Lindiwe, Focus Group 2, 27 May 2017).

Most maintained that this was not typical:

There is a rough sieve and fine sieve; there are different soils. We came with tools, my daughter and I, and a guy showed us on our first day how to mine with what instruments. We worked together, three people, for three weeks and we found a 68-point diamond. And we shared what we earned. So, I am unfamiliar with the need to use the vagina as a means to access all this (Botshelo, large group discussion, 27 May 2017).

What was much clearer is that what one woman termed 'financial abuse' was a common experience for female miners working with their male partners. In the words of Lindiwe, one of the first women in the camp and in whom many women seemed to confide:

We also need to discuss the financial abuse that all of us women deal with on the camp. You'll find that you've been living with

a man for over six months, and both of you are in the business of mining diamonds, and you don't always go together to the site. Then there will be an instance where he just disappears with no reason, only to find that he had discovered a diamond that day. It happens with other women as well, like clockwork. All the while you wash his clothes, cook for him, give him sex, and that is how you are repaid. It's really painful for women; some of them when the women have made discoveries steal them in the middle of the night and never come back. Either that or they come back from the field claiming they have not found anything then the next day you hear that they have sold a diamond. It really is painful (Lindiwe, Focus Group 2, 27 May 2017).

Our partners are not honest. They get the diamond and then they disappear. They come back only when they are broke. This is the reason why we make sure we are part of every step of the mining process – even digging (Buhle, Focus Group 1, 7 May 2017).

Far from all participants work with their male partners. Some work alone, some work in teams of women, others in teams of women and men. Most agreed that working relations with males were generally harmonious, as this exchange among four female miners in Focus Group 2 (27 May 2017) demonstrates:

We work very well with the men.

They are our colleagues. They're our brothers, our fathers. And they're very loving.

Very loving; we are close to most of them.

In terms of tasks, unlike the gendered tasks in artisanal gold mining in Roodepoort noted by Munakamwe (2017) and Nyoni (2017), female artisanal diamond miner participants reported working in all aspects of the mining work. In artisanal gold mining, much like in the asbestos mining of the last century, females work in crushing or grinding the gold ore from chunks of rock while males extract the rock from underground. Female artisanal diamond miners reported working

with shovels and picks, as well as in sieving and sorting. Some reported only sieving and sorting. Some reported mixing the tasks with male team mates in different ways depending on the season:

We spend the day working. He is going to do the digging and I'll do the sieving, then he will help me after he has finished digging, because we sieve twice. After that we sit together, then we sort together. When we are done and if we have found something we go to Makgomosha, where we sell. There is work there also, we have to negotiate, we don't just give in and go, or accept then just go. We do negotiate with them. If you say no, you can go to another buyer, there are too many here, so you can go to another one if you are not satisfied with the price, no hard feelings. My son is six now, he is in his first year of school, so after selling, I will send my son and mother money, so they can at least have something in the morning when they wake up. I can sleep hungry, I don't care, as long as they are fed, I am satisfied. That's why I work, for my son and my mom, because they are the most important people in my life (Reena, Focus Group 2, 27 May 2017).

She and I work together with three males here in Samaria. We all dig, sieve and sort. When the day is hot, in the summer, our male team mates bring bags of soil home and we sort through the night (Jody, Focus Group 3, 28 May 2017).

As with the large majority of working women, female artisanal miners in all focus groups reported carrying the full burden of care work in addition to mining work:

We do everything as women. We go to work and work the same as men. Yes, we know there are some jobs we can't do, that they do. Like, when it comes to this, you have to take a big shovel, you use a shovel to pick up soil and put it in a bucket. But you can't take a week or the whole day. A man can do it in an hour or 30 minutes, he can handle that, but you can't. When you get home, he can't handle that also, you have to cook, he's tired and you're tired, but you have to cook. Both of you come from work

but you have to do something, you can't sit like him. He's going to get there and sit because he is the man and you are the woman, you have to do the work (Brenda, Focus Group 3, 28 May 2017).

I did speak to my partner. I told him that sometimes he has to help, when he comes from work he needs to make the fire and I will wash the pots then we can sit together. He helps me with something else and I wash the dishes because we have to take food to work. So, I'll wash the dishes while I put the pots, so he must help to get wood. I also have to clean the house because I can't sleep for two days without cleaning the house, I have to, no matter what, and this will happen after I bath, after we have eaten and then I start cleaning the house, and he'll be sleeping. So, it's the same, it is always women, no man (Anathi, Focus Group 1, 27 May 2017).

Enlisting responses on the topic of selling and earning was the most challenging element of the fieldwork. Participants were generally hesitant to reveal the number and frequency of finds as well as the value of diamonds discovered. This is not only because most diamonds are sold on the black market, but also because theft, as in the case of tools, is a major threat in the camp:

It is dangerous to talk about diamonds here in the camp. A guy in 2015 got 50,000 rand for a parcel. He put it in his old fridge. One day he left his shack. He hadn't been paid yet. His neighbour went searching for the money and couldn't find it. Some days later the man returned and when he was sleeping, his neighbour burnt him to death in anger (Christiane, Focus Group 3, 28 May 2017).

Participants were quite aware of the drawbacks of using the black market, including undercutting by buyers and the lack of confidentiality.

As poor workers and miners without permits, however, there is little other choice:

Because we are hungry, and we are moneyless and foodless. They stay just across the road, we call them, he/she look at it and will say let's go to the ATM, ask for a price, you say six thousand, he/she will agree. The buyers will get about fifteen thousand for that diamond (Lerato, Focus Group 3, 28 May 2017).

The other day, a guy got an 8 or 9-point diamond. It had many blisters, spider nets inside and dots. They were supposed to get at least five million, but they were paid 900,000 Rand. That's daylight robbery. That's how the black market works. If that guy went with Baba Lucky through the Board, he would probably have 20 million rand now (Christiane, Focus Group 3, 28 May 2017).

Something of a hierarchy was evident in terms of accessing better prices in the black market. Zandi, the former soldier, mentioned going through Christiane and paying her a commission. This was confirmed by Christiane and others:

Christiane helps to connect to the buyer who pays higher. The she gets a commission (Zandi, Focus Group 3, 28 May 2017).

Sometimes we share buyers, some of the ladies would come to me and I would connect them with a buyer and the buyer would compensate me. We meet at a remote place and make the exchange. If the money is too much they deposit it into our accounts (Christiane, Group 3, 28 May 2017).

Similarly, selling diamonds to the South African Diamond Exchange and Export Centre (referred to by participants as 'the Board'), where prices are far more favourable, was mediated through one male artisanal miner who had a mining permit at the time of fieldwork:

Baba Lucky has a licence, he can buy from us and go sell it at the Board. When you get to the Board, you put your diamond inside, they write it in and they give you a slip, you have to wait a couple of days because there are other people who will come and bid on your diamond, the higher price is your price. For instance, you get

a seven-carat diamond, which is a lot of money, we are talking about millions here. If your diamond is at the Board, buyers will come and bid on your diamond, one will say 50 thousand, another 80 thousand, someone else will say 3 million, another 20 million, and that will be your price. The Board is fair, you get a quotation, if you have a bank account, they will put the money directly into your account and nobody can arrest you (Christiane, Focus Group 3, 28 May 2017).

From the buying and selling issues it is clear that ‘legality’ is one of the main obstacles for Kimberley female and male artisanal miners alike. In order to attempt to grapple with this, at the time of research the miners were in the process of forming co-operatives with a view to applying for mining permits. As Munakamwe (2017: 155) observes of artisanal gold miners, artisanal diamond miners also lack formal political voice and ‘devise strategies of passive resistance’. Though only constituting about half of the artisanal mining population, women were in the lead of this initiative and spoke enthusiastically of the strategy:

We have registered 330 co-operatives of ten people each so far. We have a long way to go though, with 4,000 plus people in all six camps. We registered in Pretoria because the Small Enterprise Development Agency here turned us away. We are waiting now to open bank accounts and then apply for mining permits. With the permit, we can sell directly to the Board which will then give us proof, so we can bank our earnings. We want people to know that we are working women in the camps’ (Christiane, interview, 28 May 2017).

In early June 2018, the artisanal miners of Kimberley had successfully negotiated – with Ekapa Mining – formal access to 600 hectares of mine dump land to continue mining for diamond remnants. In tandem with this, the DMR granted two mining permits for shared use by the miners (DMR, 2018; *Solomon Star*, 2018).

Finally, with regard to their visions for the future, participants largely talked about their children. Participants were unequivocal

about the fact that they did not envision their children succeeding them as artisanal miners. In the words of one of the most successful miners, Zandi, the former soldier:

I want more than just the basics here in Samaria. I have a vision for our children and their children. I work here full time and am here for the future and future generations. I don't want my kids and theirs to come and do the pick and shovel. I want them to be our future leaders (Zandi, Focus Group 3, 28 May 2017).

CONCLUSION

Based on the existing, rather sparse body of literature on women in and women affected by mining in South Africa, supplemented by primary research undertaken, this chapter demonstrates how suboptimal use of female labour, destruction of community wealth and stunted social reproduction are the predominant experiences of women in mining in South Africa. The experience of female underground miners is argued to be an instance of the suboptimal use of female labour, the experience of female rural agricultural producers in northern KwaZulu-Natal an instance of both the destruction of community wealth and suboptimal use of female labour and the history of female asbestos mine workers an instance of stunted social reproduction. Artisanal diamond mining seems to be the one exception whereby mining is a relatively more positive experience for female artisanal miners, though these women do not see a future for their children in artisanal mining.

Broadly, underground mining and artisanal mining today, like asbestos mining in the past, provide an exit for women from unemployment and undervalued, typical female work. Though employed and earning relatively better than many female workers, female mine workers have endured and continue to endure particularly intense hardships, from the direct contact with asbestos for female asbestos mine workers, to the gender biased technologies and standards confronting underground miners, to the harsh living conditions faced by artisanal miners. Gendered power imbalance, discrimination, and violence against women are persistent in all these instances but to a

far less extent in artisanal diamond mining. Damage to health and harm to the reproduction of communities are the manifestations of mining-related destruction of community wealth, the major burden of which is carried by women.

If ample supply of land and relatively open access to it are the key structural conditions for the positive experience of female artisanal diamond miners in Kimberley, these provide some insight into the possibilities for future production inclusive of women and peoples of multiple ethnicities and nationalities. Similarly, worker-selected production teams, worker-determined pace of production, team-controlled earnings and co-operative structures for legal and administrative purposes are important features to retain from the fieldwork presented here. Beyond mineral extraction, these structures and features can be adapted to the production of various ecologically and socially sound goods, including the mining of waste discussed in other chapters of this volume.

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CHAPTER SIX

Abafazi Bayazbambela:¹ A gendered response to South Africa's agrarian question

KHWEZI MABASA

INTRODUCTION

South Africa's post-apartheid agrarian reform debates focus mainly on the formal agricultural sector (Bernstein, 1994; Makhaya and Roberts, 2013). The analyses examine the relationship between macroeconomic trends and developments in commercial agriculture, drawing attention to pertinent developmental indicators such as national food security, commodity prices, trade volumes and technological change (Kirsten, 2006; DAFF, 2014; Sihlobo and Kirsten, 2018). Some of the studies explore how state policy shifts since 1994 have altered market structures across the agricultural value chains (Makhaya and Roberts, 2013; Greenberg, 2015). All these themes feature prominently in

1 This is a Zulu phrase used by one of the interview participants to explain that African women can engage in subsistence farming without male or state assistance. The direct translation in English is 'they hold their own'.

ongoing public policy debates on land and agrarian reform, which have influenced the recently published report by the Presidential Advisory Panel on Land Reform and Agriculture (2019).

There are several researched positions on the policy proposals for future developments in formal commercial agriculture, which are well documented elsewhere and will likely shape the future of agrarian relations in South Africa (Greenberg, 2013; Sihlobo and Kirsten, 2018). However, the contributions are limited because they place emphasis on two main approaches in agrarian policy debates: the market-oriented productivist paradigm and the neo-Marxist political economy. The first prioritises market-led interventions, while the second shows that markets are imbued with structural class inequalities. Both approaches present policy solutions that reproduce and overlook gender inequalities in the agrarian political economy. They perpetuate the gendered disparities discussed in feminist agrarian literature in several ways (O’Laughlin, 2007; Razavi, 2011; Park et al., 2013; Tsikata, 2015).

South Africa is the most food secure country on the African continent, with a ranking of 48 out of 113 countries assessed in the Global Food Security Index (2019). The country exports valuable agricultural commodities to different global markets and is lauded for maintaining national food security (TRADE, 2013; Global Food Security Index, 2019). But several reports point out that household food insecurity persists (50 per cent), especially in low-income communities in rural and urban areas (Shisana et al., 2013). The disaggregated data indicate that race, class, gender and spatial development inequalities determine levels of food security (Shisana et al, 2013; Oxfam, 2014). Hunger is most prevalent in black African low-income communities and, in most cases, women experience more food insecurity than male counterparts (Moletsane and Reddy, 2011; Dodson et al., 2012; Oxfam, 2014). This trend raises several important questions regarding the relationship between South Africa’s agrarian political economy and food security. For example, why does a country with an industrialised agricultural system fail to feed all its citizens? How does the race-class-gender inequality dynamic influence agrarian relations in post-apartheid South Africa? And, more importantly, what policy interventions are required to transform the country’s agrarian structure?

These questions are debated largely within the confines of existing commercial agrarian market structures. I add a slightly different dimension to contemporary debates on agrarian reform in South Africa by examining the experiences of black African women in low-income, peri-urban areas. This gendered approach differs from previous South African agrarian policy debates, which are concerned primarily with transforming race and class power relations. The following discussion addresses this shortcoming by purposefully adopting a gendered analysis.

I argue that South Africa's agrarian development literature and state policies underestimate gender differences. Crucial social reproduction factors, such as the reproductive labour of women, the gendered nature of food insecurity, land access and women-led, informal food production, receive minimal attention. In the post-apartheid era, emphasis has been placed on a limited notion of agrarian transformation that privileges race relations in the commercial sector (Hart, 2008; Hart and Aliber, 2012; Cousins, 2019). This has subsequently led to the preservation of an agrarian structure that reinforces gendered socioeconomic inequalities (Walker, 2002). The post-apartheid agrarian political economy favours large-scale commercial farming, dominated by males, as the main source of food security and agrarian development (Sihlobo and Nel, 2016: 66).

This policy bias within the agrarian political economy is gendered because most small-scale subsistence farmers are women (Walker, 2002; O'Laughlin, 2007; CWGL, 2011). Black African women in low-income areas have responded to this structural challenge in dynamic ways, and they still maintain their small-scale food production within this unfavourable policy environment. This farming is a central part of their broader livelihood strategy, which includes several sources of income. The women use these multiple livelihoods strategies to reassert their economic agency and citizenship. This chapter goes further than existing studies on food security, which focus mainly on access to food without interrogating the role of working-class women in food production systems in any depth, and the different meanings associated with participation in agrarian development. These studies ignore the socio-economic value of active, women-led agrarian citizenship.

The chapter commences with a brief description on methodology. I then outline the main arguments presented in gendered analyses of the agrarian question, which illustrate how market-oriented productivist and neo-Marxian critical political economy approaches underestimate gender differences. This shortcoming is discussed using literature from feminist and neo-Marxist agrarian debates. The focus is on smallscale food production and the livelihood strategies employed by African women from low-income communities in peri-urban areas. The chapter conclude with four main policy insights emerging from the literature analysis and fieldwork evidence. Overall, I attempt to address the following core questions:

- What policy lessons can we learn from informal food systems led by women in African low-income communities?
- What forms of women-led, agrarian citizenship and development agency emerge from participating in these informal local food systems?
- How can the state support small-scale localised food systems?

METHODOLOGY

The methodology is based, first, on qualitative research because it places emphasis on comprehending ‘social interaction from the perspectives of insiders and participants in the interaction’ (Roberts et al., 2003: 49). Qualitative methods are more suitable for exploring research themes from a different perspective, while considering the broader sociological context within which social relations take place (Roberts et al., 2003; Burawoy, 2009). Second, an examination of relevant literature and policy documents on South Africa’s agrarian question is used. This includes primary and secondary information obtained from academic articles, state policies, financial media reports and books. Content analysis is important for situating the chapter’s discussion within contemporary agrarian public policy debates. It also allows the researcher to compare people’s lived experiences with government policy orientation and goals (Roberts et al., 2003: 66).

Third, I use data obtained from interviews conducted with 40

participants between 2017 and 2018 in my ongoing study on South Africa's post-apartheid agrarian question. These semi-structured interviews included both individual and focus group interviews with African women involved in small-scale food production in households and community gardens.

The women reside in Ermelo, which is a peri-urban area situated in Mpumalanga Province. It is part of the Msukaligwa Municipality, which has 164,608 residents. Africans make up 91 per cent of the population, white people 6 per cent, coloured people less than 1 per cent and Indians also less than 1 per cent. Women make up 49 per cent of the total population while males account for 51 per cent (Msukaligwa IDP, 2017: 66). The municipal survey data indicates that womenheaded households account for 37 per cent of homes in Msukaligwa (Msukaligwa IDP, 2017: 62). A purposive sampling technique was used to identify the participants. It is suitable because the research theme focuses on the experiences, perceptions and agency of a particular social group (Palys, 2008).

GENDERING THE AGRARIAN QUESTION

Gendered agrarian literature draws our attention to important oversights in market-oriented, productivist and neo-Marxian approaches. These authors agree with market structure and class inequality criticisms raised in neo-Marxist critiques of neoliberal agrarian policies (Hall, 2011; Makhaya and Roberts, 2013; Greenberg, 2015). But they highlight how both approaches focus on a limited conception of social reproduction in agrarian reforms, which pays insufficient attention to gendered social relations underpinning agrarian structural transformation (O'Laughlin, 2007; Razavi, 2011; Park et al., 2013; Tsikata, 2015). The gender dimension is underestimated in historical and contemporary debates on South Africa's agrarian question (Cousins, 2007; Bundy, 1988; Mtero, 2012; O'Meara, 1983). This explains why the contribution of reproductive labour, which supported capitalist development within and outside commercial agriculture, is omitted in this literature (Bradford, 2000; O' Laughlin, 2007; Tsikata, 2015). The unpaid reproductive labour includes child

rearing, food preparation, cleaning, home-based healthcare provision and household farming (Bradford, 2000; Razavi, 2011; Cock, 2016).

Shahra Razavi contends that 'the unpaid (non-commodified) provisioning of household members has been invisible to political economists of agrarian change and continues to be invisible in research on livelihoods' (Razavi, 2009: 200). Black African women's agricultural production in South Africa supplemented migrant workers' low wages throughout various historical periods. These women's agrarian agency sustained both informal and formal economies (Wolpe, 1972; Walker, 1982). Cherryl Walker explains this trend: 'As more and more men were sucked into the labour migrant machine, the women left behind came to play an increasingly important part in keeping the subsistence economies of the reserves functioning and, thereby, reproducing the supply of migrant workers' (Walker, 1982: 6).

This statement highlights the importance of factoring black African women's unpaid household labour into South Africa's political economy. It played an essential role in developing both mining and agricultural sectors (Bradford, 2000; Benya, 2015). Belinda Bozzoli's (1991) study, *Women of Phokeng*, also reveals black African women's roles in agricultural production during the early 20th century. Her account details a history of women's participation in agricultural production across different generations (Bozzoli, 1991: 44). One cannot comprehend this trend with an analytical framework that limits social reproduction to formal economy labour relations (Davis, 1981; Collins, 2000). This critique is important for contemporary agrarian policy debates. It widens society's conception of labour when examining the post-apartheid agrarian political economy structure. Agrarian policy-makers are encouraged to observe the historical and contemporary value of black African, women-led, subsistence agriculture and unpaid labour (Razavi, 2009; 2011).

Gendered analyses also criticise the state and market relations reductionism in agrarian studies and policy paradigms (Tsikata, 2015). They argue that existing literature sources reduce agrarian political economy institutional analysis to the national state and markets. This approach has neglected social relations in other institutions that shape resource allocations in agri-food systems. Agrarian feminist

writers cite several institutions, such as households, the local state, traditional authorities and community organisations, in their analyses (O'Laughlin, 2007; Park et al., 2013; Rakolojane, 2015). All these social institutions shape agrarian reforms, but the nature of this influence is determined by the sociological context. They emphasise linking national-level trends to sociological interactions in the local state, households and communities. This approach facilitates a deeper and more meaningful exploration of social relations. Dzodzi Tsikata (2015: 6) defines social relations as:

the structured and systemic interactions of different social groups and individuals within those groups for production, exchange, consumption and reproduction, which are governed by institutions such as markets, states, civil society and households. The key social relations within the agrarian political economies of sub-Saharan Africa are class, patron–client, gender, kinship and generation, as well as the host–stranger relations of race, nationality and local citizenship.

It is important to emphasise the household in gendered agrarian studies and social relations. Razavi (2009: 200) explains this observation:

Bringing the domestic arena into the analytical framework thus demands not only that we scrutinise what goes on inside domestic institutions – cooperation and conflict, pooling/sharing and inequality in resource allocation and in the division of unpaid work necessary to sustain the members of the household – but also that we tease out the interconnections between domestic structures and broader economic and political processes.

Most of the data and statistical analysis on agricultural production uses the household as the primary analytical unit (Aliber and Mdoda, 2015; Stats SA, 2020). These studies disaggregate the household information by employing several variables such as geographic location, type of farming, access to water and gender (Stats SA, 2016; 2019). According to Stats SA, 'More than half (52.8 per cent) of the

households involved in agricultural activities were headed by women whereas just below a half (47.2 per cent) were headed by males' (Stats SA, 2019: 10). This statistic informs us that more women-headed households are participating in household agricultural production. But the report does not discuss how this participation is impacted by broader structural factors in the agrarian political economy. It does, however, reveal that most households in the study farm for subsistence or additional income generation. 'The main source of income in these households is social transfers, followed by wages and then lastly farming activity' (Stats SA, 2019: 13).

The Stats SA (2019) report does not provide an in-depth gendered analysis beyond this demographic data. Nonetheless, it is important to note that women-headed households are more susceptible to hunger (Shisano et al., 2013; Oxfam, 2014; Stats SA, 2019). There is no account of the gender dynamics in the male-headed households involved in agriculture. An in-depth gendered view on both types of households is required in agrarian studies. It must place household dynamics within a broader context of social reproduction (Davis, 1981; Collins, 1998). This necessitates a shift in conventional household analyses in food and agrarian policy literature. Households exist within a sociological milieu characterised by unequal social relations based on race, class and gender (Rakolojane, 2015: 144). There are three central policy lessons in this critique on state and market reductionism:

1. Gendered agrarian analyses must link national and household trends.
2. Women-headed households are more involved in agricultural activities than their male counterparts.
3. Subsistence farming is essential for women's social reproduction and livelihood strategies.

Gendered agrarian literature supports the neo-Marxian critique of large-scale commercial agriculture. But it transcends market structure analysis and amplifies gender dimensions overlooked in critical agrarian political economy (Walker, 2002; Hart, 2008). Policies shaping post-apartheid state intervention have prioritised large commercial production while regarding 'subsistence farmers as relics of the era

of deliberate under-development' (Cousins, 2007: 7). Transformation in agrarian structures focuses on integrating commercial black farmers into existing market structures (Cousins, 2007; Hart, 2008). This policy orientation reproduces unequal gender relations with the agrarian structures in several ways. Most black African women practise subsistence farming for household consumption or small-scale trade in the informal economy (Walker, 2002; Hart, 2008; Stats SA, 2019). They fall within the country's two-and-half million small-scale black households farming in South Africa. This group comprises two million subsistence farming households and 167,000 households that use farming as a main or extra source of income; 80 per cent of these farming households are in the former bantustans and 13 per cent in urban areas (Aliber and Mdoda, 2015). Their main aim is to ensure household food security and obtain some additional income. This trend is in line with developments in sub-Saharan Africa, with black African women mostly engaged in subsistence and small-scale farming (Walker, 2002; O'Laughlin, 2007; CWGL, 2011).

The prioritisation of a male-dominated commercial sector underestimates the gender differentiation within agricultural production. It also influences state policy orientation and public resource allocation (Greenberg, 2015). This ultimately leads to the introduction of agricultural support programmes that 'tend to be gender blind and are often biased in favour of large farms' (CWGL, 2011: 10). South Africa's commercial agriculture is capital intensive and requires access to industrial inputs. Black African women experience greater challenges when trying to access finance, land and other productive resources (Njobe and Kaaria, 2015: 9). Inequitable access to land is important because it determines access to resources and other support measures in commercial agriculture (CWGL, 2011). This is a substantial challenge in the South African context, where gender inequalities in land ownership persist. Black African women's access to land is limited by the following factors: patriarchal family structures; systemic dispossession (including land grabs); unjust land governance by traditional authorities; and flaws in the Restitution of Land Rights Act 1994 (Claassens, 2014; Yeni, 2018; Presidential Advisory Panel on Land Reform and Agriculture, 2019). These factors

are shaped by various institutions in the agrarian political economy, such as traditional authorities, the local state, private companies and family structures.

Greenberg (2015) and Cousins (2007) argue that South Africa's agrarian policies see 'only commercial agriculture as real agriculture' (Cousins, 2007: 7). This policy paradigm relegates small-scale farming to welfare provision and food security, with a few black small-scale commercial farmers integrated into existing market structures in the agrarian system (Greenberg, 2015). There are three major problems with this policy orientation. First, it ignores the concentrated ownership in various segments of the agricultural value chain. There are several market barriers that stymie the increased participation of black-owned small, medium and micro enterprises (SMMEs) in the agri-food system (Makhaya and Roberts, 2013; Jara, 2014; Greenberg, 2015). Second, non-commercial small-scale farming, involving mostly women, is reduced to household food security. This limits the economic agency of black African women participating in agricultural production and determines the policy support they receive. Third, commercial neoliberal economic policies are a clear example of the 'free' market-based paradigm, which promotes deregulation and liberalisation with a minimal role for the state. South Africa's postapartheid agrarian reforms emerged in a largely neoliberal context and emphasised market-based agrarian reforms as opposed to a greater role for the state (with the state seen by advocates of market-friendly policies as inefficient). The liberalisation and deregulation of the agricultural sector – through the removal of credit and input subsidies, dismantling of single marketing channels and privatising agricultural cooperatives – are all part of these so-called market-friendly policies. Small farmers, the majority of whom are women, struggle to survive without significant state support in agriculture.

This policy approach minimises the real value and socio-economic impact of black African, women-led subsistence farming. It is reduced to a survivalist food security strategy that can develop only as part of the state's social development programme. Yet, evidence from literature and the interview sources discussed in the following sections counters this narrative. The value of this subsistence farming in the informal

agrarian economy transcends formal economy market indicators. It reasserts these women's agency in dynamic ways and provides some insights on how to approach agrarian social reproduction differently.

The pessimism and policy biases discussed earlier reflect flawed presuppositions regarding gendered divisions of labour in agrarian political economy relations.

Feminist theorists argue that women's marginalisation in economic, political and social spheres does not reduce them to passive prisoners or recipients of structural marginalisation. Rather, it provides opportunities to resist or develop collective responses in different ways.

ABAFAZI BAYAZBAMBELA: WOMEN-LED RESPONSES TO CONTEMPORARY AGRARIAN QUESTIONS

The discussion on black African women's subsistence farming is organised around the gendered political economy agrarian literature discussed earlier. Two themes are identified for this section: (1) households and social reproduction; and (2) women and agrarian citizenship. The social reproduction concept developed in this political economy theoretical framework is employed.

Households and social reproduction

The literature on household social reproduction points to several forms of unpaid labour performed by black African women. This labour comprises social reproduction activities such as child rearing, cleaning, healthcare and food production. Several policy and research literature sources argue that the responsibility for food security in low-income households is gendered. Women are expected to grow and prepare food for other family members (Dodson et al., 2012; Oxfam, 2014). Their reproductive labour is an essential part of household farming and food preparation. A black African woman participant, who has a food garden in her household, captured this point (Interview 7, 2017):

Everybody looks at the woman in the house when there is no food on the table. It does not matter whether she is employed or not. But a woman must always make a plan to get something on

the table for the night. A strong and hardworking black woman always makes sure that everyone is fed.

The gendered nature of household food security responsibility is not reduced to consumption in the formal retail sector and food preparation. The ability of black African women to develop and nurture a food garden, which supplements food obtained from retailers, is important. It is part of a broader household food security strategy that cushions these women from high food prices. Research reports on post-apartheid agrarian developments attribute price increases to financialisation, market collusion, food miles (the distance from production to consumer) and rising input costs. All these factors are caused by market structure consolidation and restructuring since 1994 (Makhaya and Roberts, 2013; Greenberg, 2015). So, it is evident that the formal agrarian markets impact low-income household's food security strategies. Participants also highlight the household garden's nutritional value because the crops are produced differently from those in commercial industrial agriculture. One participant emphasised the value of women-led household farming (Interview 13, 2017):

Women in rural areas and townships cannot buy all their household food items from retailers. They do not have enough money to do that and food is very expensive these days. Another problem is the quality of food because some retailers keep the food for long periods. A clever and industrious black woman starts her own garden to avoid the high prices and protect family members from possible health risks.

Household, women-led, subsistence farming also provides some level of economic independence. It ensures that women are not dependent on male partners for food security, and it supplements the monthly social transfer income in some cases. The idea of not depending on males for food security featured prominently in these discussions. It is informed by the prevalence of gendered violence within this community and past trauma from experiences with male partners. This observation is expressed in these succinct words (Interview 20, 2017):

I do not want to depend on a man for feeding my kids and grandchildren. There are many women in the community who have been abandoned by their partners. Some women also rely on financial resources from abusive partners to feed their families. I know that hunger is a big problem in this community, but this is not right.

Additionally, household farming is perceived as a form of selfemployment in an economy with minimal or short-term precarious employment for black African women. This is an interesting observation because most studies assume that citizens engaged in informal economic activity do not value their work. This is based on a belief that formality is the most suitable development pathway for all entrepreneurs and workers in the informal economy (Dooms, 2020). Yet, these women value their self-employment in the informal sector because it produces several socio-economic benefits. They produce food for household consumption and generating extra income in some cases. A statement uttered in an interview with a black African woman household farmer confirmed this perspective (Interview 10, 2017):

Most women are sitting at home waiting for some form of employment in the mines, farms or Transnet. This will not succeed because all these employers prefer to hire men. You are also expected to give more than a man when looking for a job. For example, a sexual favour. I always tell women that the most valuable employment, which gives life, is self-employment in your own garden. You produce food for your family and make extra money from selling the extra food. There is no one exploiting you.

The value attached to agrarian self-employment in the household is expressed in discussions on the future. Wage employment in the formal economy is presented as the panacea for gendered socio-economic inequality in most studies. This makes sense when one considers the disaggregated data on unemployment in households. It illustrates that unemployment is more prevalent among black African women

in low-income communities. Government's solution to this trend has been to introduce several interventions, which can rapidly increase wage employment for black African women. A prominent example is the Community Works Programme (CWP), which guarantees some part-time employment for citizens who are unemployed. Several black African women in low-income communities participate in this programme. Themba Masondo's (2018) comprehensive study on the CWP reveals how important it is for livelihood strategies in black African, women-headed households. Another policy proposition from government is supporting formal SMMEs led by black African women.

Household women farmers in this study hold a slightly different perspective on wage employment. They acknowledge the importance of addressing the general community unemployment issue, especially for youths. However, they insist that the ultimate solution for their socio-economic livelihood challenges is not wage employment. This belief was expressed in a debate on what measures government should take to support their future social and economic development. The group discussion concluded (Focus group 1, 2018):

We do not want government to organise wage employment for us in the mines or farms. Many males who work in the mines receive very little money and they always end up sick. Women who obtain part-time seasonal employment on farms also complain about low wages and bad treatment. So, for us, the future is in our own household and community farming. We do not want the exploitation, ill health or stress that comes with working on the mines or farms. Government must just support our current self-employment.

The discussion on household social reproduction and women-led home garden farming reveals some important insights. The first is the gendered nature of food production and preparation within low-income households. It is clear that the black African women's reproductive labour is still significant for securing food security and additional household income. The historical agrarian agency, discussed earlier in this chapter, is still prevalent in the post-apartheid era.

It is taking place within a different sociological context, with fewer low-income households relying on formal wages or remittances (Hall, 2011). There are multiple sources of income and livelihood strategies in households (Scully, 2016; Masondo, 2018). Food production is an essential part of these livelihood strategies because it ameliorates the negative effects of poverty or inequality.

Another insight is the impact of the post-apartheid agrarian structure on livelihood strategies in low-income households. Food prices and health practices in formal retail compel these women to seek alternative livelihood strategies so they are not over-reliant on formal markets. Agrarian relations on the national level, centred on state-market relations, also affect meso- and micro-level social institutions such as households. Therefore, policy-makers and stakeholders should not limit their analyses to the macro institutions.

The most important lesson is the conception and value attached to household and community agrarian labour. Participants do not reduce household/community farming to a welfare or poverty reduction strategy like mainstream policy-makers (Cousins, 2007; Greenberg, 2015; Hart, 2008). They perceive this labour as a form of self-employment, which increases their economic autonomy and agency. It also saves them from what they see as unjust exploitation in formal wage employment. This explains their preference for a post-formal, wage labour socio-economic intervention, which is built around their existing farming livelihood strategy.

Women and agrarian citizenship

The women-led agrarian agency discussed above is not confined to the household. It also influences social reproduction patterns and politics in communities. In this section, the discussion is broadened by exploring agricultural production in a collective garden led by black African women. It is important to note that I discuss both the collective farming and political agency required to sustain this production. This political agency cannot be reduced to productivist views on land and agrarian reform (see Chapter 7 in this volume). These views assess only output while ignoring the other meanings or uses associated with agrarian and land livelihoods (Ferguson, 2013). James Ferguson

explains: 'Attention to the broader question of land's multiple uses and meanings can help to explain why land is valued and desired in ways that agricultural utility alone cannot' (Ferguson, 2013: 168).

The notion of women-led agrarian citizenship is used in this section to show the deeper social meanings associated with the women's farming. It is drawn from the work of Hannah Wittman, who argues that active citizenship from the marginalised in rural and peri-urban societies drives structural reforms in agrarian political economies (Wittman, 2009: 806). The 'ability of a diverse array of rural actors to articulate and act on political demands constitutes an active citizenship that provides the foundation for improved access to material and ecological resources' (Wittman, 2009: 811). I provide a gendered analysis of the agrarian citizenship in the following sections using the women's community garden farming and organising strategies.

The women who farm in the collective gardens generate more income from agricultural production than those who rely solely on household production. The variety and volume of production in the community garden exceeds household agricultural production. Women who farm in collective gardens also benefit from the combined labour power and historical agricultural knowledge in the group. The farming skills and knowledge are not obtained from formal training in agricultural colleges or previous formal wage employment. Most of the women performed agricultural labour during their early childhood years in family households. This provided them with opportunities to obtain organic knowledge on farming, nutrition and ecological trends from mothers, aunts or grandmothers. Ugandan scholar Dani Nabudere (2011) argues that indigenous farming knowledge systems produce minimal ecological degradation. He believes that 'they have enabled millions of people to subsist for thousands of years in some of the most hostile environments all over the world' (Nabudere, 2011: 143).

Black African women have used this agrarian knowledge to respond to gendered inequalities within and outside agricultural market structures. This knowledge has improved food security within individual households and several social institutions. It is more impactful when it is shared and used for agricultural production in collective food gardens. The value of this knowledge is summarised by

a collective food garden member (Interview 18, 2018):

No one here went to agricultural school or worked for a white farmer. But we all have sufficient knowledge on crop farming, livestock breeding and ecological issues. This knowledge comes from our childhood days when we used to farm with our mothers and grandmothers. You would wake up and head to the family or community field early in the morning with no complaints. People always ask: who taught these women to farm and produce crops? They forget that we come from families with a peasant history.

The women have used this knowledge to build economic and political solidarity. The production system, knowledge-sharing, rules and use of the produce is not based on individualism or self-interest. Rather, it builds on the women's collective labour power and ideas on how to manage production within this communal space. The agricultural production relations among these women are organised around various solidarity economy principles (Bennie, 2014; Williams, 2014; Jara, 2019). Beyond sharing knowledge, farmers also share access to crucial inputs such as seeds, tools and fertiliser. They pool resources to deal with the perennial challenge of access to inputs. One collective garden sells its produce to self-employed women who sell cooked meals in public areas such as taxi ranks. This provides these women with an alternative source to obtain vegetables at a lower price than formal markets (Interview 16, 2018).

Another aspect of the solidarity economy is the approach to distributing crop production and income from crop sales. There is a crop basket quota for weekly household consumption and rules on how to share income from sales among individuals or micro-enterprises. Participants also state that they provide some crops to households in the community that experience high levels of food insecurity. All these practices signify how some solidarity economy principles are applied in organising production in the collective garden. However, this does not mean that there is no conflict or disagreement among members on certain issues. For example, one of the contentious matters is managing

water use and infrastructure in the collective garden. Limited water access and dysfunctional water purification systems exacerbate this conflict. But the women have attempted, with some level of success, to address this through a coordinated collective garden governance structure. It is convened weekly to discuss various issues related to the collective garden. The emphasis on solidarity and coordination was described (Interview 18, 2018):

We have attempted to create a system of sharing seeds, tools, water, income and crops. This coordination only works when everyone follows the rules and understands that farming in this garden is about serving the group's interests. I like that fact that we also learn and teach each other different methods of producing and managing crops. It is nice that women are helping each other to make a living through agricultural production. There will always be some conflict because we are human, and some members do not always follow the rules. But at least we are given the opportunity to discuss and fix our issues in the weekly meeting.

The emphasis on organising around women-led agricultural production is important from a gendered perspective. Participants emphasised that some males lead collective/communal gardens in the community. This point also features prominently in Brittany Kesselman's (2017) study on food gardens in Johannesburg. Her work proves how broader gender roles and power relations in society shaped gender interactions within communal gardens (Kesselman, 2017: 228–229). Women from this collective garden are proud that they do not rely on male labour or leadership to sustain their agricultural production. The Zulu phrase *Abafazi bayazbambela* was repeated throughout the discussions. According to the women, males in the community do not have the work ethic or patience to succeed in agricultural production. They also criticise men for being obsessed with waged labour in the mines. This criticism is outlined in this statement (Focus group 1, 2018):

Most men are untrustworthy and controlling. They want instant

gratification when it comes to economic or money issues. This is why they only perceive mine wages and formal employment as the best source of livelihood. They cannot see the potential provided by producing and selling your own crops. They become so stressed when they lose their mine employment. I am also happy that we do not have men in our garden because they will want to take over and control everything that happens here.

The discussion on collective or community gardens highlights how women-led agrarian citizenship operates in a collective production setting. It shows us the embedded knowledge on farming that these women possess. This is an important point because the legitimacy and credibility of women-led farming is always questioned. There is an implicit assumption in policy debates that presents subsistence farmers, especially women, as people with very little knowledge of farming or natural-resource management. These women counter this narrative. The attempts to coordinate and build economic relations, underpinned by some aspects of solidarity economy principles, is also noticeable. We see some evidence of how to think about localised food system value chains that can address gendered socio-economic inequalities.

Furthermore, the collective garden experience provides some insights into how to manage agricultural production in communal settings. Women-led agrarian citizenship is also reaffirmed through focusing on the strengths of collective women agricultural production.

CONCLUSION: STATE POLICY INTERVENTIONS

Black African women who farm in the informal economy encounter several systemic challenges. These structural impediments cannot be separated from broader trends in South Africa's post-apartheid agrarian structure. The discussion in previous sections emphasises how participants value their self-employment and agricultural production. They do not want it replaced by formal wage labour or alternative formal livelihood strategies. Rather, state intervention must support them to develop their subsistence farming in different ways. The first intervention should focus on access to land and supporting

infrastructure (especially fencing) for sustainable agricultural production. As argued earlier, gender inequalities are still prevalent in land access and ownership patterns in South Africa. The state has focused largely on land reforms within the confines of market relations in the formal commercial agrarian economy. It is essential to factor in the land and infrastructure needs of small-scale black African women farmers in the informal economy. As one participant from the collective garden explains (Interview 23, 2018):

We could really improve our agricultural production if government provided us with more land and suitable fencing. Our current land is not enough because more women want to join us. We also need proper fencing because animals always come in and eat or destroy our crops. They have promised to give us unused municipal land and we are still waiting.

The second intervention relates to the point made in earlier sections about the solidarity economy. This development paradigm is encouraging society to design local economic systems, which focus on linking social enterprises or cooperatives through ‘forward and backward linkages’ (Williams, 2014: 52). The discussions in previous sections illustrates that the women farmers are already establishing localised value-chain links with other actors in the food system. Government should support the growth and development of these food system linkages through localised farmers’ markets. This strategy has produced positive results for small growers in countries such as the United States of America, India and Brazil. The process does not have to be driven by government only. There are several non-governmental organisations working on food systems within local municipalities that can provide valuable advice on how to connect with informal economy farmers and other SMMEs in the food system.

Another crucial form of state support is public procurement through the provincial government’s nutrition programme. It should be decentralised so that local women producers can access demand for their produce. One participant described her future vision (Interview 6, 2017):

We want our produce to be bought by the government one day, so people eat our crops in schools, hospitals and day-care centres. But it is very difficult because the system works with formal agricultural businesses which have access to land, finance, inputs and information.

Third, it is essential to place gender differences at the centre of agrarian policy development and food systems planning. But the approach to gender inequality must be based on an appreciation of race, class, sector and geographical differences. A blanket approach to gender transformation, which ignores intersectional inequalities among women participating in the agrarian political economy, is not useful. It will intra-gender inequality in the agrarian structure while integrating a few black African middle- and upper-class women. The gendered agrarian approach must consider food security and agricultural household production data, which specify women households who should be targeted beneficiaries of a gender-sensitive agrarian strategy. The reformed strategy must also consider other livelihood sources that maintain social reproduction in households. There must be policy coordination between this gender-sensitive agrarian strategy and the national policies governing other livelihood sources.

Fourth, the approach to dualism in South Africa's agrarian policy frameworks needs to be reconsidered. Previous attempts to address this challenge have focused on integrating some black farmers into existing market-value chains. This chapter has highlighted the major shortcomings of this approach and highlighted the inherent gendered policy bias contained in its logic. I suggest that the most sustainable policy solution to dualism is the reconstruction of agrarian value market structures through industrial, competition and land reform policies. This requires effective policy coordination across several departments and a holistic development paradigm. Policy-makers cannot implement this recommendation successfully if they favour the current model, with its concentrated patterns of ownership and gender inequalities across the value chain.

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CHAPTER SEVEN

Gendered dimensions of migration in South Africa: Governance and implications for livelihoods

DAVID FADIRAN AND HAMMED AMUSA

INTRODUCTION

As an enduring feature of human existence, migration is a social and complex phenomenon that continues to influence human life. This influence stems largely from its impact on the environment in which it occurs and the factors that drive it. As a key element of an increasingly globalised world, international migration has increased considerably over the past five decades. According to the International Organization for Migration, in 2020, almost 281 million people or 3.6 per cent of the global population, lived in a country other than their country of birth. This number was about 128 million more than the 1990 figure of 153 million (or 2.9 per cent of the global population), and over three times the estimated 84 million in 1970.

The social and political dynamics of migration in Africa have mirrored the global trend, with a steady upward trajectory of migration

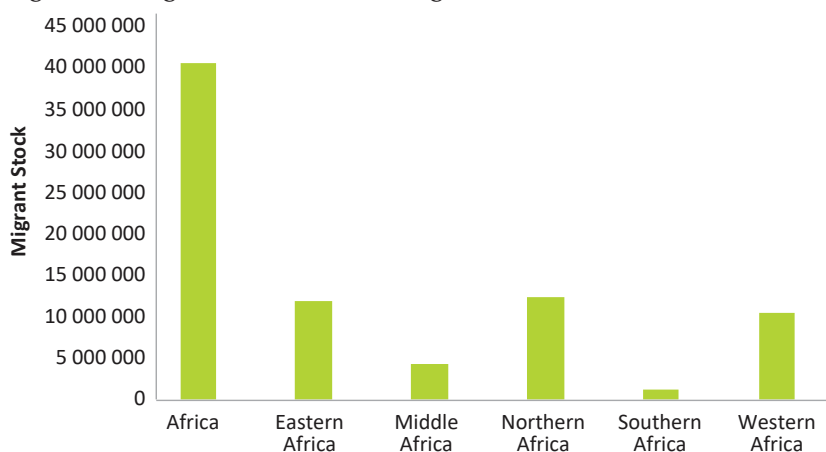
flows since 2000 and, alongside mortality and fertility rates, manifested as one of the basic components or drivers of population growth across the continent (Pew Research Center, 2015). Through migration, an estimated 21 million Africans resided in another African country in 2021. This figure represents a considerable increase from 2015 when an estimated 18 million Africans were classified as living in African states that were not their country of citizenship or birth. A key feature of Africa's migration is that it is largely intracontinental, with the 21 million migrants living within the continent accounting for around 53.2 per cent of the 39.4 million African-born migrants in 2020.

In 2020, the largest share of all international migrants in Africa – 55.7 per cent – was hosted in East Africa (29.6 per cent) and West Africa (26 per cent) (see Figure 7.1). Uniquely, despite accounting for the smallest share of Africa's migrants, South Africa, the largest economy in the sub-region – remains the most attractive destination country in Africa with 2.9 million international migrants living in the country (McAuliffe and Triandafyllidou, 2021). The observed increase in migration is driven by a varied combination of push-pull factors largely linked to five key areas identified by Virupaksha et al. (2014: 233–239) and Diop and D'Aloisio (2007):

- personal or familiar (when people contemplate an intentional project of emancipation and improvement of conditions and prospects, particularly aimed at children);
- political (flight from wars, regimes, instability, persecution);
- economic (unemployment, poverty, absolute or relative deprivation, backwardness);
- social (terrorism, crime, violence, banditry, low security, inequalities and discrimination, religious conflicts); and
- cultural (fascination with different/external cultures when local practices and traditions are deemed archaic and restrictive).

An emerging feature of the rising trend in international migration is the increasing presence of women, especially in least-developed countries (LDCs). Analysis of global patterns of migration indicates that the number of female migrants has risen dramatically and almost tripled in the past 60 years, rising from 46 million in 1960 to 135

Figure 7.1: Migrants: Africa and its regions, 2020



Source: UNDESA (2020)

million in 2020 (Abel and Cohen 2022: 173). The African continent has not been immune from this global trend, dubbed the ‘feminisation of migration’. In Africa, female migration is largely a new phenomenon that is increasingly changing the traditional pattern of migration within sub-Saharan Africa from one that was male-dominated, long-term and long-distance towards mobility that is increasingly feminised (Masanja, 2012). In 2020, over 46 per cent of migrants on the continent were female, but was closer to 50 per cent in central, northern and southern African regions during the same period (UNDESA, 2020).

Anecdotal evidence suggests that the increased migration of women, who had traditionally remained at home while men moved around in search of paid work, is driven by a desire to fulfil their own economic needs and not simply join a husband or other family member. The increased independent female migration is not confined by national borders. Driven by urbanisation and struggles for survival, women – both single and married – are now migrating independently in search of secure jobs in richer countries or regions, thus redefining traditional gender roles within families and societies (Adepoju, 2006).

There is a scholarly view (see for example, Beauchemin and Bocquier, 2004; Collinson et al., 2006; Collinson, 2009; Beguy et al., 2010; Reed et al., 2010) of feminisation as a core dimension of the new age of international migration and globalisation. Despite this, research

and debates about drivers of migration and associated demographic and economic impacts have focused almost exclusively on men. While there are growing numbers of studies, in the context of African migration, that include women, the focus remains largely inadequate given the often-utilised approach of merely extending the frameworks developed to understand men's employment outcomes to women (Souza, 2020).

The remainder of the chapter is organised as follows: the next section gives a brief overview of some of the theories and frameworks that guide our analysis, including a comparative summary of livelihood strategies for migrant women in Africa and South Africa, followed by an empirical discussion of the determinants of female migration. Some insights into related aspects of migrant productivity and employment follow. Drawing on insights into the economic dimensions of female migration, the chapter analyses the institutional and governance dynamics that impact gendered migration. The chapter concludes with recommendations and conclusions.

A FEMINIST PERSPECTIVE OF IMMIGRANT
WOMEN IN THE AFRICAN DIASPORA:
THE SEARCH FOR RECOGNITION IN THE
FORMAL AND INFORMAL SECTOR

The intersections of gender, immigration and labour policies strongly influence the migratory experiences of female migrants in ways different from those experienced by African men. Given this, and the need to ensure that migration fosters inclusive development and contributes to reducing inequalities and poverty, it is imperative to establish an understanding of the gendered dimensions of migration. It is also important to understand the associated implications for labour markets, productivity and social and economic opportunities both for migrants themselves and for their destination regions. This chapter aims to develop this understanding by building on extant literature (see, for example, Camlin et al., 2014; Popoola et al., 2021; Sharp, 2021), to analyse the drivers and implications of female migration in the African and South African context and examine – from the perspective

of gendered migration – the drivers of migration, its institutional dynamics, and its implications for lives and livelihoods.

Several different frameworks for exploring migration are adopted in this chapter. These range from pure economic theory, such as neoclassical economic theory, to frameworks targeted at the migration of women, such as the feminisation of migration, intersectional approaches and gendered geographies of power. Neoclassical economic theory posits that labour relocates from areas of low productivity (typically poorer, less stable economies) to relatively more productive locations. This migration can be driven by wage differentials and would, by definition, augment productivity in the recipient country (Kurekova, 2011: 6–9). This is evidenced in the section discussing immigration and productivity. With regard to the varied frameworks for exploring the gendered aspect of migration, intersectional approaches recognise that other identities such as race, age, etc., also influence migratory patterns and experiences. And this encapsulates some of the issues we explore, such as governance, that may drive the South–South migration of women. This intersectional approach was first introduced by Crenshaw in 1989 but has been adopted and influential in the critical assessment of health outcomes for migrants (Viruell-Fuentes et al., 2012: 2099–2106), particularly women migrants in Asia (Chun et al., 2013: 917–940). This approach is also guided by the framework of the feminisation of migration, which focuses on the increasingly gendered nature of migration, and the potential push–pull factors accounting for it (Chammartin, 2002; Donato and Gabaccia, 2016). Further, the gendered geographies of power posit that the dynamics of power, along different hierarchies and scopes, have significant influence on the drivers of female migration and their lived experiences.

LIVELIHOOD STRATEGIES FOR MIGRANT WOMEN: THE AFRICAN CASE AND SOUTH AFRICAN CONTEXT

The world is increasingly confronted with instability of various kinds: climatic, political, geopolitical and economic. Developing countries are on the front line of the economic and social consequences of

these multiple shocks. Women are particularly vulnerable to these disturbances and, like men, more and more of them are turning to emigration to escape from vulnerability. For Africa, the spotlight is often placed on emigration to northern countries because of the millions of women, men and children who take reckless risks to reach Europe via the Mediterranean in search of better living conditions (De Haas, 2010; Flahaux and De Haas, 2016; Gnimassoun and Anyanwu, 2019). African migration also concerns the emigration of talents, commonly known as the brain drain. However, this South– North migratory dynamic should not hide the reality of South–South migration, in particular migration between African countries, and its gender component. Indeed, contrary to collective belief, the majority of African men and women who leave their country remain in Africa. According to United Nations data on global migration (UN, 2023) in 2020 a majority of worldwide African migrants (51.5 per cent) lived in Africa, although the trend has been declining since the 1990s (UNDESA, 2020). Female migrants are more likely to stay in Africa than their male counterparts, as the majority of African female migrants (53 per cent) lived in Africa in 2020 compared to half of male ones.

Historically in southern Africa, men from countries such as Malawi, Mozambique and Zimbabwe were prioritised to work in gold mines, while women worked in the informal sector as domestic workers, among other roles (Tati, 2008: 423–440).

Across the African continent, the flow and movement of immigrants between countries has increased considerably in recent decades, from 12.75 million in 2000 to nearly 21 million in 2020, an increase of 64 per cent in 20 years as shown in Table 7.1. The same dynamic is observed for intra-African female migration, which increased by 66 per cent over the same period, going from 6 million in 2000 to 10 million in 2020. However, the ratio of female immigrants has remained generally constant, around 47 per cent.

For South Africa's part, UN data shows that the number of African immigrants increased 2.6 times over the same period, going from 0.7 million in 2000 to 1.85 million in 2020 with a notable increase in the ratio of female to male immigrants. However, the ratio of female immigrants in the country remains 6 percentage points below the African average.

Table 7.1: Dynamics of immigration by gender (millions)

	Africa				South Africa			
	Total	Female	Male	Female ratio (%)	Total	Female	Male	Female ratio (%)
1990	13.43	6.31	7.12	46.99	0.75	0.22	0.53	29.30
1995	14.18	6.73	7.45	47.44	0.70	0.24	0.46	33.82
2000	12.75	6.02	6.73	47.24	0.70	0.26	0.44	36.90
2005	13.41	6.19	7.22	46.18	0.94	0.37	0.58	38.94
2010	14.57	6.82	7.75	46.83	1.54	0.61	0.93	39.80
2015	18.20	8.66	9.54	47.59	1.83	0.81	1.02	43.99
2020	20.92	10.01	10.91	47.85	1.85	0.78	1.07	41.96

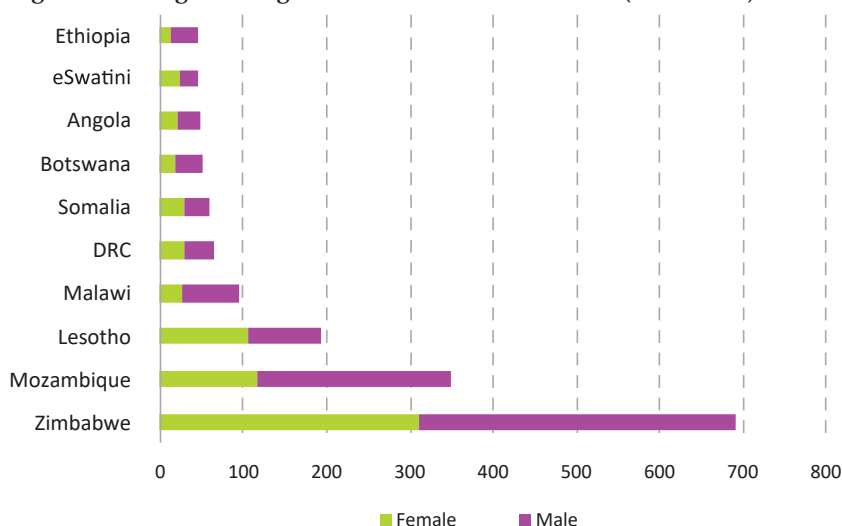
Source: UN (2023)

Several countries of origin are involved in immigration to South Africa: Figure 7.2 shows the top 10. The neighbourhood effect comes into full play, with South African migration dominated by migrants from Zimbabwe, Mozambique and Lesotho with 690,000, 350,000 and 192,000 people respectively, including 45 per cent, 33 per cent and 55.6 per cent women respectively. South African migration from predominantly Lesotho and eSwatini has the particularity of being dominated by women seeking employment in the informal sector.

Although the flow of African immigrants is increasing significantly, the rate of intra-African¹ immigration remains very low with strong heterogeneity between countries. Table 7.2 presents the total and intra-African immigration rates in 2020 by country and gender. It appears that the immigration rate in Africa – stock of immigrants proportional to population – is 1.6 per cent (1.5 per cent for intra-African immigration) with a female ratio of 47.2 per cent. South Africa has a total immigration rate of 3.7 per cent and an intra-African immigration rate of 3.1 per cent with a female ratio of around 42 per cent. The country thus appears in 11th position among African

¹ 'Intra-African' migration refers to movements both within and between African states, including the movements of migrants who repeatedly leave from and return to their home countries.

Figure 7.2: Origin of migrants in South Africa in 2023 (thousands)



Source: UN (2023)

countries with the highest rates of intraAfrican immigration. The five African countries with the highest intraAfrican immigration rates are, respectively, Gabon (17.3 per cent), Djibouti (10.9 per cent), Ivory Coast (9.4 per cent), The Gambia (8.7 per cent) and the Republic of Congo (6.6 per cent). Conversely, Algeria, Madagascar, Lesotho and Morocco show the lowest rates, below 1 per cent. These variations in immigration rates hide diverse microeconomic and macroeconomic motivations for migration within Africa, including female migrants.

Although the absence of microeconomic data limits understanding of the motivations for migration between African countries, the existence of aggregate data allows us to identify some important stylised facts linked to economic theory. The gravity models often used in empirical work on international trade offer an adequate framework for understanding the determinants of immigration.

Table 7.2: Immigration rate of African countries in 2020

Country	Immigration rate (%)					African immigration rate (%)				
	Rank	Total	Female	Male	Female ratio	Rank	Total	Female	Male	Female ratio
AGO	44	0.45	0.19	0.26	42.3	42	0.43	0.18	0.25	42.0
BDI	18	2.63	1.34	1.29	50.8	17	2.62	1.33	1.29	50.8
BFA	13	3.23	1.70	1.53	52.6	9	3.23	1.70	1.53	52.6
BWA	8	4.14	1.72	2.42	41.5	8	3.36	1.43	1.93	42.5
CAF	28	1.32	0.64	0.68	48.5	29	1.08	0.53	0.55	48.8
CIV	4	9.44	4.21	5.23	44.6	3	9.44	4.21	5.23	44.6
CMR	21	2.12	1.07	1.05	50.6	19	2.09	1.06	1.03	50.6
COD	32	1.03	0.52	0.50	51.1	31	1.03	0.52	0.50	51.1
COG	7	6.87	3.12	3.75	45.5	5	6.55	2.98	3.58	45.4
COM	30	1.18	0.62	0.56	52.4	28	1.13	0.60	0.53	52.9
CPV	19	2.53	1.25	1.29	49.1	21	1.86	0.90	0.96	48.4
DJI	3	11.42	5.45	5.97	47.7	2	10.89	5.17	5.71	47.5
DZA	50	0.11	0.05	0.06	47.0	51	0.03	0.02	0.02	45.7
EGY	46	0.37	0.18	0.19	48.4	46	0.14	0.07	0.08	48.0
ETH	35	0.92	0.47	0.46	50.4	33	0.92	0.46	0.46	50.4
GAB	1	18.23	6.53	11.70	35.8	1	17.29	6.21	11.08	35.9
GHA	29	1.31	0.59	0.72	45.1	26	1.28	0.58	0.71	45.1
GIN	38	0.84	0.35	0.49	41.4	38	0.73	0.30	0.43	41.6
GMB	5	8.66	4.11	4.55	47.5	4	8.66	4.11	4.55	47.5
GNB	37	0.85	0.43	0.42	50.5	36	0.80	0.41	0.40	50.5
GNQ	40	0.75	0.35	0.40	46.5	44	0.25	0.10	0.15	38.3
KEN	24	1.82	0.91	0.92	49.6	22	1.82	0.91	0.92	49.6
LBR	25	1.61	0.70	0.91	43.5	24	1.55	0.68	0.87	43.8
LBY	6	7.57	2.17	5.40	28.7	16	2.72	0.76	1.96	27.8
LSO	49	0.11	0.05	0.06	44.6	49	0.06	0.03	0.03	44.9
MAR	47	0.23	0.11	0.12	48.5	48	0.07	0.04	0.04	48.5
MDG	51	0.09	0.04	0.05	43.1	50	0.04	0.02	0.02	43.1
MLI	20	2.27	1.11	1.16	49.0	18	2.10	1.03	1.07	49.1
MOZ	33	0.97	0.49	0.47	51.2	32	0.94	0.48	0.45	51.7
MRT	15	3.13	1.33	1.80	42.6	13	3.09	1.32	1.77	42.6
MUS	23	1.87	0.78	1.09	41.9	45	0.19	0.09	0.10	46.1
MWI	39	0.80	0.41	0.39	51.4	37	0.79	0.41	0.38	51.5
NAM	10	3.86	1.76	2.10	45.5	15	2.85	1.25	1.60	43.8

Country	Immigration rate (%)					African immigration rate (%)				
	Rank	Total	Female	Male	Female ratio	Rank	Total	Female	Male	Female ratio
NER	26	1.38	0.73	0.65	53.1	25	1.38	0.73	0.65	53.1
NGA	43	0.57	0.26	0.31	45.5	41	0.57	0.26	0.31	45.5
RWA	9	3.90	1.93	1.97	49.6	6	3.90	1.93	1.97	49.6
SDN	17	3.08	1.55	1.53	50.3	14	3.07	1.55	1.52	50.3
SEN	27	1.38	0.63	0.75	45.9	27	1.26	0.57	0.69	45.5
SLE	41	0.66	0.29	0.37	43.5	39	0.63	0.27	0.36	43.4
SOM	48	0.22	0.10	0.12	46.8	47	0.14	0.06	0.07	46.9
STP	34	0.95	0.47	0.48	49.7	34	0.90	0.45	0.45	49.8
SWZ	31	1.10	0.47	0.64	42.4	30	1.07	0.45	0.62	42.0
SYC	2	12.53	3.69	8.84	29.4	20	2.05	0.70	1.36	34.0
TCD	14	3.23	1.77	1.46	54.8	10	3.23	1.77	1.46	54.8
TGO	16	3.12	1.52	1.59	48.9	12	3.10	1.52	1.58	49.0
TUN	45	0.41	0.19	0.21	47.7	43	0.27	0.13	0.14	47.8
TZA	42	0.65	0.33	0.33	50.0	40	0.63	0.32	0.31	50.2
UGA	11	3.76	1.95	1.81	51.9	7	3.74	1.94	1.80	51.9
ZAF	12	3.72	1.58	2.14	42.3	11	3.12	1.31	1.81	41.9
ZMB	36	0.89	0.43	0.46	48.5	35	0.83	0.40	0.42	48.8
ZWE	22	1.88	0.81	1.07	43.1	23	1.80	0.77	1.02	43.1
Africa		1.57	0.74	0.83	47.2		1.47	0.70	0.77	47.6

Source: Authors' adaptation of Abel and Cohen (2022: 173) migration data computations

Note: see Appendix for a key to the country abbreviations used.

FEMALE IMMIGRATION, SECTORAL PRODUCTIVITY AND INFORMAL EMPLOYMENT

The empirical framework adopted draws on several empirical studies in recent years, including the work of Ortega and Péri (2014: 231–251), Gnimassoun (2023: 785–817) and Coulibaly et al. (2020). However, this work does not distinguish the determinants of migration by gender, which could suggest that the motivations for migration of men and women are the same. The countries that attract migrants are the countries in which the living conditions of the populations are better and/or which offer a better institutional framework. In addition to economic and institutional motivations, geographical locations, networks or diaspora effects play a role in the dynamics of migration.

Furthermore, conflicts and wars as well as increasingly significant climate change are potential causes of migration between countries.

In the context of this chapter, we propose to estimate a gravity model to better understand the determinants of immigration in Africa and South Africa for both female and male immigration. To this end, we explore the literature for insights into the various determinants:

- geographical (the distance between countries, the sharing of a common border);
- economic (the level of income per capita in the country of departure and the sharing of a common currency); and
- linguistic (the sharing of a common ethnic language).

To these traditional determinants, we added the trade openness rate as well as variables measuring political instability (the propensity for conflicts and wars) and climatic instability (the frequency of climaterelated disasters). Indeed, conflicts and wars, as well as climatic disasters, are potential sources of migration from one African country to another, especially female migration.

The results of the empirical exercise undertaken in this chapter, which relate to 52 African countries over the period 1990 to 2020 with immigrant data available every five years, are summarised in Table 7.3. They confirm well-established empirical results in the literature while providing new lessons on the causes of immigration by gender, particularly in South Africa. For Africa as a whole, there is no fundamental difference in the determinants of immigration by gender. Factors that lead to an increase in female and male immigration rates include diaspora networks; the size of a country of origin; conflicts; wars in countries of origin; sharing of a common currency; a common border; and a common ethnic language with the country of origin. However, the intra-African immigration rate declines with distance and a relatively high level of per capita income in the country of origin. In other words, the immigration rate is higher when the standard of living in the country of origin is low, which is an expected result. This is also

in line with neoclassical economics, which suggests migration of labour in search of better relative wages. Nevertheless, it seems that the diaspora effect is less for women than for men, while women seem to benefit more from geographical proximity. This observation is suggestive of the feminisation of the migration framework, that is, the drivers for men may not be exactly the same as drivers for women.

Women migrants may be migrating for reasons beyond accompanying their families or other male household representatives.

Table 7.3: Determinants of immigration – a gravity model

Variables	Immigration in Africa			Immigration in South Africa		
	Total	Female	Male	Total	Female	Male
Immigration rate in 1990	5.496***	5.266***	5.689***	2.184**	1.360	2.657***
	(0.399)	(0.416)	(0.393)	(1.005)	(1.064)	(0.997)
Ln distance	-0.905***	-0.931***	-0.882***	-1.034***	-0.941***	-1.114***
	(0.041)	(0.042)	(0.041)	(0.152)	(0.155)	(0.163)
Trade openness rate	0.004	0.006	0.002	0.515***	0.703***	0.379**
	(0.008)	(0.007)	(0.008)	(0.186)	(0.188)	(0.191)
Common currency	0.673***	0.613***	0.726***	0.037	0.174	-0.071
	(0.107)	(0.105)	(0.111)	(0.209)	(0.229)	(0.210)
Common border	2.039***	2.155***	1.946***	2.239***	2.355***	2.152***
	(0.102)	(0.104)	(0.103)	(0.399)	(0.413)	(0.405)
Common ethnic language	1.079***	1.074***	1.081***	0.924***	0.834***	0.982***
	(0.113)	(0.113)	(0.114)	(0.179)	(0.185)	(0.194)
Ln population, origin	0.164***	0.163***	0.165***	0.568***	0.597***	0.555***
	(0.048)	(0.050)	(0.048)	(0.102)	(0.118)	(0.096)
Ln GDP per capita, origin	-0.253***	-0.273***	-0.235***	-0.325***	-0.321***	-0.330***
	(0.048)	(0.049)	(0.048)	(0.089)	(0.092)	(0.092)
Conflicts/wars, origin	0.192***	0.199***	0.186***	0.108***	0.108***	0.105***
	(0.024)	(0.025)	(0.024)	(0.027)	(0.032)	(0.025)

Gendered dimensions of migration in South Africa

Climate-related disasters freq., origin	-0.022	-0.024	-0.021	0.016	0.013	0.017
	(0.016)	(0.016)	(0.017)	(0.025)	(0.027)	(0.024)
Constant	0.521	0.030	-0.354	-4.229**	-6.404***	-3.856*
	(0.793)	(0.819)	(0.782)	(2.135)	(2.245)	(2.216)
Observations	16,890	16,890	16,890	333	333	333
R-squared	0.423	0.435	0.404	0.791	0.756	0.809

Source: Authors' own compilation

Note: Heteroskedasticity-robust standard errors are in parentheses. The symbols – *, ** and *** – denote significance at the 10 per cent, 5 per cent and 1 per cent confidence level, respectively. Regressions are performed using the PPML estimator to overcome the heteroskedasticity problem (see Silva and Tenreiro, 2006, 2010).

The results for South Africa show more marked differences in the determinants of immigration by sex. For example, the network effect, namely family relationships, acquaintances or friendships with former migrants (measured by the immigration rate in 1990), does not play a role at all for women, while it is decisive for men. This suggests an even stronger feminisation of migration is occurring when the focus is on South Africa alone. Furthermore, trade is an important determinant of immigration in South Africa although it is not decisive on a continental scale. In addition, bilateral trade favours female migration to South Africa more than male migration. Contrary to the results for Africa as a whole, the sharing of a common currency does not influence the immigration rate in South Africa, neither for female nor male immigration. Although climate poses an enormous challenge for Africa, the results of the empirical approach employed in this chapter show that climatic disasters in countries of origin have not been decisive in the dynamics of immigration rates in Africa in general and in South Africa in particular over the 1990 to 2020 period. But these results do not predict what could happen in the future with the runaway climatic phenomena.

Immigration status is decisive for the living and working conditions of migrant women. Yet, most intra-African labour migration, particularly low-skilled migration, occurs outside formal legal

channels, which leads to undocumented status and the concentration of women in the informal economy (see UNCTAD, 2018). This irregular migration status is often made more by restrictions on the mobility of people such as temporary migration programmes, which increase the vulnerability of migrants. This is particularly true for female migrant workers, who are overrepresented in the informal sector and among undocumented workers (ILO, 2020). Furthermore, while formal recruitment offers greater job security, labour demand for female migrants is often the result of gender stereotypes and tends to exploit their marginalised social and economic situation in order to recruit a flexible workforce.

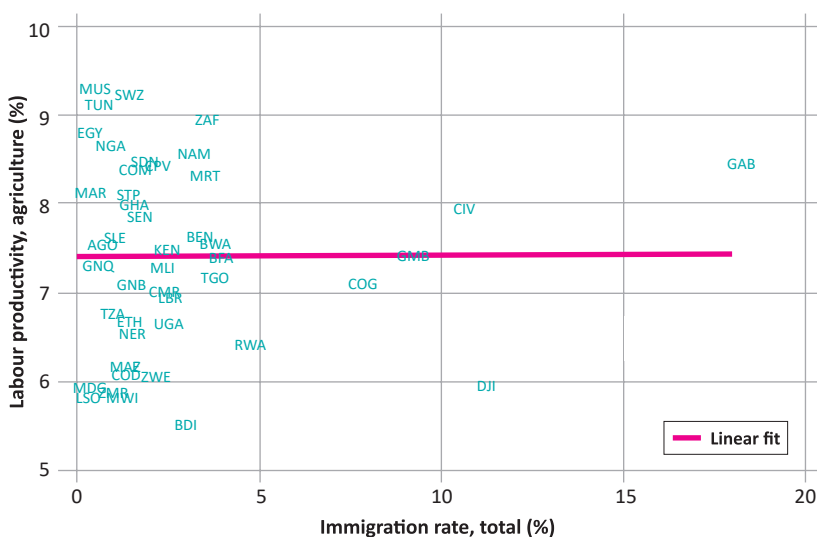
According to Ncube et al. (2020: 1165–1185), labour policies force many migrant women to take any available job even if these don't match their qualifications and skills. This situation accentuates the economic and social precariousness of female migrants and affects their productivity. This is the case in South Africa for migrant women from Zimbabwe. Although a majority of them have completed secondary and higher education, they are likely to take up low-skilled and low-paid jobs to facilitate their adaptation to the local labour market. This situation is mainly explained by the non-recognition of their foreign qualifications and prejudice against foreign education.

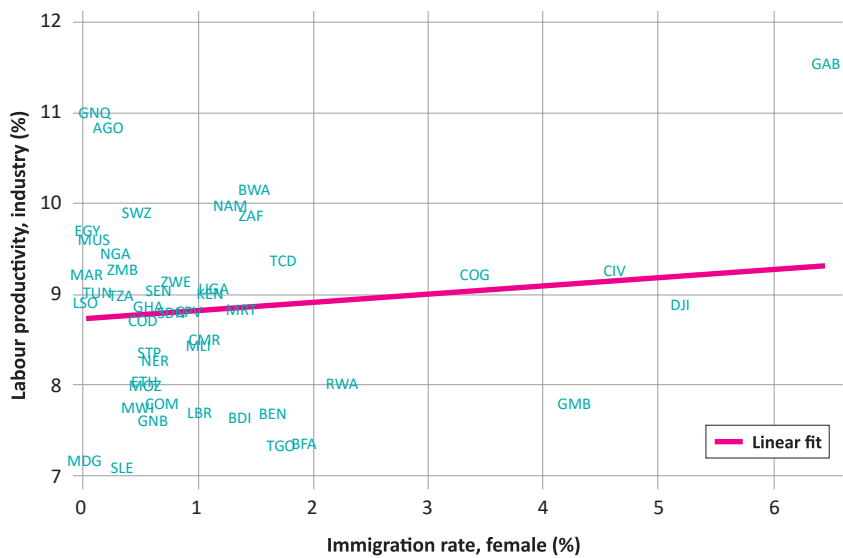
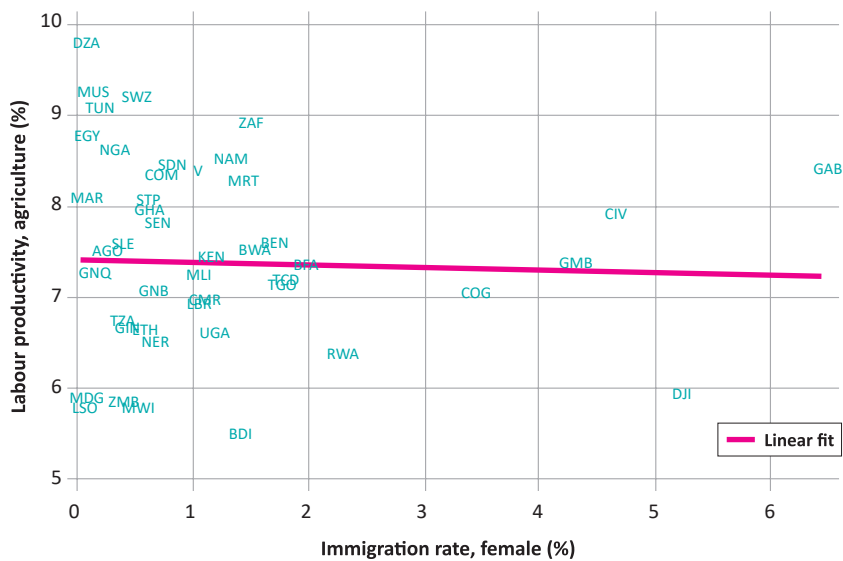
Across the continent, immigration is driven by economic sectors such as agriculture, mining and construction. Developments in services such as domestic work, cleaning, catering, hospitality and retail are also important drivers of immigration across Africa. Particularly in South Africa – the primary destination for African migrants – domestic work is one of the sectors driving female migration (see ILO, 2022).

The precariousness that characterises the situation of migrant women in host countries is likely to undermine their productivity regardless of their enormous potential. Despite the lack of disaggregated data on migration between African countries, empirical studies on macroeconomic data highlight relationships between immigration and labour productivity in Africa. Gnimassoun (2023), for example, shows that intra-African immigration has a significant and positive impact on labour productivity in Africa, particularly in the services sector. However, this study does not examine whether this relationship differs

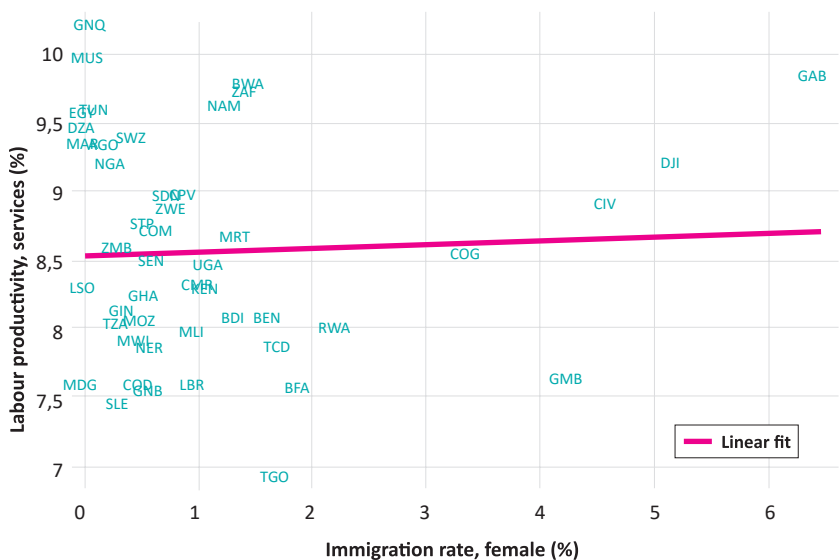
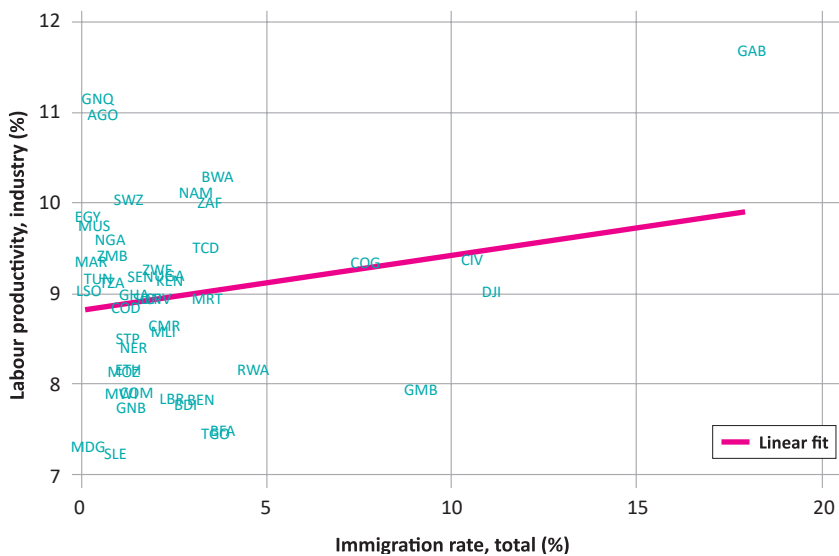
according to the sex of the migrants. Figure 7.3 represents the scatter diagrams relating labour productivity by sector, measured by the value added per worker in a particular sector, and the rate of immigration (total and female) in African countries in 2015. If the relationship between the rate of female immigration and labour productivity in agriculture is weak, there is a positive relationship between the rate of immigration and labour productivity in the service and industrial sectors. This relationship holds for both total immigration and female immigration. Although this type of relationship requires a solid empirical study to establish a causal relationship, it surely shows that the positive and significant impact established by Gnimassoun (2023) is undoubtedly carried by both male and female migrants.

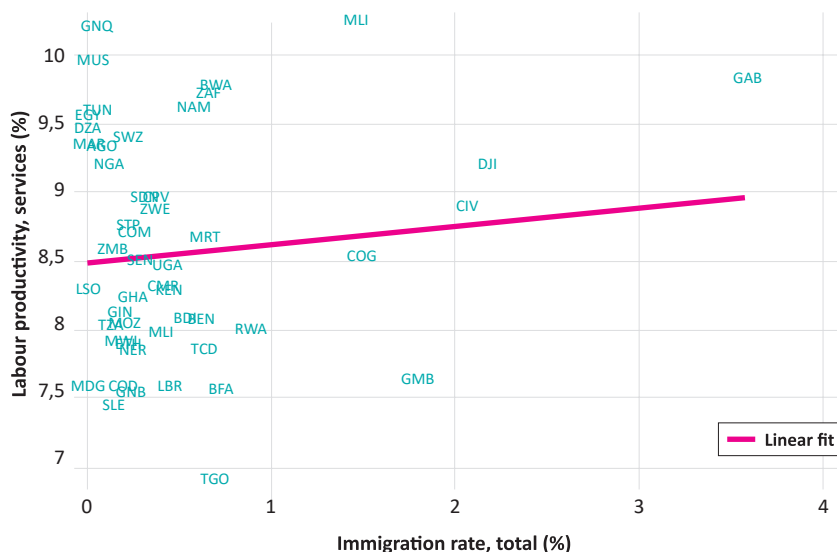
Figure 7.3: Immigration rate and labour productivity by sector





Gendered dimensions of migration in South Africa



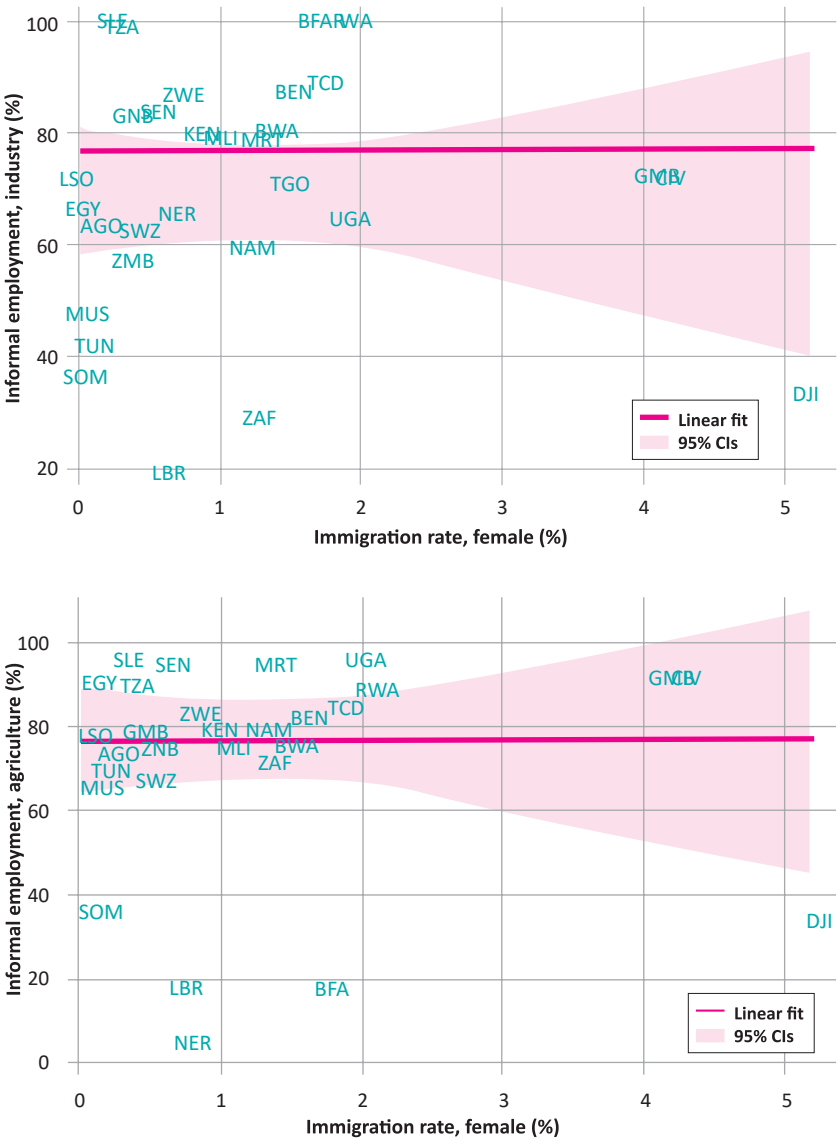


Source: Authors' compilation

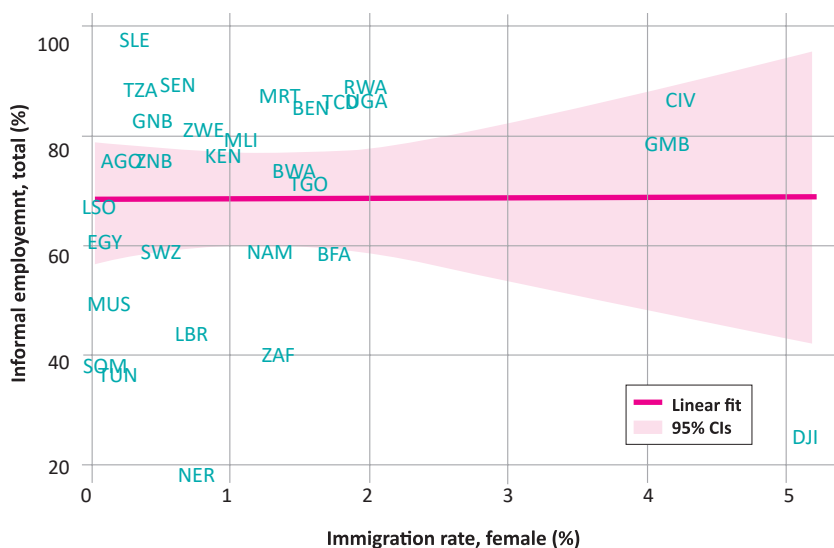
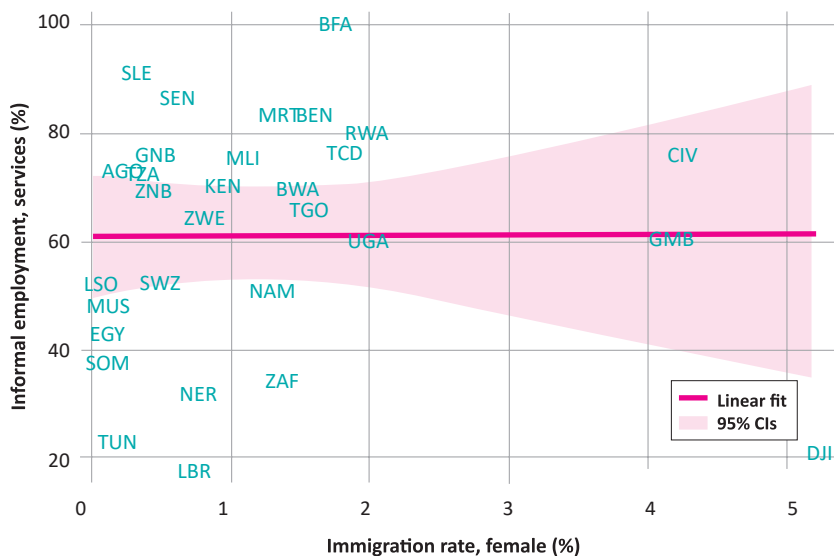
Note: Labour productivity data (value added per worker in logarithm) is from the World Bank's WDI database.

In this section, we further examine the relationship between the ratio of informal employment by sector and the rate of female immigration. Employment in the informal sector is often associated with marginalised workers, particularly low-wage workers and immigrants. As women are often excluded from economic opportunities and the labour market, the expectation could be that the link between female immigration and informal employment would be stronger. Figure 7.4 represents the scatter plots showing the female immigration rate in Africa and the share of informal employment by sector. From this figure, no relationship emerges between the female immigration rate and the informal employment ratio, regardless of the sector of activity. In other words, female migrants in Africa are no more present in informal employment than in formal employment. However, the overall picture, across both male and female sectors, still reveals a wage-induced migratory channel.

Figure 7.4: Female immigration rate and share of informal employment by sector of activity



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Source: ILO (2022)

Note: Data on the informal employment rate comes from the ILO database. It represents the percentage of informal employment in total employment.

INSTITUTIONS AND GOVERNANCE AS
DRIVERS OF GENDERED MIGRATION

Thus far the chapter has examined economic drivers of migration, such as employment. However, it is also important to take cognisance of how institutions and governance impact on gendered migration, especially female migration. It is also important to consider the nature, extent and spillover effects of gendered migration. South Africa, in this context, presents a unique migration destination, while still falling under South–South migration. For example, while there might not be pronounced differences in terms of the quality of institutions across many SSA countries, South Africa’s well-developed rule of law and the democratic principles enshrined in its constitution, are key factors that differentiate the country from others in the region. Thus, it is possible that female migration flows from other African countries to South Africa may be driven by similar dynamics as traditional South–North female migration flows.

There is a wide variation in the nature and quality of institutions, in their many ramifications, in Africa, including formal, informal, social, economic and political ones. Institutions have been shown to influence both South–North and South–South female migration decisions (Olesen, 2002; Ferrant and Tuccio, 2015). One well-adopted definition considers institutions as rules that shape and govern human interactions (North, 1990: 355–367). Another commonly used definition, and closer in context to gendered migration, is that given by Jütting et al. (2008: 65–86), in which institutions are defined as the formal and informal laws, social norm and practices that play an important role in shaping or restricting the decisions, choices and behaviours of groups, communities and individuals. Within this context, the provision of law – for protection from expropriation, or observance of contracts, or access to justice for both men and women – is an institutional phenomenon. And when either in law (*de jure*) or in practice/application (*de facto*), women are found to be less protected than their male counterparts, we want to understand, within the context of migration, how this may be a key driver.

It is possible that discrimination may be both a push factor for

migration, entailing a search for better protection, governance and institutions, and also a preventative factor, whereby, because of the law, the ability to flee a place may be significantly curtailed (Ferrant and Tuccio, 2015: 240–254). For example, while the institutions in a country such as Eritrea are arguably known to be repressive, the same institutions prevent citizens from freely migrating. If this is the case, it may mask the gendered migration effects of the quality of governance, especially relative to other countries with poor institutions but without limitations on migration. Four measures are used to assess the quality of institutions as they pertain to female migrant flows from other African countries: access to justice for women, civil liberties, social group equality, civil and social rights, and equity (see Figure 7.6).

Table 7.4 presents the average number of migrants per year into South Africa. It draws on migration data computed by researchers Abel and Cohen (2022), who address the issue of a lack of gender information in migration data. There is a pronounced limitation on data on sex-specific international migration flows, which in turn limits quantitative inquiry into the drivers of gendered migration. This is important to note, as settlement experiences, networks available and the general foundations upon which life in the country of origin will be built are impacted by the sex of migrants (Abel and Cohen, 2022: 173). For this reason, complex computations are made with this data to extract the gender distribution of international migration flows. Specifically, use is made of the categorisation of migration numbers created by Azose and Raftery (2019: 116–122), which classifies migrant movements into emigration, return migration and transit migration. For the purpose of this chapter, we assume that emigration and transit migration are what matters, and the analysis is based on this. The data is computed on a five-year basis from 1990 to 2015. The average migration per country per year, and the total sum of migrants, based on gender, ratios are presented. International migration flows into South Africa from the global South, and specifically from African countries, yield interesting observations. The average number of migrants into South Africa from other African countries is 12,445 per country, and of this 5,375 are women.

Table 7.4: Five-year averages and the sum of transit migration flows from African countries to South Africa

Year	Female	Male	Female	Male	Total Sum	Female Ratio
	5-Yr Average		Sum			
1990	6433	4120	308792	197781	506574	61%
1995	3821	4602	183400	220903	404303	45%
2000	4983	8990	239190	431496	670687	36%
2005	6258	10293	300364	494082	794446	38%
2010	7788	11013	381629	539622	921251	41%
2015	2966	3400	145345	166586	311932	47%
Total	5375	7070	1558721	2050471	3609192	45%

Source: Authors' adaptation of Abel and Cohen (2022: 173) migration data computations

This is highly aggregated per country over the 25-year period for which the data was computed. The female ratio is below the male ratio at 45 per cent over this period. The total number of migrants into South Africa, computed through the method introduced by Azose and Raftery (2019: 116–122), stands at about 3.6 million, and female migrant flows account for about 1.56 million of these. However, this masks a lot of nuance, especially when considering the data relating to individual countries of origin.

Table 7.5 offers further inquiry into gender-disaggregated migration flows into South Africa for the period from 1990 to 2015. Notably, there are clear gender disparities in these migration patterns. Countries like Mozambique (MOZ) and Zimbabwe (ZWE) predominantly feature male migrants, as evidenced by their female ratios of 32 per cent and 40 per cent, respectively.

Table 7.5: Computed transit migration numbers by gender and origin country

Country	Female	Male	Female	Male	Total	Female Ratio
	Average		Sum		Total Sum	
AGO	1247	1315	7484	7890	15374	49%
BDI	1005	1004	6028	6022	12050	50%

Reflections on Women and Social Change in South Africa

BEN	14	19	85	116	201	42%
BFA	44	41	264	246	509	52%
BWA	2689	5134	16135	30803	46938	34%
CAF	159	116	953	699	1652	58%
CIV	472	559	2832	3353	6185	46%
CMR	299	389	1797	2337	4134	43%
COD	4250	4703	25498	28219	53717	47%
COG	2742	3445	16451	20672	37123	44%
COM	6	23	34	141	175	20%
CPV	1	0	4	2	6	67%
DZA	25	47	151	285	436	35%
EGY	340	233	2039	1398	3438	59%
ERI	83	69	500	415	915	55%
GAB	27	30	160	178	338	47%
GHA	649	636	3896	3814	7710	51%
GIN	60	44	363	264	627	58%
GMB	1	3	8	20	27	28%
GNB	6	2	34	12	47	74%
GNQ	0	0	0	0	0	53%
KEN	4804	4177	28823	25064	53888	53%
LBR	156	41	936	245	1181	79%
LBY	557	368	3340	2210	5550	60%
Country	Female	Male	Female	Male	Total	Female Ratio
	Average		Sum		Total Sum	
LSO	39728	36239	238369	217436	455805	52%
MAR	72	90	435	540	975	45%
MDG	23	22	137	135	272	50%
MLI	118	66	707	398	1105	64%
MOZ	34934	75806	209604	454835	664440	32%
MRT	11	28	64	170	234	27%
MUS	694	612	4165	3672	7837	53%
MWI	32110	34126	192658	204754	397412	48%
NAM	7364	4807	44183	28839	73023	61%
NER	42	7	252	42	294	86%
NGA	2847	5832	17081	34992	52072	33%
RWA	1352	1134	8109	6802	14911	54%
SEN	98	624	585	3746	4331	14%

Gendered dimensions of migration in South Africa

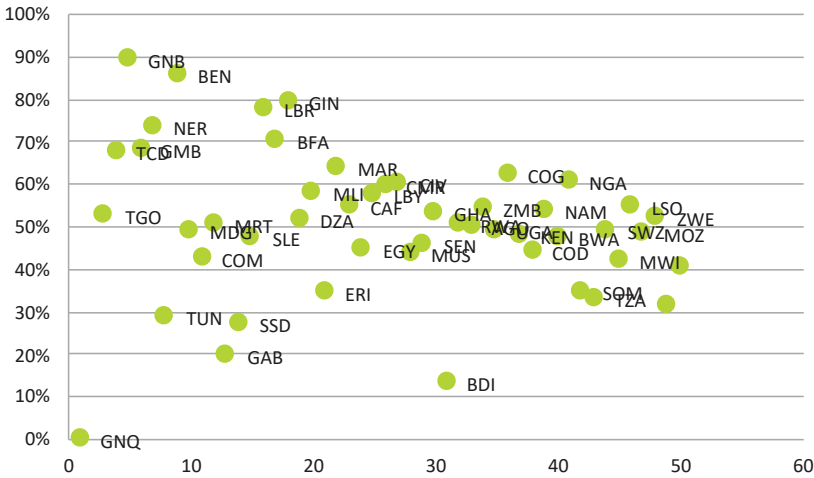
SLE	76	32	455	194	650	70%
SOM	6296	6604	37776	39625	77402	49%
SSD	104	30	209	60	269	78%
SWZ	16208	13372	97248	80233	177480	55%
TCD	3	1	19	9	28	68%
TGO	10	1	61	7	68	89%
TUN	8	8	48	51	99	49%
TZA	6590	9108	39538	54645	94183	42%
UGA	2989	3235	17933	19411	37345	48%
ZMB	4543	2769	27257	16616	43873	62%
ZWE	84002	124809	504010	748855	1252865	40 %

Source: Authors' adaptation of Abel and Cohen (2022: 173) migration data computations

The data reveals patterns with strong historical elements, reflecting that, for much of apartheid-era South Africa, cheap migrant male labour was sourced from these countries (Tati, 2008: 423–440). Conversely, Liberia (LBR) and Niger (NER) display a predominance of female migrants, with strikingly high female ratios of 79 per cent and 86 per cent. Such variations in gender ratios across countries of origin point towards complex dynamics that may influence migration flows in a gender-sensitive manner. For example, while the southern African migratory patterns may follow neoclassical economic theory expectations, the observed numbers from Liberia and Niger could be gravity-driven or conflict-driven, following more closely the framework of gendered geographies of power. Figure 7.5 plots the scatter of the ratios of female migration into South Africa from all origin countries. When looking at the data in this way across all countries, the variation that exists in terms of the female composition of migrant flows becomes even clearer.

A crucial aspect of this discussion involves acknowledging the geographical proximity of some countries to South Africa. Lesotho, Mozambique, Zimbabwe, eSwatini and Malawi share borders with South Africa, potentially accounting for the substantial migration flows from these countries. This geographical closeness may serve as a confounding factor that could obscure the true gendered nature of

Figure 7.5: Distribution of countries by female migrant ratio



Source: Authors' adaptation of Abel and Cohen (2022: 173) migration data computations

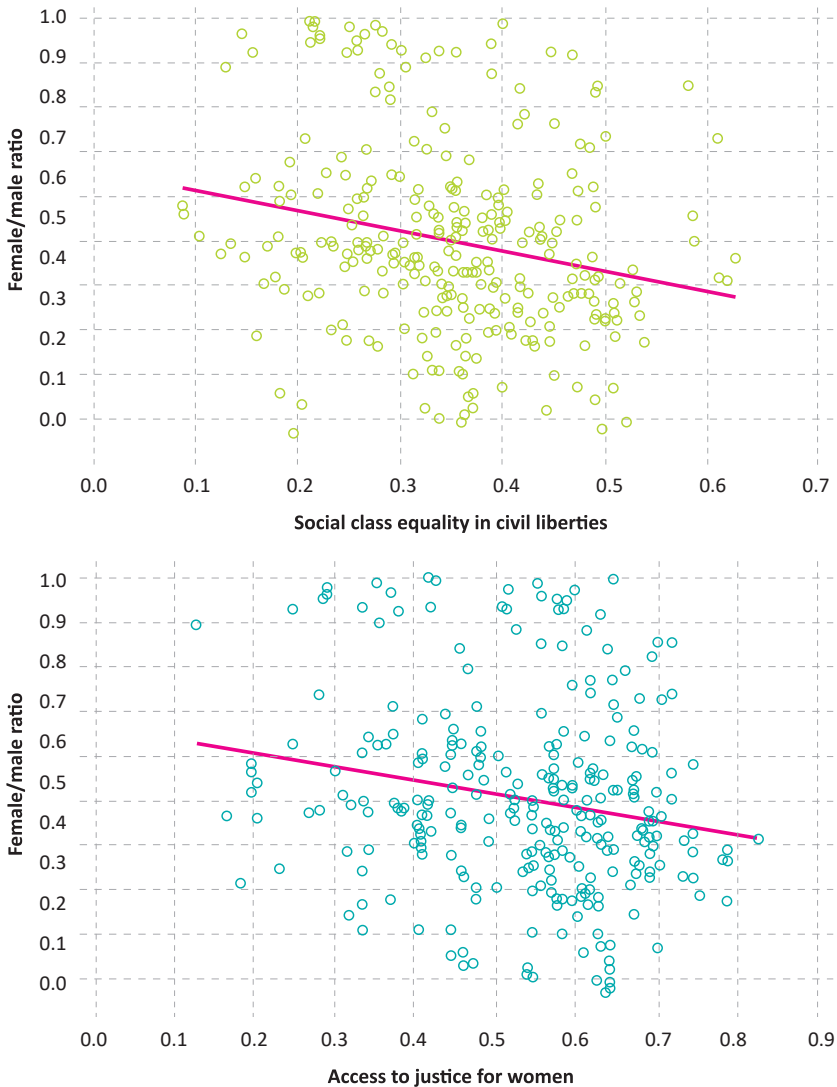
migration. The sheer volume of migrants from these neighbouring countries might overshadow more nuanced gender-specific migration patterns, making it imperative to consider geographical proximity when interpreting this data.

Adding another layer of complexity are the zero values observed for specific migration flows in the dataset, most notably Equatorial Guinea (GNQ). These zeros could signify multiple interpretations: either an absence of recorded migration from these countries or potential data limitations. They could also represent specific policy or social conditions that discourage migration, thereby creating gaps in the gendered understanding of migration flows into South Africa. Regardless, these zero values cannot be overlooked as they may hold key insights into the broader landscape of gender and migration.

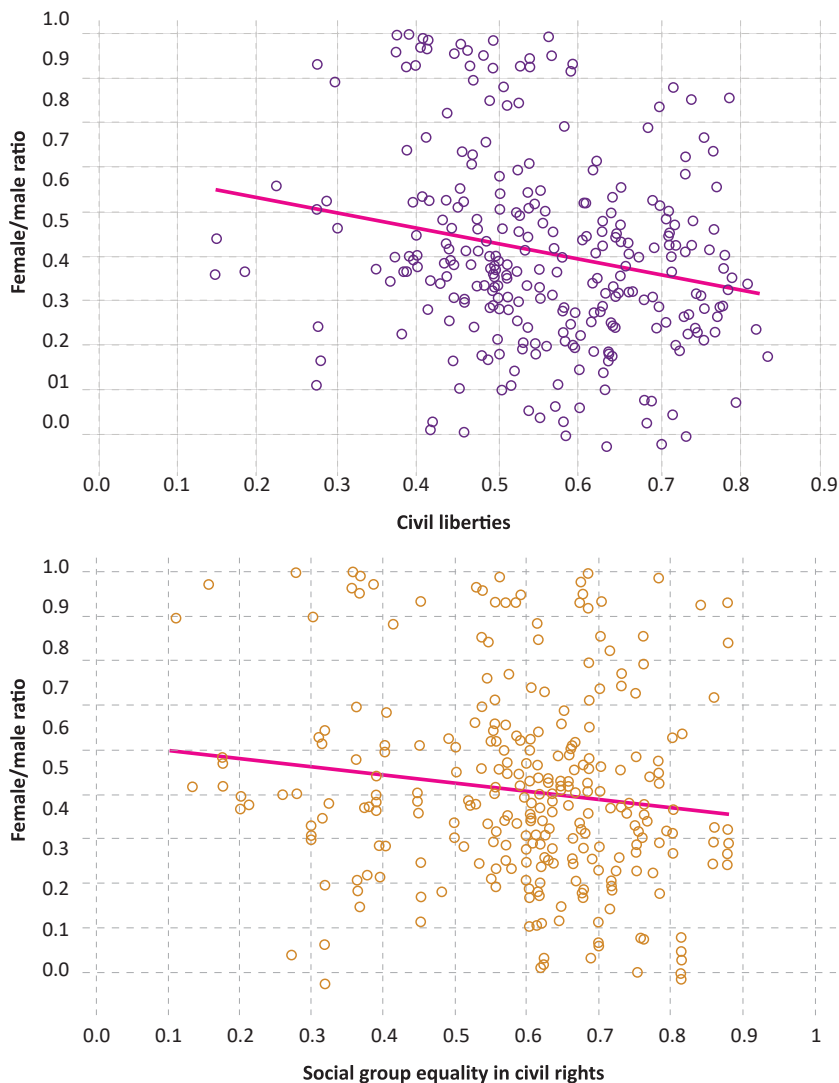
The column detailing female ratios further refines our understanding. While some countries, like Kenya (KEN) and Mauritius (MUS), display balanced female ratios of around 53 per cent, others such as Senegal (SEN) and Mauritania (MRT) show low female ratios of 14 per cent and 27 per cent respectively. When interpreting these percentages, one must also consider the absolute numbers of migrants from each country. A high or low female ratio in a country contributing a smaller

number of total migrants may not have as significant an impact on the broader gender composition as would larger migration flows from countries like Mozambique or Zimbabwe.

Figure 7.6: Institutional dimensions of migration



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Source: Authors' adaptation of Abel and Cohen (2022: 173) migration data computations and V-DEM Democracy Indices

What this indicates is the multifaceted nature of gendered migration flows into South Africa, influenced by geographical proximity, absolute numbers and unrecorded flows represented by zero values. Such nuances necessitate an analytical approach that takes cognisance of these factors, in order to understand the nature of migration, and

possibly better envisage the destination struggles as well. To do this, we borrow a commonly used tool in the trade and migration literature, known as the gravity model. The gravity model tool originated in physics and was later adopted, and adapted, for economic analysis (Tinbergen, 1962; Bergstrand, 1985; Mátyás, 1997). It was subsequently incorporated into the analysis of migration flows between countries (Vanderkamp, 1977; Karemera et al., 2000; Beine et al., 2016: 496–512). Its key value is as a tool to incorporate all possible economic, geographical, geopolitical and historical linkages when assessing crosscountry flows and how they impact on outcomes.

In this regard, it is important to take into account that countries in Africa have significant differences in their institutional makeups, the colonial influence on them, and the evolutions of these institutions. For example, if we just plot the scatter of female migrant ratios across countries, Figure 7.6 shows a lot of variation which is informative. However, it is important to understand the drivers of this variation, especially in the context of institutions and governance. To explore this further, eight measures of institutions were examined for their relationship with the intensity of female migration into South Africa, namely: access to justice for women, civil liberties, social class equality in respect of civil liberties, social group equality, social rights and equality, freedom of discussion for women, freedom of movement for women, and gender equality.

Figure 7.6 presents four of these measures, which all relate to the quality of institutions in origin countries. It becomes immediately apparent that as institutions and governance in origin countries improve, the gendered intensity of migration from those countries is reduced. In addition, the intensity of gender migration declines when there is access to justice, legal remedies and civil liberties. As gender equality, or lack thereof, is taken as one of the most appropriate measures of social discrimination in societies, we also plot the relationship between this and female migration.

IMPLICATIONS FOR LIVELIHOODS
OF WOMEN MIGRANTS

Women migrants from countries with weak governance reflect the fact that there is minimal protection of access to justice in their home nations. Their migration to South Africa may indicate that institutional environments are more favourable here than in their countries of origin. However, given the local context of South Africa, where the experience of the elite in comparison to the masses has often been likened to that of a dualistic economy (Lebert and Rohde, 2007; Thamaga-Chitja et al., 2010; Fergusson, 2013), it is possible that, due to the vulnerable nature of female migrants, they may not get access to the better-quality institutions they would have migrated for. Table 7.6, for example, shows that in all of the eight measures of governance considered pertaining to women, South Africa ranks more highly than comparative African countries. In fact, on average, across all the metrics of institutions considered, South Africa is about 4 per cent better, and, if we exclude 1990, it is 24 per cent better.

Table 7.6: Difference between South Africa and origin countries' quality of institutions

Governance Measure	1990	1995	2000	2005	2010	2015
Access to justice for women	-16%	30%	30%	29%	27%	22%
Civil liberties	-14%	30%	30%	24%	24%	20%
Freedom of discussion for women	-45%	24%	23%	20%	20%	21%
Freedom of domestic movement for women		46%	54%	6%	56%	17%
Gender equality	-39%	32%	33%	28%	26%	21%
Social group equality	-262%	12%	13%	12%	12%	12%
Social group equality in respect for civil liberties	-202%	15%	18%	17%	16%	17%
Social rights and equality	-203%	26%	26%	22%	22%	20%

Source: Authors' adaptation of Abel and Cohen (2022: 173) migration data computations

Migration patterns into South Africa, especially of women, are intricately tied to the quality of governance in origin countries with social group equality being a pivotal element, as evidenced in Table 7.7. This can be better understood within the feminisation-of-migration framework, which highlights the surge in female migrants that is uniquely different from overall global migration trends, as discussed by Donato and Gabaccia (2016). Their research accentuates the importance of recognising distinct migration motivations unique to women, such as evading gender-based violence or seeking improved prospects in care professions. Thus, it becomes imperative to delve deeper into understanding the quality of governance, specifically the institutions addressing social discrimination against women in both origin and destination countries. It is essential to reinforce better conditions in destination nations as mirroring discriminatory situations can exacerbate hardships for female migrants, especially where their socio-professional networks are already limited (see Table 7.7).

Table 7.7: Correlation between female migration and institutions as well as gravity variables

Variables	Female Migrant Ratio	Total Migration
Access to justice for women	-0.0873	0.0149
Civil liberties	-0.1081	0.0105
Social group equality	-0.1806*	-0.1709*
Social group equality in respect for civil liberties	-0.1186	-0.1370
Social rights and equality	-0.1323	-0.0869
Freedom of discussion for women	-0.1597	-0.0305
Freedom of domestic movement for women	0.0292	0.1241
Gender equality	-0.0738	0.0918
Distance	-0.1381	-0.6951*
Contiguity	0.1135	0.5972*
Common language	0.0266	0.5562*
Common ethnic	0.0651	0.4226*

Comon religion	0.1706*	0.6179*
Population	-0.0910	0.1263
Per capita GDP	0.0444	0.1357
GDP	-0.0540	0.1750*
Cost of entry	-0.0248	-0.1414
Trade flows (UNCOMTRADE)	0.1518	0.7097*
Trade flows (IMF)	0.1109	0.6499*
Trade flows (IMF)	0.1109	0.6499*

Source: Authors' adaptation of Abel and Cohen (2022: 173) migration data computations & CEPII

RECOMMENDATIONS

Immigration has taken various contextual forms across space and time while remaining a constant element of human activity and a fundamental factor in human history and evolution. The past decade has seen a surge in anti-immigrant rhetoric and its proponents. This is evident in both the global North and South. South Africa is no exception. In the midst of such sentiments, and some of the political elements and drivers of it, the key drivers of immigration may have become sidelined.

Migration within the global South, especially in the African context, is a phenomenon with significantly gendered facets. This results in a pressing need for policies that address the specific dynamics and challenges of intra-African female migration. Such strategies could involve creating more accessible legal pathways, simplifying visa processes or considering visa-free regimes within regional blocs. Gender-sensitive measures should ensure fair wages, safe conditions and access to social protection, all while addressing root causes such as economic disparities and conflicts. Mechanisms to integrate migrants into local labour markets are paramount given the potentially positive impacts of migrants on labour productivity. Policies that bridge trade and migration could yield mutual benefits for both of these sectors, particularly as bilateral trade seems to favour female migration to South Africa.

This study further highlights the need to diversify the study of South–South gendered migration and to move beyond the predominant focus on South–North dynamics. A deep understanding of institutional influences across African countries is critical, given their evident disparities and impacts on migration. There is a need to recognise and understand regional variations in gender migration, which suggest diverse determinants that demand customised policies. Collaboration among nations, research entities and policymaking institutions is vital, given the intricacies of gendered migration. Shared resources and knowledge can spearhead the creation of effective policies and research trajectories.

This becomes pertinent when looking at the immigration of women into South Africa. South Africa boasts one of the most inclusive constitutions on the continent, and this, as we have shown, may be a key driver of gendered, governance-driven immigration into South Africa. Given the country's role as a major destination within the South–South migration corridor, there is a need to develop tailored policies that specifically address its unique migration dynamics. Given the influence of geographical proximity, countries that share borders naturally have increased migration flows, which could overshadow specifically gendered patterns. Therefore, policies should not only be geared towards broader continental dynamics but should also cater to nuanced regional patterns. It is of paramount importance to address the potential of discrimination as both a driver of and a deterrent to migration in the South African context, with an emphasis on ensuring equitable protection for the vulnerable. Given the ties between bilateral trade and female migration to South Africa, trade policies should be crafted in tandem with migration policies, which would ensure mutual benefits for both sectors. Furthermore, South Africa should invest in improving data-collection mechanisms, focusing on gender disaggregated data. This would be instrumental in understanding the motivations behind migration flows, as well as the long-term, lived outcomes of migration. It would also go a long way towards helping to refine targeted policies. Collaborative approaches, especially with neighbouring countries, can facilitate knowledge sharing and the joint tackling of challenges like irregular migration and its effects.

CONCLUSION

In this chapter, the gendered nature of migration is explored with a focus on women migrants. Relying on some existing theories and frameworks on general migration, and on the migration of women specifically, this chapter explores relative variation in the numbers and origins of women migrants into South Africa, their contributions and lived outcomes. It also explores the potential drivers of such migration into South Africa. Despite the paucity of micro-level data on migration, some useful insights are offered. Migration, as a transformative force, greatly impacts the global socioeconomic tapestry, with the South–South dynamic of notable significance. Our exploration reveals the multifaceted nature of migration, with a distinct emphasis on its potential to act as a catalyst for both individual and collective economic growth.

At continental level, there are gender variations in the determinants of immigration: network effects, such as family ties or prior migrant relationships, significantly influence male migration but not female.

This seems to be a role for trade as a pivotal driver, with a bias towards female migration. While economic sectors such as agriculture and domestic work drive migration across Africa, South Africa remains a primary destination. This is especially true for female migrants, but the nature of integration into the local labour market does not fully utilise the skill sets that female migrants come with, as many migrant women resort to low-skilled roles due to biases towards and lack of recognition of foreign credentials. This is despite the evidence of a positive correlation between immigration and labour productivity in Africa. While the literature suggests so, the evidence in this chapter finds no strong link between the female migration rate and informal employment across sectors.

In the context of institutions and governance, Africa's myriad institutional configurations play a decisive role in influencing migration trends. Institutions, both formal and informal, have the potency to shape and drive migration decisions. The pivotal role of these governance structures becomes even more pronounced when considering the migration choices of women. Specifically, institutions

that provide access to justice and protection can serve as significant pull or push factors. South Africa, with its advanced rule of law and democratic fabric, stands out in the South–South migratory narrative. The country’s appeal, especially to women, underscores a larger, panAfrican aspiration for robust institutional frameworks.

It is essential to better understand the explicit triggers of female migration. The urgency for improved governance, protective measures and institutions is pertinent. This chapter emphasises the need to bolster and refine institutional structures across the African continent. By establishing institutions that advocate for justice, equality and economic opportunities, the challenges posed by migration can be addressed, inherently amplifying its potential benefits.

Lastly, migration’s evolving role in shaping global dynamics necessitates a comprehensive exploration, especially within the lesserexamined realm of South–South migration. While this chapter has attempted to do so within the context of governance and institutional determinants, as well as the lived outcomes of female migration, the lack of granular data severely limits the analysis that can be carried out.

A much-needed policy intervention is the collection of trackable data on migration that can help with a more in-depth assessment of some of the questions posed in this chapter. This will enrich the discourse on migration, thereby guiding future policy frameworks and strategies. Particularly, the dynamics of female migration warrant attention, against the backdrop of global challenges like climate change and sociopolitical upheavals. The vast majority of African migration is intra-continental, with South Africa serving as a principal hub. Addressing these dynamics is crucial to ensuring the welfare and prosperity of both migrant communities and local economies in an ever-evolving global landscape.

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APPENDIX: COUNTRY ABBREVIATIONS USED

Country	Abbreviation
Algeria	DZA
Angola	AGO
Benin	BEN
Botswana	BWA
Burkina Faso	BFA
Burundi	BDI
Cabo Verde	CPV
Cameroon	CMR
Central African Republic	CAF
Chad	TCD
Comoros	COM
Congo, Dem. Rep.	COD
Congo, Rep.	COG
Côte d'Ivoire	CIV
Djibouti	DJI
Egypt, Arab Rep.	EGY
Equatorial Guinea	GNQ
Eritrea	ERI
eSwatini	SWZ
Ethiopia	ETH
Gabon	GAB
Gambia, The	GMB
Ghana	GHA
Guinea	GIN
Guinea-Bissau	GNB
Kenya	KEN
Lesotho	LSO
Liberia	LBR
Libya	LBY
Madagascar	MDG
Malawi	MWI
Mali	MLI

Country	Abbreviation
Mauritania	MRT
Morocco	MAR
Mozambique	MOZ
Namibia	NAM
Niger	NER
Nigeria	NGA
Rwanda	RWA
São Tomé and Príncipe	STP
Senegal	SEN
Seychelles	SYC
Sierra Leone	SLE
Somalia	SOM
South Africa	ZAF
South Sudan	SSD
Sudan	SDN
Tanzania	TZA
Togo	TGO
Tunisia	TUN
Uganda	UGA
Zambia	ZMB
Zimbabwe	ZWE

CHAPTER EIGHT

Structural transformation in South Africa: Who bears the cost? The invisible work of social reproduction

BASANI BALOYI, MIRIAM DI PAOLA AND
ANDREW MUKANDILA

INTRODUCTION

Structural transformation has typically been seen as a measure of developmental success. Structural transformation is commonly defined as the shift from low-productivity sectors (i.e., agriculture and mining) to high-productivity sectors (i.e., manufacturing), and within sectors from the production of low-value-added activities (i.e., clothing and textiles) to that of high-value-added activities (i.e., capital goods). This definition gives rise to two critical challenges, which this chapter grapples with.

First, the concept of structural transformation is an inadequate measure of development as there is more to development than a shift in the sectoral composition of an economy. Industrialisation may

take place, but at a social cost. Therefore, crucially, the link between economic development (which the definition addresses) and social reproduction is missing. This follows on from what Fraser (2016) calls a ‘critical separatism’ between economic, ecological and social dynamics. On the contrary, while the boundaries have blurred even further in the wake of the marketisation and commodification of care work, the activities taking place in the economic sphere are deeply intertwined with the environment and work in the reproductive sphere. In fact, the exploitation of both the environment and people who bear the brunt of social reproduction, and the racialised and gendered division of labour that characterises production and reproduction, are essential conditions for capitalist accumulation.

Second, the pattern of development in post-apartheid South Africa has continued to be based on the minerals–energy–finance complex (MEFC), while lacking industrial diversification. Instead, the country has experienced massive deindustrialisation which has precipitated a social crisis. The period has been characterised by neoliberal structural reforms underpinned by financialisation, which have contributed to premature deindustrialisation, worsening working conditions and unemployment, and a deepening social crisis which the reproductive sphere has had to absorb.

This chapter explores two ways in which the pattern of uneven development fostered by the MEFC and the crisis of capitalist accumulation have been forced upon the reproductive spheres. Contextually, the interrelationship between economic development and social reproduction is highlighted.

First, we can argue that private accumulation necessarily shirks its reproductive role of ensuring adequate occupational health and safety at the site of production. In South Africa, capital externalises its reproductive role to an under-resourced public sector as well as to communities and households. We use the mining sector, which has been at the heart of the minerals–energy complex (MEC) since the advent of racialised capitalism under apartheid and throughout the democratic period, to demonstrate this point. Second, we can argue that the exploitation of workers involved in reproductive activities (both paid and unpaid workers) is fundamental to the continuation of capitalist

development, while austerity measures and financialisation in the healthcare sector have resulted in work restructuring and casualisation. Again, workers' (including health workers') livelihoods are put under strain by the very processes of accumulation that they sustain.

Therefore, the private sector's shirking of its reproductive role and the exploitation of paid and unpaid workers involved in providing care are key drivers behind the perpetuation of capitalist development. Yet the social reproduction of the workforce is jeopardised by economic accumulation through financialisation, privatisation and unaffordable services, widespread casualisation and unsafe working conditions (Fakier and Cock, 2009; Federici, 2014).

The rest of this chapter consists of the following: an outline of our theoretical approach, which highlights the interdependencies between economic and social reproduction in a capitalist society; a discussion of how, instead of structural transformation leading to industrial deepening, patterns of 'economic development' brought about by the MEFC, against a backdrop of apartheid-driven, racialised capitalism and neoliberal accumulation, have been uneven and prone to crisis; and an analysis of the social costs borne by workers due to the private sector abandoning its reproductive role and exploiting workers involved in care.

THEORETICAL APPROACH TO THE INTERRELATIONSHIP BETWEEN ECONOMIC AND SOCIAL REPRODUCTION

There is more to development, as defined by structural transformation, than just a shift in the sectoral composition of an economy. Industrialisation may take place, but partly at a social cost because of the neglect and invisibilisation (Adams, 2022; Federici, 2014) of social reproduction, which is inconsistent with the push for productivity. Social reproduction refers to the activities that nurture future workers (such as childcare and education), regenerate the current workforce (such as cleaning, cooking and sex), and maintain those who cannot work (such as elder care and healthcare). In broad terms, it consists of caring directly for oneself and others, maintaining physical spaces,

and organising resources and species reproduction. These tasks have traditionally been performed by women for low or no wages both in and outside the household (Bhattacharya, 2017).

The unequal burden of care work also has a racial and class component because in South Africa and globally, social reproduction work is predominantly performed by black women, migrant women and women belonging to subaltern groups (Mezzadri, 2022). At the same time, jobs that have a strong social reproduction component, as discussed later in this chapter, are systemically undervalued and poorly remunerated. We argue in this section that structural transformation as a measure of development ignores and undervalues both reproductive work in general and, more specifically, the degree to which the productive and social reproduction spheres are deeply entangled.

Marx (1976 [1867]: 711) notes that ‘every social process of production is at the same time, a process of reproduction. The conditions of production are at the same time the conditions of reproduction’ (Marx, 1976). According to Marx, under capitalism, the reproduction of workers is essential for the maintenance of the ‘capitalist relation’. Therefore, it is not the reproduction of life itself that is necessary but rather the reproduction of the labour power embodied by workers, which is strictly linked to capitalist production. Moreover, Marx points to an insuperable contradiction between production and reproduction, which is of specific relevance to this chapter. Under capitalism, the worker is the most indispensable means of production; as a result, it is the responsibility of the capitalist to give the worker a certain amount of capital in return for their labour power. This capital ‘is converted into means of subsistence which have to be consumed to reproduce the muscles, nerves, bones and brains of existing workers, and to bring new workers into existence’ (Marx, 1976 [1867]: 717). The maintenance and reproduction of the working class remain necessary conditions for the reproduction of capital and, in fact, the value of the labour power and the wage given to the worker must include the means needed for the maintenance and reproduction of the worker and the working class.

At the same time, due to the coercive force of capitalist competition and productivity, capital strives to overwork certain segments of the workforce to the point of exhaustion. In fact, according to Marx,

unlike other oppressed classes, such as the serfs under serfdom, ‘the modern labourer ... instead of rising with the process of industry, sinks deeper and deeper below the conditions of existence of his own class. He becomes a pauper, and pauperism develops more rapidly than population and wealth. And here it becomes evident, that the bourgeoisie is unfit any longer to be the ruling class in society’ (Marx and Engels, 1948: 20).

Structural transformation as a concept, which is determined by the transition from low-productivity sectors to high-productivity sectors, is caught up in a similar tension. This transition would require a change in the composition of capital and possibly an increasingly skilled workforce; or it could involve increased capital formation and less-skilled workers, and fewer of them. The capitalist then extracts a larger surplus but, in the process, creates a contradiction where they place the burden on household reproduction which, over time, could create conditions that undermine the capitalist’s quest to keep on extracting a surplus. This is an intrinsic destructive tendency of capitalism, which can be curbed by workers’ resistance and the enforcement of specific legislation. Nevertheless, there is an inherent contradiction between the dependency of capitalism on the social reproduction of the worker and the tendency of the capitalist system to exploit the worker (and the environment) until the point of destruction (Cammack, 2020).

We argue that given the historical contradiction between the maintenance of ‘the capital relation’ and its tendency to exploit workers, the latter tendency is currently dominating. In fact, although the worker is the capitalist’s most indispensable means of production (Marx, 1976 [1867]), employers take no responsibility for the social reproduction of the worker – such as providing sufficient subsistence, or a living wage, and adequate health and safety – let alone the reproduction of the working class, such as through taxation. Crucially, the employer has a reproductive role that is embodied in the wages it pays and in the occupational health and safety standards set out in law. As pointed out by Alli (2008: VII): ‘Occupational safety and health (OSH) is generally defined as the science of the anticipation, recognition, evaluation and control of hazards arising in or from the workplace that could impair the health and wellbeing of workers, taking into account the possible

impact on the surrounding communities and the general environment’.

During the neoliberal era, the privatisation of services and the deterioration in labour conditions and protection have unleashed a *crisis of social reproduction* which characterises both paid and unpaid care work. While households need to take on activities that should be publicly provided by the government, such as caring for elders and the disabled, those workers who are employed in ‘socially reproductive services’ have experienced worsening working conditions and increased workloads. For decades, mainstream economics has failed to acknowledge the work and the value produced in the reproductive sphere; however, in more recent years, care work has been recognised in social policies, economics and international organisations’ documents as an important economic sector which is still largely unaccounted for in the main socioeconomic measures, such as gross domestic product (GDP).

Feminist scholars have always sought to take social reproduction work out of the shadows. The demand for wages for housework, which was brought into the political arena by the feminist movement in the 1970s, was intended to expose the enormous subsidy that capitalism received from women’s work in the household, as provided by an unpaid labour force whom capitalism exploited for profit (Costa and James, 1975; Cox and Federici, 1975; James, 2012). At the same time, this wave of radical feminism exposed the fallacy that women were somehow more inclined than men to perform what some scholars refer to as a ‘labour of love’. Feminist scholars have used the concept of social reproduction to highlight global production processes and accumulation in the Global South (Bhattacharya, 2017; Fakier and Cock, 2009; Mezzadri, 2020; Stevano et al., 2021).

According to Federici (2014), the way in which women’s labour of social reproduction is exploited and made invisible in the household and in communities is mimicked by capital in the workplace. It is colonialism, racism and patriarchy that constitute the foundations of capitalism and characterise its first stages of primitive accumulation. In mainstream economics, the world of reproduction has slowly, albeit only partially, gained visibility in relation to employment patterns and gender. For instance, unpaid care work is now discussed in international

fora as the main impediment to women's full participation in the labour market. The United Nations (UN) even recognises social reproduction work in its social and development policies (UN, 2015). However, the policy implications emerging from these perspectives may lead to the further commodification of social reproduction, as evidenced in the empowerment of certain, more privileged women at the expense of others.

Thus, the result of this approach may be increased inequality between the Global North and Global South, and amongst women along class and racial lines. Liberal feminism aims to create opportunities for privileged women through the outsourcing of reproductive work to other, less privileged women (Beier, 2018). However, we seek to overcome the false distinction between production and reproduction and to unmask the systems of oppression that underpin the gendered, racialised division of labour that characterises both productive and reproductive activities. Moreover, recognising the value of social reproduction activities, and not simply their cost, is essential for overcoming the burden that black and migrant women have to bear.

Nevertheless, awareness and social recognition are not sufficient to combat the exploitation to which women are subjected. The following steps need to be taken: first, reverse the impact of financialisation and austerity on labour and healthcare services; second, redistribute resources and service provision between the private and the public sectors; and third, tackle the unequal distribution of care work within households. In this way, women may free themselves from this burden; at the same time, greater social justice is encouraged in society.

STRUCTURAL TRANSFORMATION,
ECONOMIC CRISIS AND WOMEN'S
PARTICIPATION IN THE LABOUR FORCE

Instead of industrialisation being pursued through a process of structural transformation, the pattern of development in apartheid and post-apartheid South Africa has continued along a trajectory of uneven development based on the MEFC. At one level, this served the logic of racialised capitalism as the state was only concerned about the

social upliftment of a fragment of society – white people in general and white men in particular. However, at another level, the predominance of capitalism meant that the system of accumulation was prone to crisis. The period has been characterised by neoliberal structural reforms underpinned by financialisation, which have contributed to premature deindustrialisation, worsening conditions of work, rising unemployment and a deepening social crisis which the reproductive sphere has had to absorb.

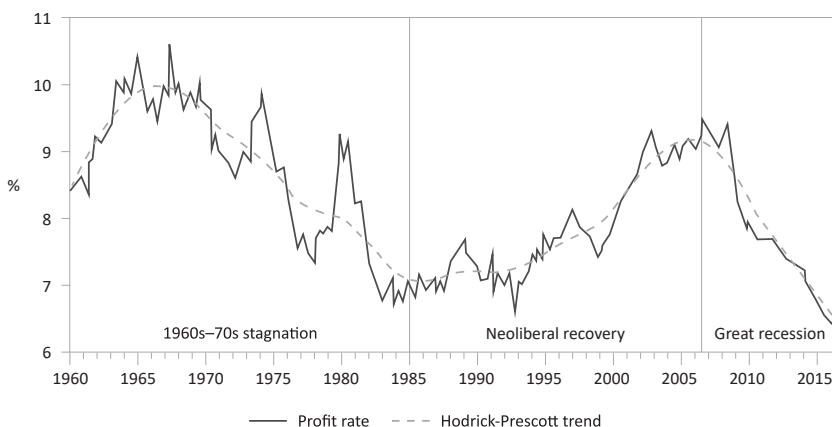
We argue in this section that the MEFC under apartheid-driven, racialised capitalism and neoliberal accumulation has brought about uneven development, which is prone to economic crisis and has shaped women's role in the labour force. Two periods of protracted crisis of capitalist accumulation in the productive sphere, marked by a fall in the rate of profitability, are depicted in Figure 8.1 and Figure 8.2 respectively. The first period, the stagnation decades, occurred in the mid-1960s until the mid-1980s. Underpinning the fall in the rate of profitability in the stagnation decades was an increase in capital intensity over that period, resulting in the over-accumulation of capital, as depicted in Figure 8.2. This increase was driven by the growth in gross capital formation¹ in the private and public sectors, as depicted in Figure 8.3.

The notable capital projects that were behind apartheid South Africa's capital-deepening project during this period were in the MEFC and were also driven by the country's public corporations (such as Eskom in the electricity sector, Iscor in the iron and steel sector and Sasol in the petrochemicals sector) and state departments (such as South African Railways & Harbours Administration in their construction of the Richards Bay railway line and port and in their purchasing of new aircraft for South African Airways) (see Prinsloo and Smith, 1997). The stagnation decades were followed by the neoliberal recovery which was associated with a rise in the rate of profitability from the mid-1980s until about 2008.

The second period, the great recession decade, occurred from the late 2000s at around the time of the global financial crisis (GFC) in 2008/2009.

¹ Gross capital formation is the sum of additional capital outlays and fixed assets as well as net inventory level changes.

Figure 8.1: Rate of profitability (all listed companies in South Africa), 1960–2016



Source: Malikane (2017: 14–15)

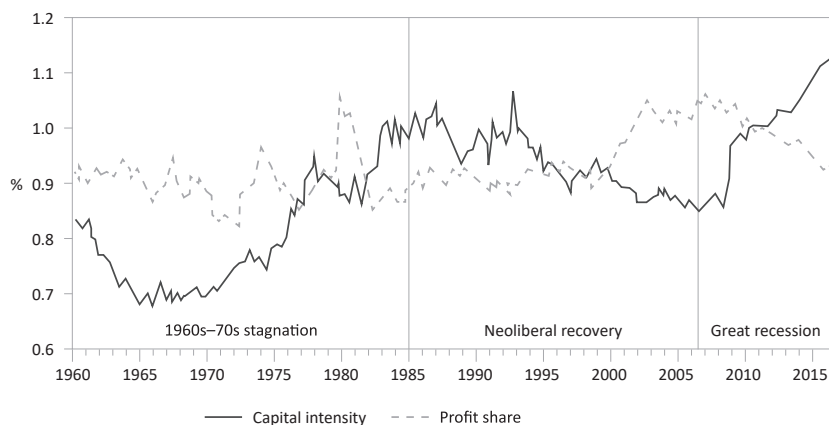
Note: The Hodrick-Prescott trend minimises the deviation of the original profitability series from the trend and the curvature of the estimated trend.

From the 1980s, the South African economy set off on a trajectory in which its rate of profitability would be restored through neoliberal reforms. In the early 1980s, during the apartheid era, neoliberal reforms came in the form of the deregulation of the banking system and experiments with privatisation which were formalised through the White Paper on Privatisation and Deregulation released in 1987. In the 1980s, therefore, those with capital in South Africa responded to the crisis of accumulation by reducing their investments in fixed capital stock and investing their financial surpluses in financial assets (see Figure 8.4). This spurred a bull run on the Johannesburg Stock Exchange (JSE) in the first half of the 1980s (see Bond, 2000).

Neoliberal reforms in post-apartheid South Africa shaped the patterns of the economy's uneven development. The macroeconomic framework that was adopted was aimed at achieving 'economic stability', driven by low levels of borrowing, a moderate and stable inflation rate, liberalised international capital and trade accounts, and predictable and moderate levels of taxation, amongst other factors.

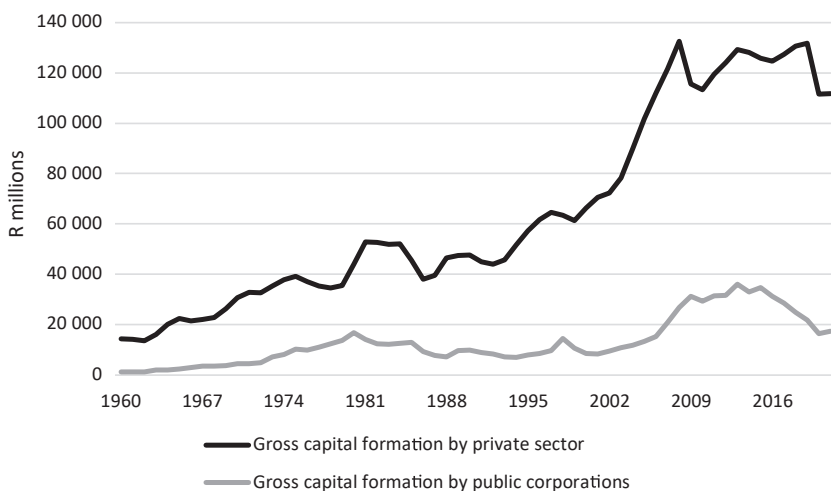
Uneven development in post-apartheid South Africa is characterised by three salient features. The first feature is the deep financialisation of the economy due to the comparative growth in the financial sector

Figure 8.2: Capital intensity and profit share (all listed companies in South Africa), 1960–2016



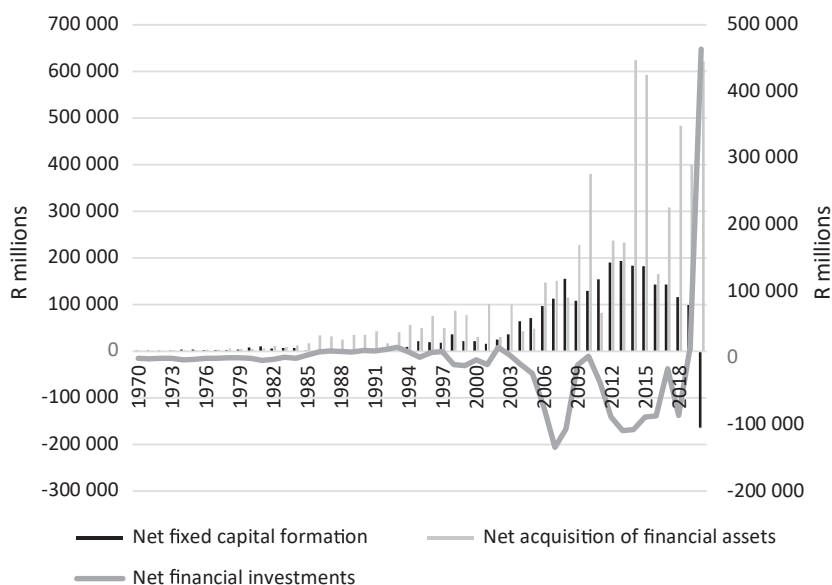
Source: *Malikane (2017:14–15)*

Figure 8.3: Gross capital formation by private and public corporations at constant 2015 prices, 1960–2016



Source: *SARB Quarterly Bulletin, extracted from Quantec (2022) (database)*

Figure 8.4: Flow of funds in South Africa at constant 2015 prices, 1970–2020

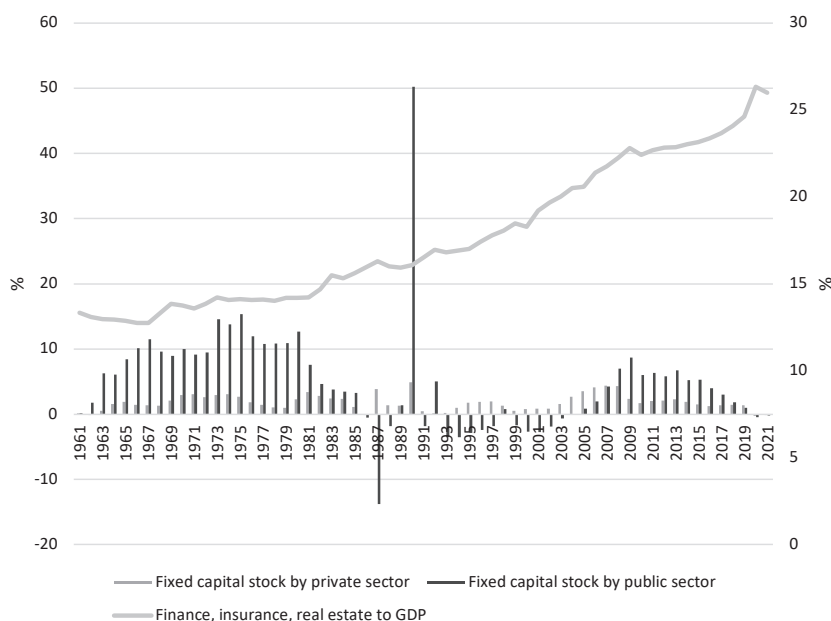


Source: SARB Quarterly Bulletin, extracted from Quantec (2022) (database)

and in financial markets and actors, within an otherwise stagnating economy. The net acquisition of financial assets has seen meteoric growth since the 1980s, with its dominance over net fixed capital formation being plain to see (see Figure 8.4). What is also notable is that the exponential growth of the financial sector since the 1980s has not been accompanied by growth in fixed capital stock (see Figure 8.5). Moreover, the deregulation of the capital account has been associated with short-term portfolio flows rather than foreign direct investment (see Figure 8.6).

The second feature is the restructuring of the productive components of the economy in the first decade after the democratic transition, in the wake of the accelerated liberalisation of trade and the capital account as well as the financialisation of the South African economy. As argued by Ashman et al. (2013), the capture of South African conglomerates by institutional investors led to more attention being given to shareholder value, which necessitated the unbundling of non-core assets and a strong focus on the core business. Moreover, accelerated trade liberalisation meant that domestic firms, particularly in

Figure 8.5: Change in fixed capital stock at constant 2015 prices and growth in financial sector, 1961–2021



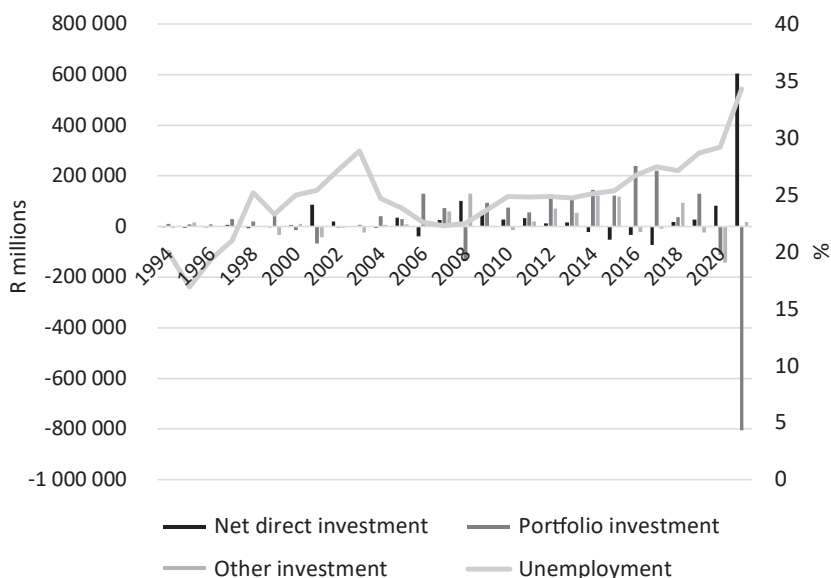
Source: SARB Quarterly Bulletin, extracted from Quantec (2022) (database)

the manufacturing sector, faced stiff competition, resulting in a spike in company closures. Company closures fostered by divestments in non-core assets, international competition and the outsourcing of business services together contributed to the premature deindustrialisation of the economy.

Premature deindustrialisation, as observed in a decline in employment in the manufacturing sector relative to, say, the services sector, is particularly noteworthy. Manufacturing sector employment fell from 15 per cent of total employment in 1993 to 9 per cent of total employment in 2020, while services sector employment (excluding government services) rose from 55 per cent of total employment in 1993 to 68 per cent of total employment in 2020 (Quantec, 2022). Given its capital-intensive nature, the MEFC's ability to create jobs is constrained by the absence of linkages with downstream labourintensive activities.

The precarity of the services sector *relative* to the manufacturing sector can be seen in Figure 8.7a and Figure 8.7b. Services-sector jobs tend to be relatively insecure compared to manufacturing-sector

Figure 8.6: Speculative investments and unemployment in South Africa, 1994–2021



Source: SARB Quarterly Bulletin, extracted from Quantec (2022) (database)

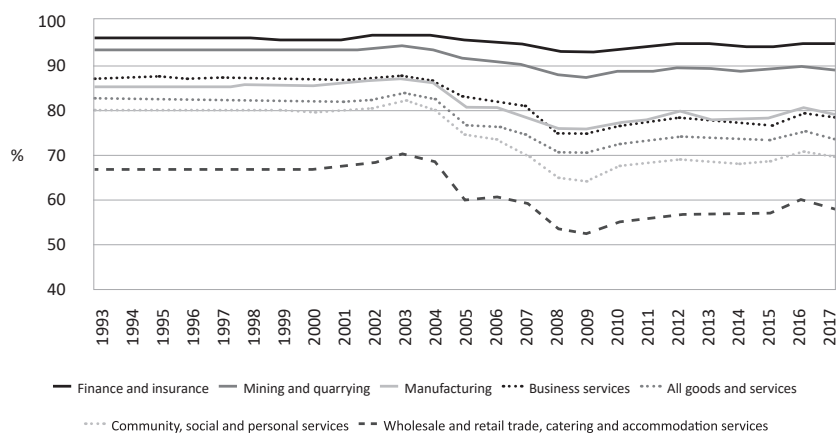
jobs on aggregate. Services-sector jobs (aside from the finance sector) make only a small contribution to formal employment and pay lower wages than manufacturing-sector jobs on aggregate. The gender-based division of labour is also highlighted in Figure 8.7c. Women are underrepresented in the manufacturing sector, particularly within the MEFC.

The third feature is the restructuring of the labour process within the productive spheres of the economy. This has resulted from local producers in domestic markets implementing cost-cutting measures when faced with international competition and the financialisation of the economy, which (as discussed above) has contributed to low levels of investment. According to Englert (2017), South Africa saw a 71 per cent increase in the number of non-core workers between 2004 and 2017, with 40 per cent of the workforce deemed to be in precarious jobs. Again, black workers are most disadvantaged when it comes to outsourcing and casualisation of work.

Moreover, the failure to invest in labour-intensive, productive

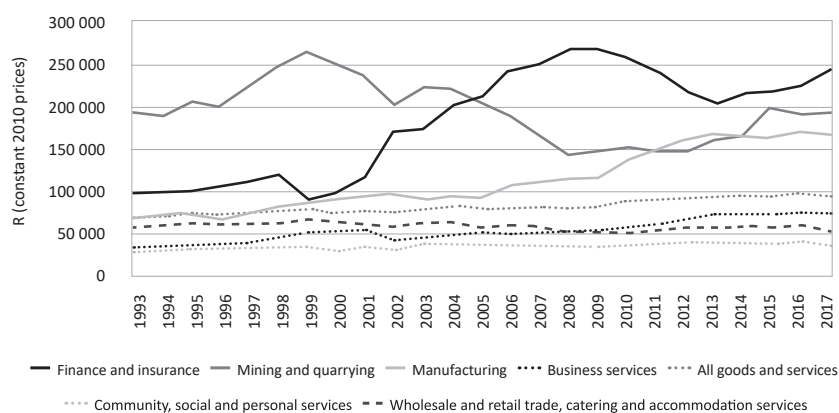
activities (as discussed earlier) has contributed to structural unemployment in the country. Labour force participation has increased, with unemployment being one of the key factors contributing to greater labour force participation amongst men and women (see Figure 8.8a and Figure 8.8b). In South Africa, this is more apparent amongst black people in general and black women in particular (see Figures 8.9a–d). This is in marked contrast to the international literature on the feminisation of work, which reports that sizeable numbers of women have light manufacturing jobs in developing countries, particularly in Asia.

Figure 8.7a: Sectoral contribution to formal employment, 1993–2017



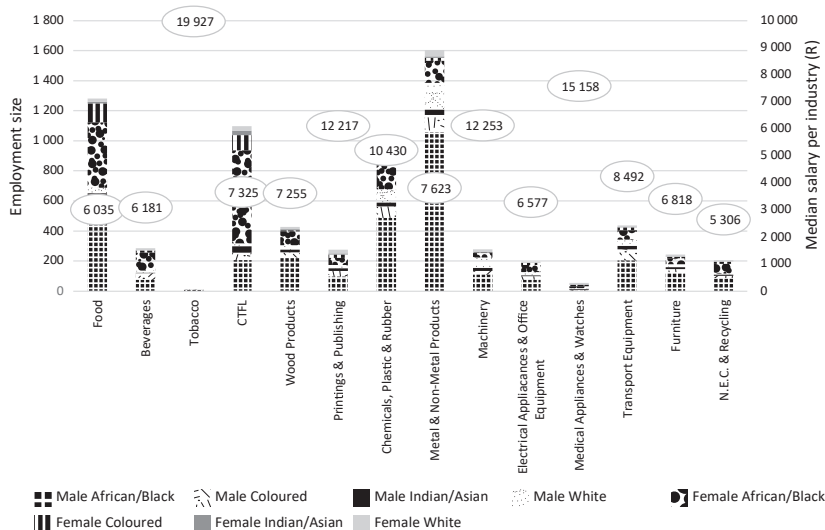
Source: Newman (2019)

Figure 8.7b: Average remuneration per worker by sector, 1993–2017



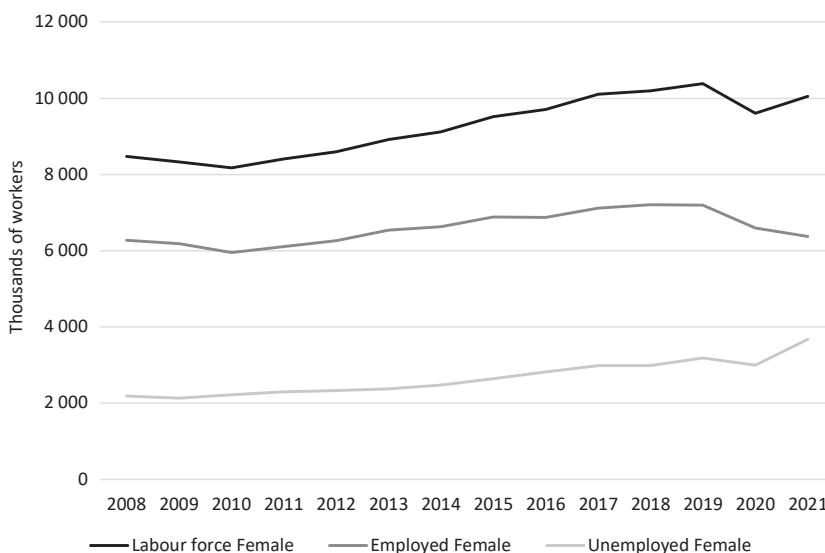
Source: Newman (2019)

Figure 8.7c: Employment and median salary per industry in the manufacturing sector, 2019



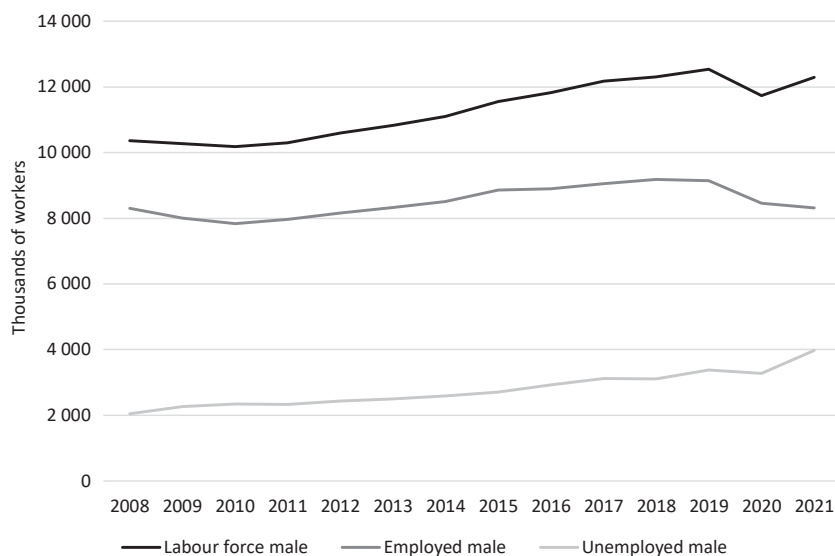
Source: Adapted from Gqubule (2019) using data from Quantec (2022) (database)

Figure 8.8a: Female labour force characteristics, 2008–2021



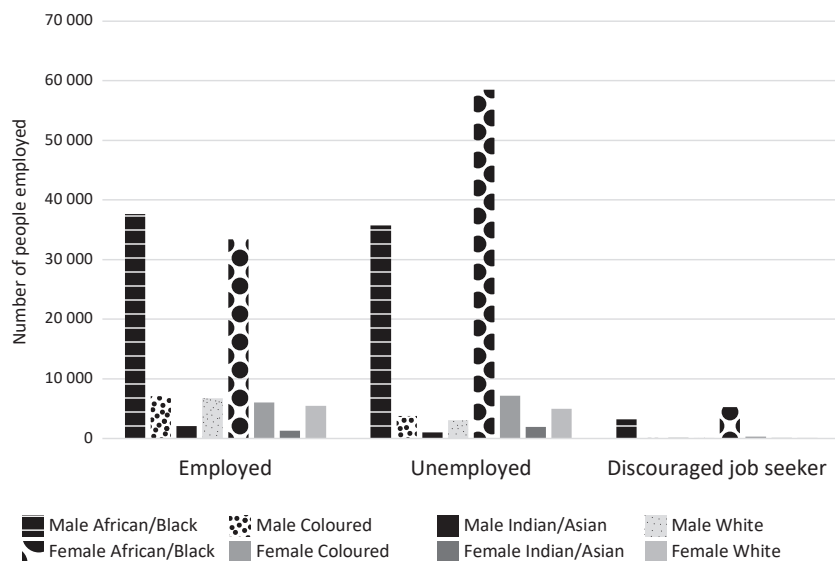
Source: StatsSA Labour Force Survey (2021) extracted from Quantec (2022) (database)

Figure 8.8b: Male labour force characteristics, 2008–2021



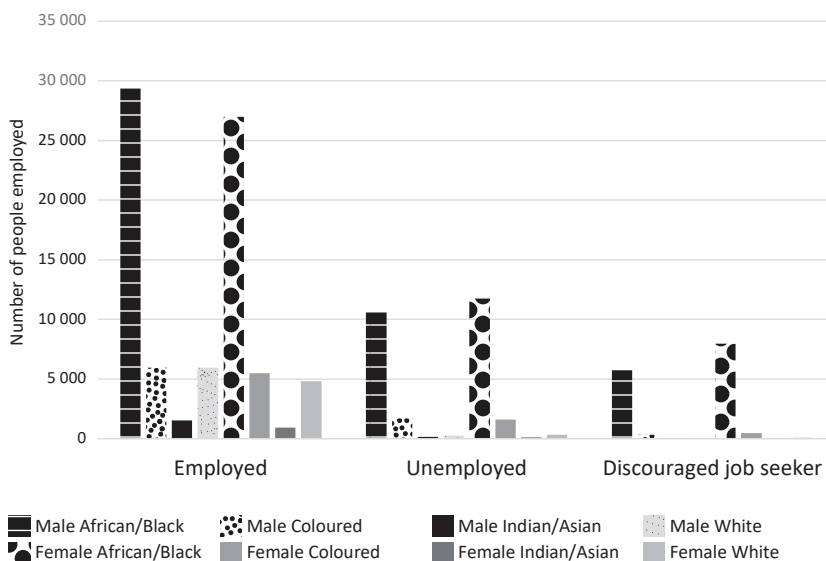
Source: StatsSA Labour Force Survey (2021) extracted from Quantec (2022) (database)

Figure 8.9a: Employment status by gender, 2008



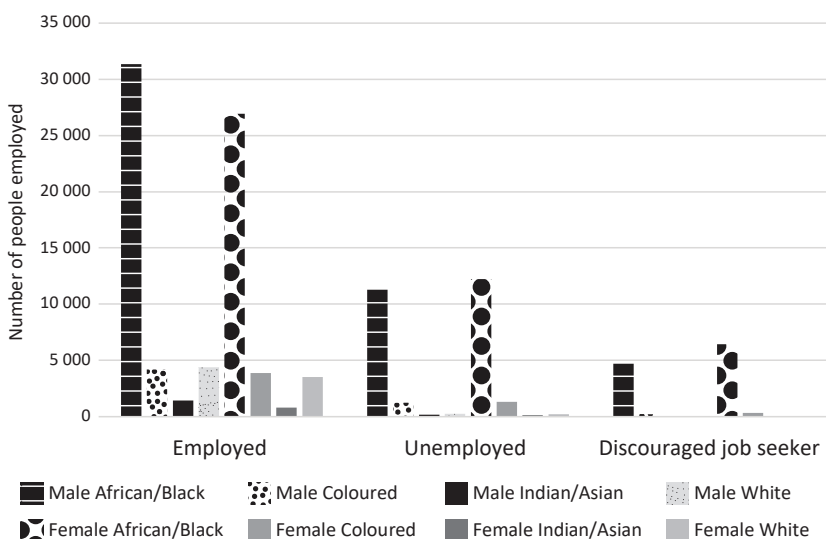
Source: StatsSA (2019) extracted from Quantec (2022) (database)

Figure 8.9b: Employment status by gender, 2011



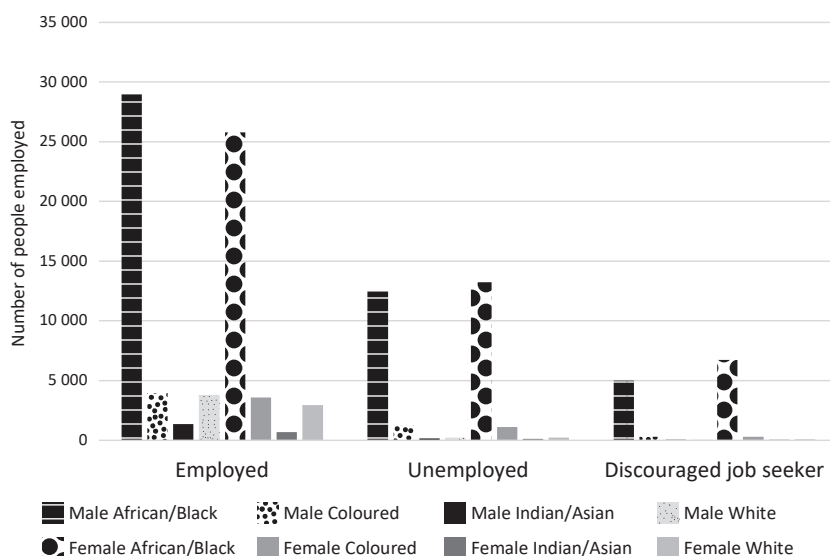
Source: StatsSA (2019) extracted from Quantec (2022) (database)

Figure 8.9c: Employment status by gender, 2015



Source: StatsSA (2019) extracted from Quantec (2022) (database)

Figure 8.9d: Employment status by gender, 2019



Source: StatsSA (2019) extracted from Quantec (2022) (database)

The fifth feature is the austerity macroeconomic agenda, spearheaded by the National Treasury, which has seen cuts in public expenditure over the last decade. Between 2014 and 2018, revenue growth was 2 per cent. However, non-interest expenditure growth was 1.8 per cent, while population growth was 1.6 per cent over the same period (BJC, 2019). The effect of the austerity drive has been to cut essential services, which has further worsened living conditions and increased the burden of care on mostly black women who are left to fill in the gaps left by a shrinking public service system.

THE EMPLOYER'S ROLE IN REPRODUCTIVE LABOUR: AN UNFOLDING CRISIS

One of the biggest disappointments of the post-apartheid labour regime in South Africa is that the progressive gains made by workers to ensure that worker rights are legislated have been undermined by the growth of non-standard work contracts or the informalisation of formal work. As discussed previously, subcontracting and casualisation are strategies employed to cut labour costs and to control

the workplace by segmenting the workforce and are an outcome of the financialisation of the South African economy and its accelerated integration into the neoliberal global economy. In this section, we discuss the social costs of financialisation of non-standard work contracts – specifically, the impact of non-standard work contracts on the reproduction of the workforce. We also demonstrate how the pattern of uneven development fostered by the MEFC has been forced upon the reproductive spheres and that the economic and social reproduction spheres are heavily intertwined.

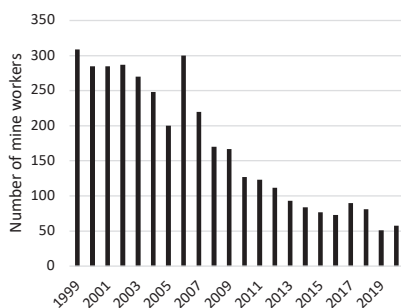
The 1970s were a time of unrest, with watershed industrial strikes during that period shaping the future trajectory of industrial relations in the country. The implementation of adequate occupational health and safety standards was amongst the key demands of the trade union movement, resulting in the establishment of the Erasmus Commission of Inquiry into Occupational Health and Safety in 1974. Unfortunately, none of the recommendations of the Erasmus Commission, which addressed workers' demands, were implemented. Some of the recommendations called on the private sector to prevent occupational diseases through training programmes for workers.

Over the past 20 years, safety in the mining sector has shown a massive improvement. Mining fatalities declined by 400 per cent between 1999 and 2018, while mining-related injuries declined by close to 300 per cent between 1999 and 2020 (see Figure 8.10 and Figure 8.11). Growing agitation by the trade union movement since the 1970s (as discussed above) was one of the factors contributing to this outcome. In terms of the Occupational Health and Safety Act No. 85 of 1993, employers were required to identify, assess and mitigate all workplace risks and to implement systems to contain risks that may not otherwise be easily mitigated. A system of occupational health surveillance, which included occupational health medical practitioners and hygienists, was also required to ensure that workers' health was continuously assessed and monitored in the interests of preventative care. Moreover, workers needed to be adequately trained so that they could perform their tasks safely without risks to their health.

Workers' resistance and state legislation have therefore offset the usual capitalist coercive pressure to maximise profit at the expense of

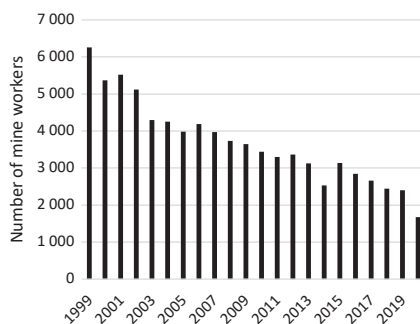
the reproduction of the labour force. As a result, significant progress has been made in protecting mineworkers' lives through improvements to health and safety standards and practices.

Figure 8.10: Mining fatalities, 1999–2020



Source: MCSA (2020: 18)

Figure 8.11: Mining injuries, 1999–2020



Source: MCSA (2020: 18)

However, these improvements mask the true nature of working conditions faced by mine workers, which have been induced by the financialisation of the mining sector and the integration of the sector into the global economy. The financialisation of the mining sector has taken place in multiple ways, all of which have had a bearing on the mining workforce. The push for increased shareholder value, for example, is linked to the workings of the international capital markets and the aspirations of institutional investors. Some mining companies, such as Anglo American, in opting for dual listings on international stock exchanges, have undergone restructuring, resulting in their focusing on their core business and/or divesting themselves of their industrial interests.

The impact of this form of financialisation, as observed by Ashman et al. (2013), is that the 80 per cent share of market capitalisation on the JSE held by the top five companies (mostly in mining and finance) in 1990 had shrunk to 26 per cent by 2012. Another form of financialisation that has occurred in the mining sector is what Karworski (2015) describes as a liquidity preference, evidenced in rising cash holdings, which are used for financial speculation with respect to mining assets. As observed by Bowman (2018), financialisation has spurred distributional contests between capital and labour over the

share of outputs.

Financialisation has contributed to work restructuring. We argue that this has impacted the social reproduction of the workforce at the site of production in two ways. First, the growth in subcontracted work has undermined the effective implementation and monitoring of occupational health and safety standards. Close to half the workforce in the mining sector are employed under non-standard contracts, involving subcontracted work and employment secured via labour brokers (see Figure 8.12). This has been on the rise since the 1990s. A major concern is the two-tiered occupational health and safety regime which governs permanent and outsourced workers respectively. Outsourced workers are not only poorly paid, but they also do not receive the key benefits that permanent workers receive which would help to reproduce their labour power, such as medical aid, sick leave, injury compensation, pension benefit, severance pay, death benefits and free safety equipment (Crush et al., 2001).

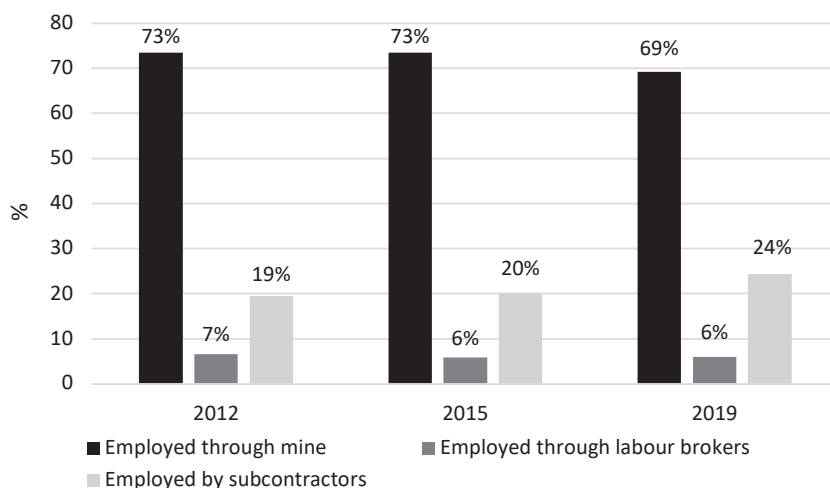
Moreover, subcontracted workers are most likely to do the most dangerous jobs, have longer working hours and inferior personal protective gear and to be instantly dismissed in the event of injury or sickness (Stewart et al., 2019). Extended working hours are particularly common amongst subcontracted workers as it is a way of making up for their low pay. Consequently, they are most likely to suffer from fatigue and exhaustion, which in turn makes them injury prone. Importantly, a common problem that affects the mining workforce as a whole is the under-reporting of injuries. Managers would rather make private payments for workers to receive medical attention than work through the mine's medical system, as reporting the injury will affect individual and production team bonuses (Stewart et al., 2019). This informal system mostly affects subcontracted workers as a relatively large proportion of their salary is tied to production bonuses. By presiding over a two-tiered application of the Occupational Health and Safety Act, which discriminates according to contract type, mining bosses are reneging on their reproductive role to ensure the health, safety and wellbeing of their workforce (Stewart et al., 2019).

Furthermore, improvements in the occupational health of workers lag behind improvements in their occupational safety. Workers'

exposure to airborne pollution has remained steady in the case of certain types of pollutants (HEG A and B) and has increased in the case of others (HEG C) (see Figure 8.15). Moreover, none of the targets for respiratory crystalline silica has been met during the period in question (see Figure 8.13 and Figure 8.14), meaning that there are more individual workers who are suffering from respiratory disease than the agreed maximum target. This has far-reaching implications for the health of subcontracted workers as many do not have access to medical aid benefits. This does not bode well for them should they fall ill. Again, workers operating under non-standard contracts are worse off, as they are not eligible for continuous health assessments aimed at preventative healthcare.

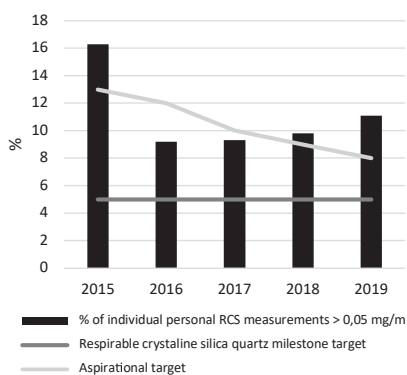
The financialisation of the economy in general and the mining sector in particular in post-apartheid South Africa has contributed to the growing fragmentation of the workforce, which has had serious repercussions

Figure 8.12: Standard and non-standard employment contracts in the mining sector, 2012, 2015 and 2019



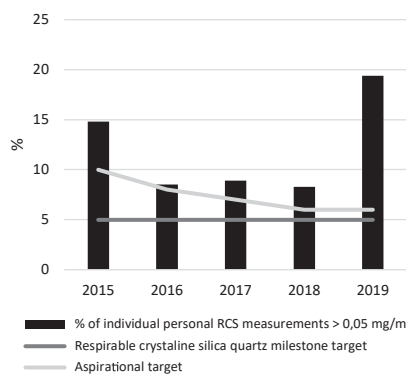
Source: StatsSA (2012: 5); StatsSA (2019: 15)

Figure 8.13: Progress with respiratory crystalline silica (RCS), 2015–2019



Source: MCSA (2020: 21)

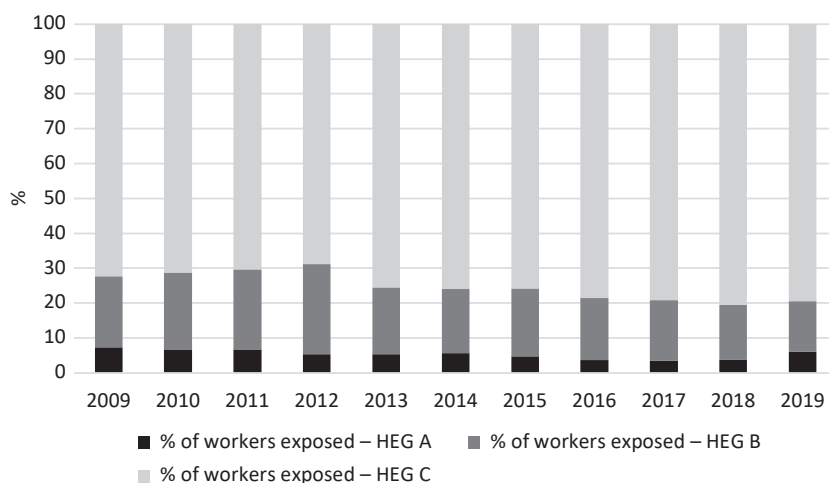
Figure 8.14: Progress with coal dust milestone, 2015–2019



Source: MCSA (2020: 21)

for the reproductive role of the employer, as mentioned above. There is a contradiction here: mine bosses need a healthy workforce for the mine to operate efficiently and generate revenue; yet they are constrained by the compulsion for profits and high dividends through the use of costcutting measures, such as workforce segmentation via different contract types and the associated externalisation of mine bosses' reproductive role, which often come at a cost – that is, the cost

Figure 8.15: Mineworkers' exposure to airborne pollution, 2009–2019



Source: MCSA (2020: 20)

of workers' lives, wellbeing and livelihoods. Therefore, the social costs of mining (which manifest as a disease burden, injury and death) are externalised, either to the public healthcare system or to households and communities.

WORKING IN REPRODUCTIVE
SECTORS: FINANCIALISATION VERSUS
OVERBURDENED HOUSEHOLDS

Social reproduction sectors (health, social services and care) have had similar experiences to those of the mining sector in terms of financialisation and cost-cutting strategies, evidenced in both the private and public sectors adopting various forms of austerity measures and work casualisation. We argue that the exploitation of workers involved in care (both paid and unpaid workers) is fundamental for the perpetuation of capitalist accumulation and that austerity and financialisation processes in the health sector have prompted work restructuring and casualisation. Again, workers' lives and livelihoods, including those of health workers, are put under strain by the very processes of accumulation that they help to sustain.

What characterises this reproductive work, specifically under a system of neoliberal capitalism, is the lack of recognition (social invisibility) and the intersecting systems of oppression, including those along gendered, socioeconomic and racial lines. The invisibility of care work performed (for free) by women in families mirrors and reinforces the fact that care work performed in workplaces is similarly undervalued and overrepresented by women globally, particularly women of colour and migrant women.

The democratic government in South Africa has designed a social policy that focuses on cash transfers in the form of social grants (child support, foster-child support, old-age pension and disability grants, amongst others). In April 2020, a temporary social relief of distress (COVID-19) grant was added to the collection. In financial year 2020/2021, 18.44 million social grants were paid, through a private service provider, to 11.45 million beneficiaries. This form of social assistance is considered by government to be the most effective,

propoor programme currently in place and represents the main source of income for close to a quarter of all South Africans (Parliamentary Budget Office, 2021). However, this approach to social policy entails a shift from the provision of high-quality public services to the financialisation of social policy (Lavinias, 2017; Webb, 2016). As a result, the approach – based on the notion of financial inclusion – ends up reinforcing powerful financial institutions and the commodification of services of public interest and drives up indebtedness amongst the poor.

The South African population is faced with a quadruple burden of disease: communicable diseases, such as HIV/AIDS and tuberculosis (TB) (South Africa has the largest global share of TB cases); maternal and child mortality; non-communicable diseases, such as hypertension and cardiovascular disease, diabetes, cancer, mental illness and chronic lung disease; and injury and trauma. Owing to the unprecedented socioeconomic inequality in the country and the informalisation of work as well as the inadequacy of safe housing and sanitation facilities, the distribution of diseases is higher amongst the working-class black majority.² HIV/AIDS disproportionately affects women and is highest amongst black African women. In this regard, African women are the most vulnerable to infection due to factors such as their low socioeconomic status, which may force them into relationships that expose them to a higher risk. Moreover, there are demands on women's time and resources, as they constitute the majority of caregivers (Fakier and Cock, 2009).

The economic system has failed (either through the market or the state) to look after the health of the bulk of the population; as a result, the job of looking after people with poor health has largely fallen to African women, who either nurse patients in underfunded public entities or care for their family or community – often with limited access to electricity and sanitation.

During apartheid, healthcare provision used to be organised along

2 This chapter adopts a Marxian definition of the working class, which includes both unemployed and underemployed workers, which Marx refers to as 'surplus labour' or 'the reserve army of labour' in the Communist Manifesto and in Capital Volume I (Marx, 1976 [1867]).

racial and class lines. From the 1980s, due to government policies and global trends, the under-resourcing of public hospitals was accompanied by the growth of private hospitals, leading to what is referred to as the bifurcation of health provision. McIntyre et al. (1995) indicate that the number of private hospital beds in the country doubled between 1988 and 1993. The expansion of the private healthcare sector has continued in post-apartheid South Africa, which has resulted in heightened competition for skilled nursing labour and the emigration of health workers from the public to the private sector and from South Africa to the Global North. The growth of private hospitals has in turn reinforced the historical understaffing of health services available to the black majority.

Government health spending increased substantially between 1995 and 2012 to meet the rising demand for services, especially in the face of the HIV/AIDS epidemic. However, if figures are adjusted for population growth, real per capita (uninsured) public-health expenditure rose from 2012/13 (R157 547 million) until 2018/19 (R174 362 million) and, according to some measures, is now decreasing due to falling numbers of private insurance users (Blecher et al., 2017). From 2011, 'provincial departments of health have increasingly implemented tight restrictions on filling posts. [Consequently], fewer than half the number of professional nurses hired in the period 2006 to 2012 were hired between 2012 and 2016' (Oxfam, 2020b: 24).

What started in the 1980s and has continued in post-apartheid South Africa is a two-tiered health system: a well-resourced and high-cost private health service catering to less than 20 per cent of the population and an extremely under-resourced public service catering to the majority of the population yet relying on less than 50 per cent of public and private investment (Ataguba and McIntyre, 2018). The private system that serves an adequately resourced and generally healthier minority is subsidised by the state through expensive medical tax credits. As pointed out in an Oxfam (2020b: 26) report: 'Instead of giving R35.4 billion medical tax credits to wealthy taxpayers and the private healthcare sector, the government could increase the budget allocated to the public healthcare system by more than 60 per cent.'

Moreover, the Oxfam (2020b) report shows how the highly

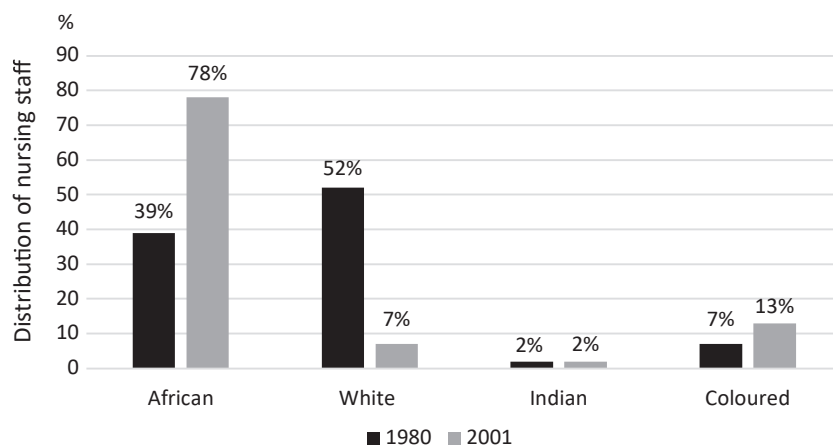
financialised private healthcare sector prioritises the interests of shareholders when it comes to the quality of its health services. In fact, against the background of the global and then domestic economic crisis: ‘From 2016 to 2019, Netcare, Mediclinic and the Lifecare Group made a combined R11.7 billion in net income and paid R19.2 billion to shareholders in dividends and share buybacks. Cash to shareholders exceeded profit, with a shareholder pay-out ratio of 163 per cent’ (Oxfam, 2020b: 27). Oxfam also notes that, to cut costs, private companies have accelerated their outsourcing strategies, leading to the deterioration of health workers’ employment conditions and the services provided to clients.

The adverse consequences of financialisation and understaffing for the workforce cannot be overstated. Nurses and healthcare community workers (HCWs), who are the frontline workers in the healthcare system, are generally overworked (Cohen and Venter, 2020) and suffer from high levels of chronic stress. Furthermore, the South African black majority is bearing the brunt of systemic under-investment in the public sector and cost-cutting policies, which impact the quality of services. Women, specifically African women, are disproportionately represented amongst healthcare workers (see Figure 8.16) and their jobs are undervalued and poorly remunerated, despite the enormous workloads they carry.

The black majority carries the highest burden of disease relative to the richest white minority. However, the black majority receives the lowest quality and quantity of healthcare services. This is exacerbated by high morbidity rates, which affect the quality of healthcare work. This juxtaposition is a manifestation of the so-called ‘inverse care law’ (Hart, 1971).

The restructuring of healthcare services, which began in the 1980s in the context of a widespread lack of social and care services and inadequate preventative health facilities, has caused the amount of unpaid labour in households and communities to rise (Marais, 2007). Globally, socially reproductive activities are mostly performed at home by women, although the unequal distribution of this type of work between genders may vary depending on factors such as the broader socioeconomic environment, prevailing political and cultural values,

Figure 8.16: Racial distribution of nursing staff by percentage, 1980 and 2001



Source: Extracted from Hall and Erasmus (2003: 539)

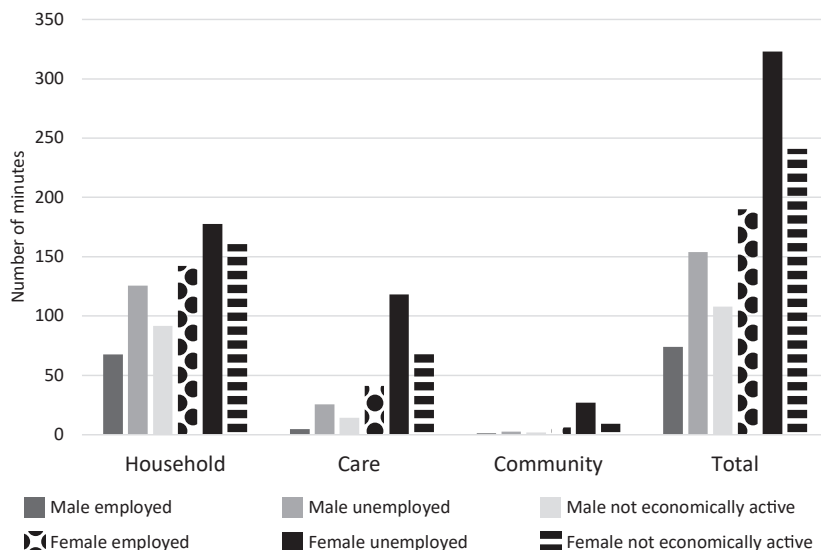
and (importantly) the availability (or otherwise) of care alternatives outside the home.

The household is the epicentre of unequal, unpaid reproductive work (see Figure 8.17 and Figure 8.18). According to a 2019 time-use survey, women in South Africa spend on average 3 hours 15 minutes per day on unpaid work in the form of care and house maintenance, while men in South Africa spend on average 1 hour and 28 minutes on unpaid work.

Casale and Posel (2020) provide an analysis of women's employment patterns in the South African economy from 1995 to 2020. While pointing to the significant gains made by women since the transition to democracy, the authors also indicate the extent of the gender disparity in the labour market. Casale and Posel (2020) provide some evidence of the centrality of the burden of unpaid labour amongst women participating in the labour market. They conclude that as long as the provision of care within the household remains the primary responsibility of women, gender disparities will persist.

During apartheid, social reproduction work was rendered invisible by the racial divide that underpinned society and the economy as a whole, under the institutional banner of separate development (Ginsburg, 2021). Black women were employed for low wages in white

Figure 8.17: Minutes per day spent on unpaid work: Household, care and community, 2019



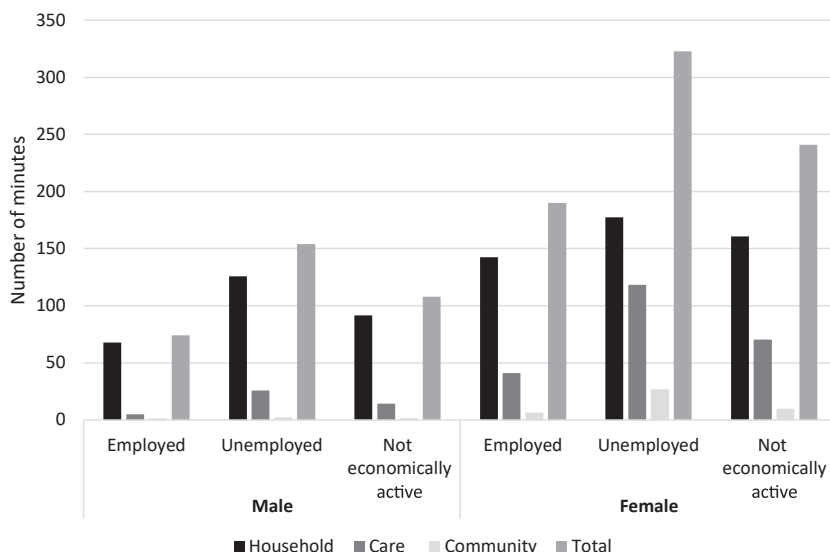
Source: Oxfam South Africa (2020a: 58)

households where they would perform essential reproductive tasks, such as cleaning the house, doing the laundry, and ironing, cooking and raising their employers' children (at the expense of their own.)

Even today, middle-class households employ domestic workers often for less than the minimum wage and often under informal employment arrangements. Domestic workers in South Africa may work part time, full time or as live-in workers (Oxfam, 2020a) and they may perform part or most of the reproductive work necessary to maintain the household, to raise the children and to look after the elders. Most domestic workers in South Africa are black women, as shown in Figure 8.19.

Historically, social reproduction work performed largely by black women in South Africa has been a fundamental characteristic of capitalist accumulation. This is exemplified by the lack of social services available to the black population throughout the periods of colonialism and apartheid and by the material support given to the economy by the black Bantustans in the form of cheap labour and the 'reserve subsidy' (Wolpe, 1972). As a result of the COVID-19

Figure 8.18: Minutes per day spent on unpaid service work according to employment status, 2019

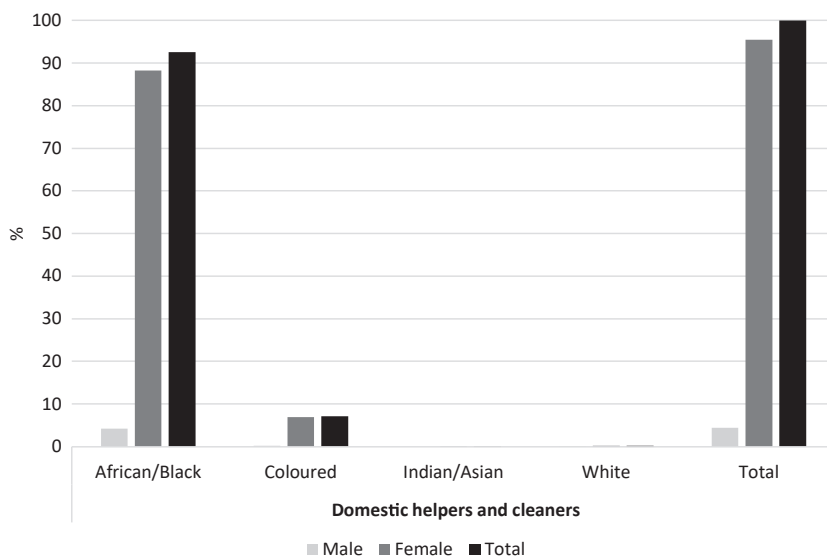


Source: Oxfam South Africa (2020a: 57)

pandemic, the media, policymakers and the general public are finally paying more attention to some of the jobs entailing reproductive activities, describing some of these jobs as ‘essential’. Nevertheless, the essential work categorisation is piecemeal and contested. Not only has the ‘essential worker’ categorisation been applied differently in different countries, but in general it excludes the most precarious or unpaid forms of reproductive work, which has remained invisible to the media and escaped policy attention (Stevano et al., 2020).

Globally, reproductive work is in a state of crisis and, because of the way in which it is organised, it has become a vector for deepening, intersecting inequalities. In South Africa, it is highly feminised and racialised and is characterised by poor working conditions, which range from unpaid labour to informal labour and a high incidence of overworking in formal employment settings.

Figure 8.19: Domestic helpers and cleaners by gender, per population group, 2019



Source: StatsSA (2019)

CONCLUSION

In this chapter we demonstrated that structural transformation in South Africa has been inadequate as it has failed to include critical dynamics in the economy, particularly those found at the intersection between class, race and gender. Instead of deepening industrialisation, which is itself an insufficient measure of development, structural transformation has continued to be associated with uneven development which has contributed to the crisis of social reproduction. The structure of the economy has continued to rely on the MEFC, giving rise to a crisis of economic production that has had to be absorbed by an undervalued and unrecognised social reproduction sphere.

We presented two arguments. The first argument is that, under apartheid-driven, racialised capitalism and the post-apartheid neoliberal order, private accumulation has shirked its reproductive duty to sustain the life and wellbeing of the workforce through the provision of a living wage and adequate health and safety at the site of production. Indeed,

using the mining sector as an example, we demonstrated that capital externalises the costs of reproduction to an under-resourced public sector as well as to communities and households, with black women bearing the brunt of its process. The second argument is that the exploitation of workers involved in reproductive activities (both paid and unpaid workers) is fundamental to the perpetuation of capitalist development. We showed that financialisation in the health sector, coupled with austerity measures, has resulted in work restructuring and casualisation. Again, the lives of black African women, who constitute the majority of the workforce in the health sector, are put under strain by the economic system that they have to sustain.

To break the cycle of social reproduction crises, it is essential to acknowledge the relevance of social reproduction activities to the functioning of the economy and society more broadly. Moreover, to counter the ongoing onslaught of inequalities, reproductive work must be redistributed between genders in the household and between the household and the state, through the provision of adequate public services and through the private sector, ensuring a living wage for their workers and a healthy and safe work environment.

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Section Three

*Patriarchy and gender dynamics in
democratic South Africa*

CHAPTER NINE

Between Sisters as a black feminist theatre aesthetic

REFILOE LEPERE

INTRODUCTION

Creating and enacting the role of ‘domestic worker’ offers black South African women a way of analysing what it means to be a black radical subject. Domestic work, like creative labour, is the intersection between paid work and unpaid work. It is the presentation of self as a performance in mediating relations with others, as well as an exploration of the interior lives of women.

This chapter makes a case for the play, *Between Sisters*, written and directed by Refiloe Lepere (2016), as a black feminist theatre artefact. An analysis of the play – the set design, and how the characters inhabit space and navigate their interior lives – provides a critical examination of everyday acts and staged performances as important sites of knowledge-making for black women. The sartorial choices made in the production expose the markings of the black feminist theatre aesthetic. They also represent the precarity, racial oppression

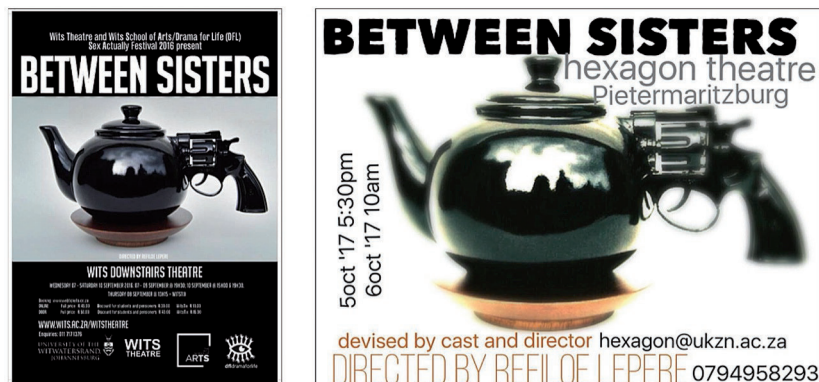


Figure 9.1: Posters publicising *Between Sisters*. Left: Poster for the show staged at the Wits Theatre, Johannesburg. Right: Poster for the show staged at Hexagon Theatre, Pietermaritzburg

and class positionality of the domestic worker. A case is made for black women's labours as sites that shift and challenge our understanding of what is and could be radical black subjectivity. An examination of various South African black women's aesthetic practices reveals how they have laboured to create, and write into history, the complexity of black women, using the domestic worker as the subject matter.

The chapter grapples with how roles that are inherited from a colonial and racist past can be reimagined on stage, allowing a role to transcend its clear markers of invisibility, silence and obscurity. *Between Sisters* centres on the role of the domestic worker as it offers a continually shifting script, with the domestic worker and employer roles giving us insight into the nature of power and the way it plays out in our collective imagination. Performance here is used not only as a practice of theatre but also as a method of analysing social activity and as a knowledge-production exercise.

The play, *Between Sisters*, was staged at the Wits Theatre in Johannesburg and at the Olive Tree Theatre in Alexandra in 2016, and at the Hexagon Theatre in Pietermaritzburg in 2017 (Figure 9.1). The title of the play was drawn from Xoliswa Dilata's (2010) master's thesis titled 'Between "Sisters": A study of the employment relationship between African domestic workers and African employers in the township of Soweto'. The research and the play are based on the

relationship between black 'madams' and their black employees. Dilata (2010) argues that the relations between black madams and their maids are as tumultuous as the relations between white madams and their maids. This study found that the historical roles of madam and maid have largely not changed. Like many studies on domestic workers in South Africa, Dilata (2010) found that the most exploited women were live-in domestic workers, because they have such intimate relationships with their employers. As they are considered to be 'like family', they tend to have no knock-off times and are undercompensated.

What was particularly interesting about the analysis, which became the creative blocks for *Between Sisters*, was the suggestion that black madams acted as decisively as white madams. The black employers reasoned that black workers were used to abuse from white people, which they accepted and rarely complained about; therefore, they should be willing to accept similar treatment from black employers. This proposition suggests that there are particular ways in which the roles of 'madamhood' and the domestic worker are expected to be performed. These performances interact to produce contentions about what it means to be a black woman. *Between Sisters* engages with these contradictory experiences of black women, who create and recreate themselves as political ideas within the spaces of their homes.

The chapter starts with a brief discussion on black consciousness theatre as an influencer of worker theatre and black aesthetics in South Africa. It then explores how the black feminist theatre aesthetic can be understood. The assertions of feminist theatre-maker, Lizabeth Goodman, are probed to test the notion that 'feminist theatre [as an academic subject] is informed by several disciplines, including media studies and politics' (Goodman, 1996: 20). To map out the contours of a black feminist theatre aesthetic, the chapter borrows from other art forms and the collective art-making of black women. It stresses that, just like the play under discussion, these other art forms also demand self-definition. Black women's creative work is used to define the contours of a black feminist aesthetic, which helps to explore how black womanhood can be understood through the performance.

BLACK THEATRE TO BLACK FEMINIST AESTHETIC

In defining a black theatre aesthetic for the South African context, it is important to return to the time when theatre productions were segregated, that is, the pre-1994 era. In those times, black theatre was mostly township-based and white theatre was government-funded and 'professional', but both explored issues of labour (Penfold, 2013).

On both sides of the divide, theatre was used to address growing internal disgruntlement and objections to government policies and conditions of employment. Black theatre clearly decried the lack of jobs and the absurd and destructive nature of the apartheid work system. According to Steadman (1998), in the context of white theatre, plays were used to protest the importation of foreign artists into South Africa. They were seen to be taking jobs from local white performers.

The Black Consciousness Movement (BCM) brought about a redefinition of 'black theatre' and 'theatre done by blacks' (Penfold, 2013), arising out of a need to politicise theatre. According to theatre scholar Robert Kavanagh (1981), the BCM made it necessary to distinguish between theatre that was created in collaboration with whites, whose audiences were primarily white, and theatre created by black people in the townships, where the audiences were black (Kavanagh, 1981). Both types of theatre were conducted in the townships and were political in nature. However, black theatre-makers asserted that their work should remain faithful to the ideology and placed the philosophy of black consciousness (BC) at the centre of their aesthetic. In the People's Experimental Theatre Company, for instance, theatre-makers refused any interracial collaboration. Black artists in the movement argued that interracial creations and companies failed to tap into the black experience and political reality (Penfold, 2013).

BC theatre was where the message of defiance, pride and reclamation became the medium (Penfold, 2013). It was thought of as a weapon and it refused to compromise or yield to the established theatrical techniques. It was often created in a workshop environment: a play was created by a group of people instead of being written by one playwright in isolation. This black theatre aesthetic, according to Hutchison (2011), reflected on people's daily lives, drew on oral traditions and combined

various performance genres, such as music, narrative and dance, within a single play. A theatrical aesthetic from this era that combined prose, poetry and drama was called 'Proemdra'. The coalescence of the three genres of the arts was, for the BCM, a social and political rejection of formal literary concepts which are normatively separated (Zander, 1999). Proemdra and black theatre situate BC as a movement not only of ideas but also of aesthetics.

A successful theatre piece was not only able to *reflect* the lived experiences of the people watching it, but also to *examine* them. Theatre, like other art forms, was used to make political comments about the state of South Africa and help other people identify themselves as artists or identify their role in protest action and the liberation struggle. Theatre-maker and writer Zakes Mda explains that this creation is rooted in the every day. '[It] draws from the traditional African Aesthetic where art could not be separated from life ... the artist as a social commentator' (Mda, 1993: 296). Here, Mda (1993) argues that the black theatre aesthetic is responsive to the political climate of its day.

In his edited volume, *The Black Aesthetic*, American artist and theorist Addison Gayle (1970) maps out how tenets embodied by Proemdra grew from the erasure of black art by established white organisations. Similarly, in South African art, a black aesthetic arises out of the struggle for black works to be taken seriously. Gayle (1970: 44) writes: 'Black aesthetic is a call for a set of rules by which black literature and art [are] to be judged and evaluated [on their own terms].' The ideological intention behind the black aesthetic in theatre and other forms of art is to take the side of blackness. These art forms challenge the status quo and, more critically, 'strive to assert self-determination, self-definition, and embrace blackness in a world where blackness is undesirable' (Mokoena, 2017: 120). Writer Candice Fredericks (2016) defines the black aesthetic as 'an aesthetic utilizing blackness' or, 'an aesthetic for black people'.

Playwright Amiri Baraka (1965) wrote a theatrical manifesto titled 'The revolutionary theatre'. He outlines that black theatre must teach [white people] their deaths (Baraka, 1965). What he means is that theatre must do more than just reveal the plight of the black people – it must

also do something to the audience; make them feel violence of sorts. The manifesto is a set of notes on what radical theatre for black people can look like. His articulation demands that the audience participate – be attacked. It is what he calls theatre of assault. The aesthetics of such, which is similar to the BC theatre of South Africa, represents the theatre of breaking open the lives of blacks to make the audience uncomfortable. It is a form of agitprop (agitation and propaganda) theatre: its manifestation is to objectify the black subject so that their lives are like a weapon wielded against the white world.

Similar to BC theatre and Amiri Baraka's theatrical manifesto, feminist theatre aesthetics is not merely concerned with theatre made by women. Feminist theatre aesthetics critiques traditional modes of theatre and their shortcomings, as far as feminist epistemologies are concerned (Laughlin and Schuler, 1995). 'Feminist aesthetics starts from the assumption that the historical domain of art and the aesthetic is itself patriarchal' (Devereaux, 2009: 648). Feminist theatre, like workers' theatre, demands equal rights; but it also reimagines what theatre aesthetics could be outside of 'a prescriptive list of what should be used by feminist theatre' (Martin, 1996: 6). Conscientised female playwrights use performance to agitate for equal pay, equal education and equal opportunity. Feminist theatre also makes use of agitprop techniques as a form of protest theatre. Here the women make themselves objects to be seen – they weaponise their lives to shed light on dominant social and cultural systems that are oppressive to women generally.

Black feminist theatre, in particular, is the meeting place of the theory and expression of black women's lives (Anderson, 2008). Whereas BC theatre centres on black male experiences and the feminist aesthetic focuses on white females, the black feminist theatre aesthetic places black females centre stage – they are the central characters (Anderson, 2008). Black feminist theatre foregrounds the lives of black women both politically and materially (Anderson, 2008), and actively engages in a consciousness-raising critique of systems of class, gender, race and sexual oppression (Goddard, 2007). A black feminist aesthetic is rooted in philosophy, linking it to beauty and what it means to be human (Wynter and McKittrick, 2015). The internal lives of black

women and the interior spaces (homes) are the drivers of the story line, in a situation where 'time and space do not always correlate with linear time and space' (Downes, 2004: 102).

THEATRE, LABOUR AND THE DOMESTIC WORKER ROLE

A look into the history of South African theatre, art and representation reveals a clear interest in labour issues. In the 1970s, theatre companies like Junction Avenue would partner with labour unions to create workers' theatre (Penfold, 2013). For black workers, who were part of union organisations, it became increasingly important to not only relate to one another on immediate problems of work, campaigns and strategies, but also to use plays, musical groups and choirs to engage in the worker struggle (Von Kotze, 1987).

Theatre was part and parcel of collaborative efforts by artists, workers and community groups. Plays such as *Asinamali* (Ngema, 1986) and *Ilanga Lizophumela Abasebenzi* (Junction Avenue, 1980) were co-created by unions and artists. Currently, labour issues are still crucial for theatre-makers, filmmakers, artists and authors. For example, after the Marikana massacre in the platinum mines in the North West province in 2012, a book, *Marikana: A view from the mountain and a case to answer* (Alexander et al., 2013), was written about the massacre. In addition, a documentary film, *Miners Shot Down* (Desai, 2014), was produced, while plays, including *Marikana: The Musical* (Sekhabi, 2013) and *Man in the Green Blanket* (2015), were performed to highlight the conditions of work on the mines and the exploitative nature of the labour industry.

From protest theatre to struggle songs, the arts have been vital for projecting the voices of workers as radical objects in South Africa. Saxophonist and historical activist, the late Hugh Masekela (1974), sang countless songs about migrant labour, while songwriters like Caiphus Semenya (1996) and playwright Matsemela Manaka, of *Egoli: City of Gold* (1982) fame, have focused on miners and their families. These art forms all reveal the inequalities in mainstream labourintensive industries, such as mining, construction and metal, which are also

male dominated. In comparison, there has in the main been a dearth of black female representation, except for some pieces about the domestic worker. For example, in 2015, Napo Masheane created *New Song*, a play about two domestic workers and their responses to the 1956 Women's March to the Union Buildings in Pretoria.

The figure of the domestic worker is a political device that is real and, at the same time, projected onto many other black women across generations. The collision of identities of black, woman and worker in the domestic worker helps us to understand what happens when these identities are embodied, through performance: we can see the black female worker as the site for the intersection of humanness as it relates to blackness (Wynter, 1989).

In South Africa, domestic workers are an integral facet of the landscape. For many of us, they have raised us, acting as both mothers and workers. According to Statistics South Africa, a huge proportion of the South African workforce comprises domestic workers. For many black women, domestic work is still the go-to source of employment; it is the largest employer of black women, followed by retail. In the 1980s, 'roughly 89 per cent of domestic servants in South Africa were black and, of these, about 88 per cent were women' (Cock, 1980: 63). Over the years, this number has grown to 90 per cent, according to the International Labour Organization (2012). Since the domestic workforce is mostly black, the work itself carries with it a lot of racial, racist and exploitative labour practices. 'The conditions of [domestic] work are the least protected within one of the most regimented labour forces in the world' (Cock, 1980: 63). This intersecting position of oppressed worker and black woman is of particular interest to me as a creator and artist.

PERFORMING ROLES: MAID AND MADAM

Between Sisters is about two sisters, who are maids, and their relationship with their black madam. It was inspired by and adapted from Jean Genet's (1954) *The Maids*. In the latter, the two sisters engage in role-playing by planning the murder of their boss. In my adaptation of the text, I have added twists for the South African

context. *Between Sisters* addresses the relationship between a black madam and black maids in a context of domestic servitude. The sisters' names are Bontle (meaning beautiful) and Flo (short for Florence). In the domestic work arena in South Africa, names are a particularly sore point. The madam in the play pronounces Bontle as 'Bonclare'. Flo uses her English name, Florence, rather than her African name. This choice to use English, white-washed names was deliberate in order to speak to the long tradition of misnaming domestic workers. 'Many women's names were never used in the contact zones of South African kitchens' (Jansen, 2011: 103).

For the purposes of jest and spite, the madam is named Ausi Khensani in the play. *Ausi* is a Sesotho term for sister, used mostly for an older sister. It is used to infer respect for an older woman (but not as old as one's mother). The irony of the madam being called Ausi lies in the observation that, in black townships, women who helped with domestic chores (the nannies and washers) were also called *Ausi*. Therefore, the use of the name Ausi in the context of urban black society similarly denotes the domestic worker. Read in this way, at the level of African urban cultural understanding, the play suggests that some identities associated with the upwardly mobile black elite can have their social mobility counteracted through language and cultural concepts in society.

The sisters speak Sesotho to each other, but they speak English to the madam and when they are in role-play. This is intended to highlight the performativity of their relations with the madam. It is also a commentary on how the madam has fallen rapidly into the role of 'master'. Language plays delineating roles: class, age and particularities of a character in a performance. Through communication, you can tell a character's background, age, culture and sometimes race. For example, the madam speaks English throughout except for one instance when she talks to herself in Sesotho. Her insistence on speaking in English reveals that she is younger than the other two women; her use of an accent also hints at her class and background. The only instance when the madam, Ausi Khensani, slips into speaking Sesotho to herself demonstrates how black madams can also slip quickly into their black normative identity. In other words, she becomes a madam as an act to

assume the master's role and then unconsciously slips back into a black, subjugated identity – a slave and other – addressing issues common to exploited black workers, who normally express themselves in their mother tongue.

Nonetheless, her complaints are also organised around another form of her exploitation: her new role as a black woman of 'means' and independence. Her money woes are not about interests central to her new, middle-class lifestyle, however, but about matters of the heart: she lacks bail money for her lover, which heightens her insecurities about being an unmarried, black, middle-class woman. Her frustrations with her lack of capital find articulation in her finding fault with the sisters, whom she dislikes and accuses of being unable to help, and being wasteful (Lepere, 2016).

The monologue in the play was drawn from overheard conversations of employers who have had petty complaints about their domestic workers. In Scene 3, Bontle walks into the room and overhears Ausi Khensani speaking to herself. Ausi's monologue is a moment of truth because it exposes her vulnerability and the precarity of her class generally. Her class prevents her from living the lifestyle bestowed on her by her money and social level, and her monologue in the play reveals this aspect. She is frustrated that she cannot live up to the expectations of the life she thinks she should live as a madam. In essence, she too is playing a role – as a madam. Her slippage into Sesotho shows that her English is a mask; it is an act she puts on for her workers, and for the public. Her English is seen as a performance.

The performance of the master using the master's language is similarly explored in other works. In her novel, *The Madams*, Zukiswa Wanner (2006) explores the racial reverse of the madam–maid relationship. Her setting is also the domestic space where the main character, Thandi, a black woman, hires a white maid as a social experiment. The role of the maid is questioned in this instance to gauge if it can be easily used as a generalisation and as a crossrace performance. Wanner (2006) also questions national identity formations in the terrain of everyday life. In *The Madams*, the role of the madam is similar. Wanner's work is used as it helps to illustrate how black women's performances and subjectivities in the home are constructed (Dlamini, 2018). The

performance highlights that black madams are not reimagining the role of being the mistress/master of their spaces but merely slip into the old, colonial mistress/master performances.

At face value, the role of the domestic worker appears to be easily accessible. The iconography is easily identifiable; we know what it looks like. In her article, 'Ooh, eh eh ... just one small cap is enough! Servants, detergents, and their prosthetic significance', Shireen Ally (2013) argues that the iconography of maid–madam has historically kept the labouring hands black and the colonial masters white, even in representations. She writes how the black maid in South Africa is understood in very performative terms. The role of the domestic is a marked one – a clear presentation of race, class and gender. In South Africa, domestic workers are marked as black women (Ally, 2013; Baderoon, 2014; Cock, 1980). The terms 'domestic worker' and 'black woman' reflect interchangeable identities (Baderoon, 2014).

Ally (2013) goes on to explain that even in linguistic terms in South Africa, the domestic worker is referred to as 'girl', a term that relates only to a black woman. The historical connection to such a term is very significant. During apartheid, black adult men and women were referred to as 'boy' and 'girl'. This was because black people were viewed as infantile and not deserving of respect or proper titles, even well into adulthood. Thus, the role of the domestic worker not only conjures up worker metaphors, but also evidently stirs paternalistic and racial attitudes and gender bias attitudes. Since the role of the domestic worker is accessible, and we have daily interactions with various women who are domestics, we all think we know or assume we have permission to act out the role.

This is the case in most representations (performances) of domestic workers in film, television and theatre; whether writers/directors are black or white, the characters are still similar. The role of the maid is performed in stereotypical ways: primarily with buttocks protruding, at the receiving end of jokes and continuously in gossip mode.

To question this representation and explore the gestures that make up this role, *Between Sisters* opens with a mime sequence. On the following page are the stage directions that introduce the characters (Scene 1 directions, Lepere, 2016):

Bontle walks in dressed in a slip. She stops at the portrait frame and poses as if it was a picture of herself. She then surveys the room, checking herself in the mirror. Touching the luxurious items, shoes, dresses, coats. She then picks a coat, wears it. She does a sequence of actions that look like Madam's. Ausi Khensani walks in, undisturbed by Bontle; she is wearing the same coat that Bontle is dancing with. She joins her as a mirror, making similar gestures. They make the movements simultaneously. Flo walks in at the door to the kitchen wearing her domesticworker outfit. Watching from the door, she mimics the two, trying but failing. When music fades, Flo slips out very quickly, Ausi Khensani walks to the frame, poses as if it was a picture of herself. She exits through the door to the other bedrooms like she was getting ready for a big day. Bontle is left on top of the bed, obsessed with the coat.

In this scene, the actresses mime and mimic one another's actions. The gestures are peculiar and present an image of the characters roleplaying and acting out their desires. The making of the scene is such that the actions become so synchronised that the actresses mime. The reason for the mime is to comment on how gesture is learnt: how some actions we think are innate are actually copied and repeated. The image of the sisters miming the gestures is also a comment on their desire for different roles or the idea that 'if you act like it, you can become it'. Presenting the black female characters with varying possibilities is a comment on constructions of blackness.

As a black woman theatre-maker, I find the theme of class among black women interesting. This theme speaks directly to my standpoint of black, woman and worker. Labour is a key term here, where a black woman's making of both reproductive and creative labour are, as mentioned earlier, forms of self-definition. The characters, facing their own drama and conflict, vacillate between seeking liberation from within themselves and from an external, racist and sexist society. The differentiation between the black madam and the black worker reveals black feminist roles. Ausi Khensani embodies the new concepts of feminism, which are confined to empowerment and upward mobility.



Figure 9.2: A scene from the play, *Between Sisters*, with actresses Mammalti Thakudi-Nzuza and Dimakatso Motolo. Photo: Marta Garrich

Through the representation of the sisters, we are given glimpses of how, as workers, they represent black women's paid and unpaid labour as their roles intersect across racial, class and gender lines (Hill Collins, 1990)

ROLE, COSTUMING AND RECOGNISABILITY IN *BETWEEN SISTERS*

The choice of costuming for the play, *Between Sisters*, had the function of creating meaning. Costumes help to either subvert or play into the stereotypes. They also draw on the audience's ability to make links with other representations external to the play. In classical Greek drama, a role was determined by costume, which is the essence of character (Harrop and Epstein, 1982). The dress objectified a particular behavioural or psychic quality. The maid's outfit, writes Baderoon (2014: 187), works 'the way Clark Kent's costume turns him into Superman'. It transforms the woman into a domestic worker.

'A uniform does two kinds of work – it signals that the woman is capable of, and ready to do, domestic labour, but also that she

has fully entered the persona of a domestic worker. The uniform erases and heightens visibility – it allows women to disappear into a subservient identity’ (Baderoon, 2014: 187). Baderoon argues that women who are domestic workers have to remove things that could make them individuals. The main contributing factor to this removal of individuality is the overall dress, combined with an apron and a headscarf (see Figure 9.3). These three items have come to denote ‘domestic worker’ in South Africa.

According to art historian Ntombela (2012: 140), the ‘maid’s uniform is disliked because of its associations. It is not the uniform itself that degrades domestic workers, but it publicises their position, which has been constructed as low in the social order’. The maid’s outfit functions as a signifier of a role. On stage the outfit is performative in and of itself; the audience can immediately identify its meaning. As a costume, it tells a story of femininity, black labour and colonialism. So, deciding to make the actresses wear the domestic worker costume was a point of contention. As a tool for representing subservience, it was clear. However, as a motif, when reimagining the power dynamics of the role of domestic and employer, it carried too many signifiers. Within the context of South Africa’s past and present, the outfit is a powerful tool of non-verbal communication and active storytelling, even when it is not attached to a body.

The domestic worker outfit allows the body to be a performative site. In the initial scenes, the characters are in an enactment; the audience does not know that they are watching role-playing. From the onset, the domestic worker experiences the idea of ‘wearing the madam’. In this sequence, they explore not only gendered gestures, but also occupying the space of ‘the other’. In the role-play of the maid–madam relationship, the sister playing the maid talks back to the madam in a manner that she would not generally use. She also appeals to the madam’s guise to be kinder and more generous, something she would struggle to do if she were face to face with the madam (Scene 1, Lepere, 2016):



Figure 9.3: Costuming – Mamatli Thakudi-Nzuza (Flo) and Dimakatso Motholo (Bontle) *Photo: Marta Garrich*

BONTLE: *Oreng?* [What are you saying?] You think you can talk to me like that? Maid. Telling me about boundaries? Borders? Frontiers? Do you think you know more than me? Do you think you can teach me?

FLO: *Wa mpona ngwaneso.* [You see me so clearly.]

BONTLE: Hahahaha! Bona! Do you think it is easy to be a madam? You think it is comfortable to get people to work for you. Fall into line. To take instructions. You look at me and compare yourself. Think I am here because I like it. No, my darling. I have had to work hard. While you were not going to school, I was. I was learning to be in charge. It is not my fault you were scared of school. Now you ...

This exchange highlights how the idea of the materiality of the body and costume can function as a theatre aesthetic device, but also serves as a radical critique of behaviours and everyday acts. The sister playing the madam also offers the audience insight into her thinking, assuming that the maids love her and have no other option but to love her. As she talks, she forgets the maids' desires, ambitions and real objects of love.

The role of costume is made central to the play in order to signify the desire of the sisters to be madams. The worker's apron is a point of contention when the sisters wear it. The apron is a costume item that performs. Barbieri (2013) reminds us that a costume performs, transforms and shows the audience more than a superficial image. Without the benefit of words or movement, we learn what the mental state of a character is. In a black feminist aesthetic, the performing outfit reveals the central character's desires and interiority, and their ambitions and objects of desire. The play does not have a lot of action, but the characters reveal a lot through their costumes, gestures, dialogues and actions.

STAGING THE DOMESTICITY AND POLITICS OF THE HOME

It is essential to view the house as a political space. For the domestic worker, it is both a workplace and a home. It is also the stage where performances of 'making' take place; where domesticity and motherhood are judged. The ability of a woman to make money and be industrious (Magadla, 2017) is played out in this setting. Domestic work is often the work of mothering, while other workers experience domesticity at home. For domestic workers, the home and the place of work are a sort of continuum; domestics work in homes, and when they are at home, they engage in unpaid labour. In the play, Flo expresses the complexity of unpaid labour: there is the desire to create and maintain the family, but unpaid labour is the core of one's work.

The home space also harks back to motherhood, which is regarded as a primary obligation of women. In the South African imagination, women are seen as mothers and caregivers, 'the symbolic bearers of the nation' (McClintock, 1993: 62). Amadiume (1987) regards motherhood



Figure 9.4: Elements of the set design at the Wits Theatre, with the big bed central on the stage

as a shared form of work across genders. Her reading of motherhood shows that the concept relies on a woman's capacity to show that she can run an independent economy that contributes to the building of the household.

In other words, motherhood is not only about childbearing but also about economic power. McClintock (1991: 117) argues that 'exalting women for their maternal power alone has calamitous consequences, erasing and undermining the multifarious other forms of women's work'. Motherhood is then suggested to be about the ability to make money for her children and family; it is also a rallying collective identity. 'Motherhood [is] central to African women's personal and cultural identity as well as their social and economic roles' (Gaitskell, 2005: 260).

The play is set in a house, in the bedroom. In this space, the two sisters muse about their room and their desire for their own living space; somewhere they can think and dream for themselves. The dream allows for the creation of a domestic space. The setting of a bedroom is significant as a site of rest, of reprieve and time away from the world. The interior environment correlates with the black feminist theatre

aesthetic of action taking place indoors. As young, working, female domestics, their desire for their own homes and space is tangible in light of the luxurious bedroom.

The first set, designed for the play at the Wits Theatre, had a big bed in the middle of the stage (Figure 9.4). The bed foregrounds the sisters' desire for their own rooms and highlights how the employer's life fills up the worker's life as well. The bedroom is in direct contrast to the worker's room, which also has to serve as a kitchen and living area. During apartheid, the maid's room was often known as the servant's quarters, and many are still evident in houses in suburban neighbourhoods.

Rebecca Ginsburg's *At Home with Apartheid: The hidden landscapes of domestic service in Johannesburg* (2011) looks at how even homes and domestic spaces were racial in apartheid South Africa. She examines these spatial boundaries; how white homes were created to monitor the domestic worker, to keep her inside but, at the same time, an outsider. Ginsburg explores the domestic worker's room – a bedroom that has to double up as a living room, kitchen and bathroom. She highlights how women found ways to recover these small, humiliating spaces by filling them with personal possessions such as calendars and bedding. The aesthetics of domestic workers' backyard rooms is mirrored in the backyard dwellings' migrants, and their dreams of work and other homes. These backyard rooms allowed black women to shift the balance of power in their domestic arrangements (Ginsburg, 2011).

For the second iteration of the play, the set design was the ground plan for a bedroom, drawn out on the stage floor (set design description – Lepere, 2016):

A bedroom. The set design is a ground plan of a bedroom. The ground plan has all the labels of an elegant bedroom that wants to give off the air of luxury. KING-SIZE BED, FRENCH WINDOWS, CURTAINS, DOORS – door to the kitchen, door to other rooms, door to the bathroom, CHANDELIER made from a teapot and cups and saucers, HEADBOARD, PEDESTALS, CLOSET, CLOTHES – SHOES, FURS,

DRESSES, etc. COUCH, BIG MIRROR but does not quite capture it. On stage left is a big PORTRAIT FRAME. Empty. Used by the actresses to suggest Madam.

The detailed explanations of the design suggest a formal space that is orderly: everything has its place. This design worked better for travelling, but also for illustrating how the relationship between madam and maid conforms to pre-existing plans, social strata and power templates created by white madams and black maids. The plans fill up the stage floor and make use of empty framing and a chandelier that is a teapot. It also suggests that the owner has thought hard about the interior design of the house. This speaks to the pride that black women have when they create their homes.

In the play, the characters occupy the bedroom of the madam; this marks how their time is consumed by work. They talk about their shared living space – the room. While one loves it, the other despises it. By setting the play in a bedroom, it speaks to a space where time is slowed down for the purposes of role-playing and dreaming (Scene 2, Lepere, 2016):

BONTLE: The cupboard that takes too much space! You really need to get space-saver boxes. You must watch those shows, what do they call them; small spaces big design? You – FLO: *Ausi!*

BONTLE: Ok tell me this? How do you get your hands smelling like that? I mean you always have them in water.

FLO: Bontle! *Matsoho aka ents'eng?* [What's wrong with my hands?]

BONTLE: They smell from cleaning the toilets. They smell of the kitchen sink. I've told you – wear gloves! You need to come into the salon for a mani or something! The truth is, I can't stand your touching me. Hurry up!

FLO: *Jwale oya gole ngwaneso!* [My sister, you are going far!]

BONTLE: (*shocked astonishment*) What's that you said?

FLO: Stop nonsense, Bontle! Limits, boundaries.

Historically, South Africa was a country of borders and frontiers. Flo breaks their enactment to chastise her sister, even though they are in role-play. There are boundaries, limits to where they can play. In the above excerpt, this is clearly stated. In South Africa, the borders of the madam's house are one example. For the domestic worker, it is both a workplace and a home. It is also the stage where performances of 'making' take place. The borders are clear: this is the employer's space and this is where the worker should be. The play aligns with the black feminist aesthetic because the whole play takes place in one space. In the bedroom, the women can dream and evaluate their lives and how they engage with the world.

CONCLUSION

Historically, black aesthetic plays have focused on the relationships between black and white people. What black feminist aesthetic plays like *Between Sisters* portray are the relationships between women. This particular play centres on the experiences of black women and how they negotiate their existence with one another. At best, it leaves several questions about what it means to be a black female worker, and what it means to be an employer. The universal and uncontested sisterhood that feminism suggests is also questioned, as class and historical roles are reimagined.

On the stage, the experiences of precarity converge on the black woman when she is performing domestic service. Coded into the performance of the domestic worker is also the possibility of role changes, while the exposition of the domestic worker role is a conscious black feminist theatre device. Ultimately, *Between Sisters* demonstrates that domesticity.

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CHAPTER TEN

Historical trauma and structure in violence against and by young men

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INTRODUCTION

Ours is a violent society. Stories of violence are a staple of the South African media, such that it is rare for large newspaper and broadcast media not to carry a story of interpersonal violence on any given day. The levels of interpersonal violence in South Africa have been compared to those of countries during wartime (Seedat et al., 2009). In fact, in 2018 South Africa was listed on the Global Peace Index as one of the most violent places on earth, with indications that such violence will intensify in the subsequent years (Institute for Economics and Peace, 2018). Violence is a leading risk factor for injury and death in the country, with homicides, in particular, being far above the global average (Bowman et al., 2018). The drivers of violence are multiple and include extremely high levels of poverty, unemployment and income inequality; gender inequalities and patriarchal understandings of masculinity; and other factors such as exposure to child abuse, access to firearms, alcohol abuse and weak law enforcement (see Seedat et al., 2009).

If we are to comprehend the extraordinary levels of violence in South Africa, it is essential that we document and engage violence as it exists – in multiple forms – within our present conjuncture. Tracking the movement of violence is, in this respect, an imperative for researchers. Yet, to do this, we need also to go beyond violence as it appears to us. Indeed, we require situated analyses of the social structures, and of the historical movements of these structures, within which violence is embedded and against which violence is resisted. Our understanding of the gendered nature of violence is denuded of essential insights if we do not also seek to understand how slavery, colonialism and apartheid have shaped and formed violence as it exists today. We must, in other words, endeavour to understand how this society was constructed with and through systems of violence, how these systems have changed, and what has been retained within them.

Analyses of this sort can, and often do, produce needless abstraction and an overwhelming sense of despair over our situation. However, this need not be the case. History and social systems are made by people; it is people, in their daily, cumulative decisions and acts, who can and do make history and create institutions. This simple insight can furnish studies of violence with a degree of hope, however marginal.

While this chapter is concerned primarily with conceptually grappling with gendered violence in South Africa, while avoiding the tendency for abstraction, it is grounded in empirical data on male violence victimisation and perpetration, drawing from a dataset created from the National Injury Mortality Surveillance System (NIMSS) and police data. The chapter begins with a discussion of history and structures of violence. It then offers a brief overview of homicide in the country, followed by an example of direct violence – an empirical study on adolescent homicide. We then explain how direct, interpersonal violence (i.e., violence largely between persons, known or unknown) occurs as part of an interlocking relationship with structural violence (i.e., violence that results from social systems, such as patriarchy, which both produce and normalise inequality and oppression). We then probe further into violence and men. Here, we address the lacunae in understanding violence against and by young men by offering two interrelated theoretical resources, namely theoretical work on

historical trauma and on structures. In the final section of the chapter, we consider implications for addressing different forms of violence in young men's lives.

CONSTITUTIVE ROLE OF HISTORY AND STRUCTURES IN VIOLENCE

A core component of the argument presented here is that the magnitude and distribution of violence in contemporary South Africa is linked directly to the country's constitutive history and structures, and to the policies and actions of the colonial and apartheid governments in particular. Violence, it should be emphasised, is defined in more than one way, and every definition of violence carries implications for policy and action (e.g., Hamby, 2017; Krug et al., 2002; Pontara, 1978). As such, while some acts and narratives are defined as violent and, therefore, more readily identifiable as violence (e.g., a man killed by another man, or a woman verbally abused by a man), others which may also result in suffering, injury or death are not consistently understood as violent (e.g., apartheid segregation laws, or the air pollution resulting from smokestacks which causes high rates of illness and death amongst those living nearby).

What is not always made salient in discussions of men's violence perpetration and victimisation are the connections between different forms of violence such as these. In the forthcoming discussion of the violent histories and structures embodied in laws, alongside direct, interpersonal violence, the intention is not to turn away from the fact that direct, interpersonal violence is high, that men are involved in much of this violence, or that effective policies and implementation are needed to support the reduction of disability, mental health impairment and death from violence. Instead, the intention is to bring attention to violence in its several interlinked manifestations and to prompt further thinking in studies of violence about the entwinement of structural and direct violence, and of men as victims and perpetrators, in order that we can realise a more liveable, healthy society.

Importantly, we also intend to connect human development/under-development to violence and to men and masculinity. Here,

we have in mind the conception of human development as ‘a process of enlarging people’s choices ... for people to lead a long and healthy life, to acquire knowledge and to have access to resources needed for a decent standard of living’ (United Nations Development Programme, 1990: 10). Human development is viewed as contingent on choices that ‘range from political, economic and social freedom to opportunities for being creative and productive, and enjoying personal self-respect and guaranteed human rights’ (1990: 10). In particular, *accent* is placed on the philosophical and pluralist keystones of human development to call attention to the multiplicity of human deprivations that exist for young black men (as for young black women) and the implied imperatives for human flourishing (see Sen, 2000).

Below we employ homicide (used here interchangeably with murder) as an indicator of levels of direct violence. The principal reason is that homicide is commonly regarded as the most reliable indicator of violent crime when compared to other violent crimes, such as assault or sexual offences, which tend to go unreported or under-reported. The visibility and directness of homicide also assists in rendering the invisible and indirect forms of violence relatively easier to perceive.

HOMICIDE IN CONTEXT

Stories of violence in the media are supported by police and research statistics. For example, since 2012/2013, police statistics have indicated that murder has increased from a ‘low’ of 16 213 murders that year to 21 325 in 2019/2020 (South African Police Services: Department of Police, 2019/2020). Unfortunately, police statistics are inconsistent and unreliable the further back we go into South Africa’s history, as the apartheid state did not keep reliable data on violence in ‘black’, ‘coloured’ and ‘Indian’ areas, sometimes for political reasons given the prevalence of police brutality, but also because the black homelands had different police systems (Schönteich and Louw, 2001). Thus, although we cannot say exactly when relatively more reliable data emerged, we do know that it was only after the various homelands were integrated that South African police started treating the murder of black people as deserving closer attention. Furthermore, different sources of data

also provide different estimates. For example, the National Injury Mortality Surveillance System (NIMSS), which emerged in 2001 and relies on medico-legal investigations of nonnatural deaths, at times reports a homicide rate that is higher than police estimates (Altbeker, 2008). The United Nations Office on Drugs and Crime's International Homicide Statistics database, which provides comparisons between countries, confirms that South Africa's murder rate is very high. The national rate is approximately six times the global rate (World Bank, 2021). Whereas the global rate of homicide was 6.167/100 000 and 5.955/100 000 in 2012 and 2017 respectively, in South Africa it was 30.6/100 000 and 35.9/100 000 during these same periods. It is also worth noting that while the global homicide rate was declining, the South African homicide rate was rising. Furthermore, when compared to other African countries, the murder rates in South Africa are even higher. For example, the homicide rate in 2017 in Guinea-Bissau was 1.149/100 000 (World Bank, 2021), making South African's homicide rate over 30 times higher than Guinea-Bissau's.

A key point to underline about violence in South Africa is that it is not taking place in the context of war or civil war. The body count in the country is, however, very high. While South Africa is said to have improved in peacefulness, the Institute for Economics and Peace (IEP) (2020) ranks it at 123 out of 163 countries in its Global Peace Index (GPI) ranking of peacefulness. South Africa is also ranked 29 out of the 44 African countries covered by the GPI, with nearly all of the countries below it affected by civil strife, transnational conflict and terrorism. The IEP (2020: 21) says:

South Africa had the fourth highest overall improvement in peacefulness in the 2020 GPI. Its overall score improved by 3.4 per cent, which saw it rise three places to be ranked 123rd overall, with improvements in all three GPI domains. However, despite this improvement, South Africa still faces many challenges to peace, especially in the *Safety and Security* domain. In particular, it has a very high *homicide rate*, and very high levels of *violent crime*.

Murder (and violence more generally) are widely understood as major social problems. Studies and reports have consistently indicated that males, and young males in particular, predominate

as both perpetrators and victims of murder. The disproportionate representation of males among homicide victims begins early in life. A study on adolescent child homicides in South Africa found a higher adolescent homicide rate among males compared to females (Mathews et al., 2019). Another South African study on adolescent homicides demonstrated that males comprised eight of every ten victims, and that most of the victims (nine in every ten) were killed by a male offender (Swart et al., 2018).

While the levels of violence by and against young men are especially high, the number of studies on the systemic and psychosocial impact of violence upon young men's lives is relatively limited (Kaminer et al., 2008; Sommer et al., 2017). There are also gaps within this limited but existing literature. One gap in the studies on violence focusing on young men is the relative silence about, or minimisation of, structural violence (that is, violence inherent to social systems) with which young men, like other age and gender groups, live. Whilst some studies do consider how society is saturated by violence, there is, by and large, little sustained engagement with the experience of living in a zone of undeclared war (see Altbeker, 2010). Moreover, there is a lack of appreciation within research studies on the impact of violence from the perspective of the young male subject.

Another gap within the literature is that very few links are made between individual young men's violence victimisation and perpetration, on the one hand, and the structural conditions within which victims and perpetrators exist, on the other. In other words, it is rare that what we might call 'hot violence' (i.e., direct violence that takes place between individuals or in a community) is clearly and explicitly linked to what is referred to as 'slow violence' (i.e., indirect violence such as that caused by, for instance, policy choices, environmental pollution, corruption or hunger) (see Nixon, 2011 on slow violence). Where such connections are made, they tend to be merely asserted without being thoroughly and critically discussed (see Christie et al., 2001).

These limitations, gaps and silences have far-reaching implications for how violence is publicly discussed; for the government policies put in place to protect against violence, and for policing. For instance,

policy and media reporting tend to focus only on individual violent acts, thus missing the constitutive histories or structures within which these acts occur. High profile public discussions also rarely dwell on the community-led efforts that seek to address violence in social structures. Discourse and policy, in other words, typically rely in greater part on moralisation rather than on nuanced analyses of social structure, history and grassroots anti-violence resistance.

An appreciation of history is required in order to apprehend violence by and against young men in contemporary times. Violence was a central constituent of colonial and apartheid society. The colonial and apartheid classificatory system was reinforced over time by an extensive legal architecture which ensured patriarchal, white minority power. Violence was also foundational to racial and ethnic identity, not just to who could be South African – an identity distinct from, yet connected to, who could be, for instance, white or black – and also to notions of masculinity and femininity. From the moment of occupation, Europeans sought to remake the native population into a lower form of human (see Bulhan, 1985). The historical violence that formed South Africa assumed many guises. It could be direct, for example when police killed people. It could be legal, as conveyed in discriminatory legislation. At some points it was physical, and at other moments it was epistemic (i.e., harmful and inaccurate representation) (see Teo, 2010). It could be economic (i.e., related to poverty) in a single instance, and sexual in the next. Such a multitudinous conception of violence in motion points us towards the systemic determinants of violence, and its gendered manifestations.

Men or, rather, certain men, sat in the middle of the violence that made society what it became. Men decided the intensities of violence and the directions it took. Men used violence to assert and perpetuate their power. Sometimes they also fell victim to it.

Of critical importance here is that a certain form of manhood, a form of hegemonic masculinity, was closely linked to this violence (see Connell, 2005; Hearn, 2004). Indeed, violence was an integral part of the productive forces of such masculinity. Militarised masculine violence was employed as an instrument for the underdevelopment of those who were to be categorised (even calcified) as Hottentot,

Bushman, native, African, non-European, black; that is to say, as Other (see Worden, 1996). The intention was to establish an economic, social, gender and political order that bolstered the supposed superiority of males of European descent. As a colonial and apartheid state, South Africa was created through what we can then call ‘violence hardware’ and ‘software’ – or through military and ideological means. Both military power and ideology (including religious ideas, particularly those practised by the Dutch Reformed Church) were employed in the pursuit of European conquest and control of the land and people who were (to be) classified as nonEuropean (see Comaroff, 1989). ‘To be’ intimates that the idea of conquering and exploiting other countries and economies, that is, the entrenchment of racist, colonial categories became refined and ingrained in every new encounter between the European settlers and the indigenous populace, even though Europe’s imperial interests were already informed by the European colonising spirit.

The social structures that developed out of this historical context must be better surfaced in research and programmes aimed at understanding the violent contours of young men’s lives in South Africa. If violence in South Africa is to be reduced then a consideration is needed of how historical and contemporary structural factors impact the formation and movements of violence (i.e., the manner by which the forms that violence assume are shaped by time and space). In what follows, we seek to understand the contemporary, situational context in which homicides in South Africa occur.

SITUATIONAL CONTEXT OF ADOLESCENT MALE AND FEMALE HOMICIDE VICTIMISATION: AN EMPIRICAL EXAMPLE

Studies of young men’s violence tend to focus on the violence they commit against others, particularly against young women and, to a lesser extent, against children (Abrahams et al., 2009; Mathews et al., 2009; Mathews et al., 2013). Much less common are studies of young men’s violence perpetrated against other young men. There is, however, serious scholarly neglect of young men’s violent victimisation. To

address this neglect, the empirical example presented here focuses on differences in the situational context of adolescent male and female homicide victimisation in Johannesburg between 2001 and 2007. While the National Injury Mortality Surveillance System (NIMSS) data, from which we constructed the dataset, is not the most recent, it represents one of the only data sets that presents a detailed picture of homicide events and thereby allows for a gendered analysis of the characteristics of the perpetrators and victims, and situational context that contributed to the fatality. The tacit implication with respect to the data is that government needs to appreciate the importance of quality and timeous data, for, without this, we cannot effectively prevent violence.

Data on all (n=451) homicide deaths among adolescents (15–19 years old) in Johannesburg for the period between 2001 and 2007 was obtained from NIMSS. Johannesburg was selected because it was the only city at the time of the study for which NIMSS had full coverage and because the city consistently records among the highest numbers of homicide in the country. The data also offered an opportunity to draw a reasonably comprehensive picture regarding several of the variables we wanted to understand, such as who among young people is likely to die from violence, by whom, and under what circumstances. The data included information on victim demographics (sex and race), scene or location, weapon used, and the victim's blood alcohol concentration (BAC) levels. Information on the offender's demographics (sex, race and age), relationship to the victim, and circumstances of the homicide were obtained from police case records. Of the 451 adolescent homicides drawn from NIMSS, it was possible to follow up on only 247 (55 per cent) of the cases in the police records. The remaining cases could not be accessed due to missing police case numbers or unavailable dockets, and were thus excluded from the analyses.

Univariate and multivariate logistic regression was used to compare the differences between male and female homicide victimisation (i.e., the dependent variable) with respect to victim, offender and event characteristics (i.e., the independent variables). Unadjusted and adjusted odds ratios (ORs) and 95 per cent confidence intervals (95 per cent CI) were estimated and a *p*-value of less than 0.05 was considered significant.

Of the 247 homicide cases in the study, 201 (81.4 per cent) of the victims were male and 46 (18.6 per cent) were female. Table 10.1 presents the descriptive (frequency distribution and percentages) and logistic regression results for victim, perpetrator and event characteristics associated with male compared with female homicide victims. As shown in Table 10.1, the overwhelming majority of male and female homicide victims were black. Young black males and females are likely to be killed by black males. As such, the victim's race, offender's sex and offender's race were variables that were not included in the logistic regression analysis.

In the unadjusted logistic regression model, most variables were found to be significant with the offender's age, relationship, motive or precipitating circumstance, scene and victim's BAC level, differentiating between male and female homicide victimisation. The weapon used was not significantly associated with male or female homicide victimisation. Homicides committed by young perpetrators (12–24 years old) (crude OR = 4.755, $p = 0.001$) and by perpetrators whose age was unknown (crude OR = 2.902, $p = 0.007$) compared to older perpetrators (25+ years) was significantly more likely to involve a male victim than a female victim. In some cases, however, even though the perpetrator relationship was known (e.g., friend or acquaintance), details on the perpetrator's age were not available (i.e., they were missing).

With respect to the perpetrator's relationship to the victim, homicides perpetrated by a stranger (crude OR = 23.681, $p = 0.000$), friend/acquaintance (crude OR = 29.531, $p = 0.000$), or unknown perpetrator (crude OR = 20.000, $p = 0.000$) as compared to an intimate partner/family member, were significantly more likely to be associated with male, rather than female, homicide victimisation. Homicide incidents involving a dispute (crude OR = 7.115, $p = 0.000$), crime-related (crude OR = 47.308, $p = 0.000$), and unclear or unknown motives (crude OR = 4.679, $p = 0.001$), compared with other motives (e.g., sexual assault), also had a greater likelihood of male than female victims. Homicides occurring in public or semi-public places (crude OR = 3.574, $p = 0.000$), when compared to private locations, such as a house, were also significantly more associated with male victimisation

Table 10.1: Descriptive and logistic regression results for victim, perpetrator and event characteristics associated with male and female homicide victimisation

Characteristics	Homicide Victims			Crude odds ratio	p	Adjusted odds ratio	p
	Total n (%)	Males n (%)	Females n (%)				
Victim's race							
Black	242 (98.0)	197 (98.0)	45 (97.8)	-		-	
White	5 (2.0)	4 (2.0)	1 (2.2)	-		-	
Perpetrator's sex							
Male	179 (72.5)	146 (72.6)	33 (71.7)	-		-	
Unknown	63 (25.5)	53 (26.4)	10 (21.7)	-		-	
Female	5 (2.0)	2 (1.0)	3 (6.5)	-		-	
Perpetrator's race							
Black	175 (70.9)	141 (70.1)	34 (73.9)	-		-	
Unknown	71 (28.7)	59 (29.4)	12 (26.1)	-		-	
White	1 (0.4)	1 (0.5)	0	-		-	
Perpetrator's age							
12-24 years	82 (33.2)	73 (36.3)	9 (19.6)	4.755 (1.904-11.876)	0.001	4.675 (1.278-17.102)	0.020
Unknown	119 (48.2)	99 (49.3)	20 (43.5)	2.902 (1.347-6.252)	0.007	1.588 (0.480-5.254)	0.449
25+ years	46 (18.6)	29 (14.4)	17 (37.0)	1.000		1.000	
Perpetrator's relationship							
Stranger	81 (32.8)	70 (34.8)	11 (23.9)	23.864 (6.681-85.231)	0.000	16.206 (2.571-102.161)	0.003
Friend/acquaintance	71 (28.7)	63 (31.3)	8 (17.0)	29.531 (7.844-111.186)	0.000	26.299 (5.370-128.792)	0.000
Unclear/unknown	76 (30.8)	64 (31.8)	12 (26.1)	20.000 (5.653-70.761)	0.000	25.335 (4.120-155.785)	0.000
Intimate partner/family member	19 (7.7)	4 (2.0)	15 (32.6)	1.000		1.000	

Characteristics	Homicide Victims				Crude odds ratio	p	Adjusted odds ratio	p
	Total n (%)	Males n (%)	Females n (%)					
Perpetrator's motive/precipitating circumstance								
Disputes	86 (34.8)	74 (36.8)	12 (26.1)		7.115 (2.722-18.603)	0.000	12.694 (2.996-53.783)	0.001
Crime-related	42 (17.0)	41 (20.4)	1 (2.2)		47.308 (5.689-393.416)	0.000	66.188 (6.660-657.783)	0.000
Unclear/unknown	91 (36.8)	73 (36.3)	18 (39.1)		4.679 (1.895-11.558)	0.001	5.496 (1.421-21.257)	0.014
Other	28 (11.3)	15 (6.5)	15 (32.6)		1.000		1.000	
Scene								
Public or semi-public spaces	176 (71.3)	154 (76.6)	22 (47.8)		3.574 (1.839-6.946)	0.000	2.409 (0.975-5.954)	0.057
House	71 (28.7)	47 (23.4)	24 (52.2)		1.000		1.000	
Weapon used								
Sharp instrument	87 (35.2)	76 (37.8)	11 (23.9)		1.638 (0.752-3.569)	0.214	0.703 (0.239-2.063)	0.521
Other (Unknown)	40 (16.2)	28 (13.9)	12 (26.1)		0.553 (0.245-1.250)	0.155	0.714 (0.231-2.202)	0.557
Firearm	120 (48.6)	97 (48.3)	23 (50.0)		1.000		1.000	
Alcohol related - Victim's BAC								
Positive	64 (25.9)	56 (27.9)	8 (17.4)		2.625 (1.073-6.422)	0.034	1.586 (0.510-4.938)	0.426
Not tested	106 (42.9)	89 (44.3)	17 (37.0)		1.963 (0.954-4.040)	0.067	2.024 (0.790-5.187)	0.142
Negative	77 (31.2)	56 (27.9)	21 (45.7)		1.000		1.000	

than female victimisation. Furthermore, victims with positive BACs were significantly more likely to be male than female (crude OR = 2.625, $p = 0.034$).

In the final adjusted model, the offender's age, relationship, motive or precipitating circumstances were the only factors distinguishing male and female homicide victimisation. The results suggest that, when all the situational variables are considered, perpetrator characteristics such as age, relationship to the victim, motive and precipitating circumstances, play a more significant role in differentiating male homicide victimisation from female homicide victimisation than do the victim characteristics (e.g., BAC) and event characteristics (e.g., scene and weapon used).

The conclusion from this empirical example is that violence is mainly a male-on-male affair. Male-on-male homicide primarily involves strangers and friends/acquaintances and is often the outcome of interpersonal disputes. These homicides typically have an expressive dimension (anger) and may take the form of 'honour contests' (Polk, 1999) that arise in response to relatively trivial disagreements, and tend to occur in settings where there is an audience of other males. Revenge homicides, where the perpetrator seeks to avenge some perceived wrongdoing on the part of the victim, is also common (Swart et al., 2018). In both instances, taking up the contest or avenging a perceived wrongdoing are important for attaining or protecting dominant constructions of masculinity (Brookman, 2005; Polk, 1999). Male-on-male homicide also occurs during crime-related events where the motives are instrumental in nature. Crime-related homicides primarily involve street robberies or muggings, or occur as an act of self-defence or vigilantism. Socio-structural factors, in particular poverty and concentrated disadvantage, play an important role in this type of male-on-male violence (Muller, 2013).

In the next section, we turn to and surface connections between direct, interpersonal violence, such as that from the regression analysis presented on homicide data, with other forms of violence – specifically indirect, impersonal and structural violence.

CONNECTING DIRECT VIOLENCE WITH INDIRECT VIOLENCE IN YOUNG MEN'S LIVES

In the introductory section, we referred to violence being defined in several ways. For example, the killing of males and females by males is easily recognisable as violence. Not as readily recognised as violence, however, is when a child dies from falling in a pit latrine due to poor government service delivery in his village;¹ that is to say, indirect violence. It is vital to have a critical awareness of both the causes of and associations with premature death. The above analysis suggests, for example, a need for conflict resolution and relationship skills. However, the historic socio-economic underdevelopment of black neighbourhoods under colonial and apartheid governments, along with the unsatisfactory performance of the post-apartheid government to develop these neighbourhoods, contributes to the premature deaths of many black people living in South Africa today (Nuttall, 2004; Silber and Geffen, 2009).

Of course, these different forms and sources of violence are rarely, if ever, easily distinguishable from one another. What we are pointing out is the need to be conscious of and make connections between these forms and sources of violence in efforts against violence and towards the development of just social structures that privilege nonviolent men and liberated masculinities (see Ratele, 2016). Once again, this is not to minimise the impact of interpersonal violence but to amplify attention towards the violence that is hidden within and concealed by policies and institutions. In other words, attention must be given to invisible as well as visible forms of violence. While a high number of male and female youth die from interpersonal violence by males, the death of youth is also associated with neighbourhood disadvantages.

Similar to geographical studies conducted in other countries (e.g., Kubrin, 2003; Nieuwbeerta et al., 2008; Thompson, 2015), homicide in South Africa tends to be concentrated in socio-economically deprived areas such as townships and informal settlements (Swart et al., 2016; Swart et al., 2019). In South Africa, economic deprivation

1 See Ryan (2017) for a much-publicised case in which a five year old boy, Michael Komape, drowned in a pit toilet at his primary school in 2014.

is highly spatialised as a result of apartheid spatial planning which segregated South Africans into specific geographical areas according to state-defined race groups (Breetzke, 2012). Even with efforts at transformation since democratisation, black townships remain economically marginalised and racially segregated. Moreover, rapid urbanisation has led to the development of informal settlements in cities, characterised by extreme poverty, overcrowding, unemployment and limited access to infrastructure and services (South African Cities Network, 2011). Young people, especially men, living in these areas are marginalised and have few opportunities for economic advancement which can foster violence and crime (Ratele, 2008; 2010), although this is not inevitable. Indeed, it is often within such structurally violent circumstances that masculinity may be paired with violence. Disputes that lead to fatal violence become tied to the wretched living conditions under which these young men are developing their ideas of manhood.

PROBING FURTHER INTO MEN'S VIOLENCE
VICTIMISATION AND PERPETRATION:
HISTORICAL TRAUMA AND STRUCTURE

In order to begin to address these lacunae in understanding violence against and by young men, we offer two interrelated theoretical resources. Theoretical work on historical trauma is one resource from which we can draw. Structural theory is another.

Historical trauma refers to a cumulative pattern of harm (see Brave Heart et al., 2011). It is described as being constellated around physical and psychological violence, segregation and displacement, economic deprivation and cultural dispossession (Sotero, 2006). Theorisations of historical trauma point to the analytic requisite of accounting for the historical trauma experience itself, historical trauma responses and the intergenerational diffusion of historical trauma in interpreting the aetiologies, outcomes and pathways (see Walters et al., 2011) of male violence victimisation and perpetration. South Africa's history of colonialism and apartheid, with its attendant material, social and psychological oppressions, has left an indelible mark of trauma on the everyday lives, relationships, bodies and psyches of young black men

in the 21st century.

The social suffering inherent in this history, that has trailed generations of black people, adjunctive with contemporaneous forms and lived experiences of social and economic distress associated with racialised poverty and inequality, domination and exclusion is an instrumental driver of male interpersonal violence. We can therefore understand South Africa's tremendously high levels of violence as being correlated not only with the country's history of racist subjection of black people and legislated domination of white people, but also with the persistence of racialised socio-economic poverty and inequality in present-day society (see Wilkinson and Pickett, 2009). The trauma of the past and its reiteration today appears to plague young black men. Thus, historical trauma and its present-day manifestations, serve as important sites on which to understand and interrogate the interlocking nature of direct and structural violence, as well as address the gendered consequences of such violence.

From a historical trauma framework, the social epidemiology and social ecology of male violence calls into focus the interaction of distal (historical) and proximal (present) structural and collective stressors. This is to say that we cannot understand our immediate violent conjuncture without reference to the broader structural and historical climate within which immediate acts of violence occur. Immediate acts might be, for example, police or soldiers shooting a young man, or a group of people burning a school. Actually, such violence may be thought of as a retrieval of these broader structures and histories, or a resistance to them, both of which responses will range in intensity across time and space.

The pernicious sequelae of historical oppressions continue to be aggravated in complex and manifold ways by grave unemployment and employment precarity; deep socio-economic, health and educational disparities; land dispossession; enduring racism; the lack of structural and material reparations; and obdurate social narratives that construct young black men as dangerous and divest them of humanness and dignity. We see this, perhaps most clearly, in the ways in which black men are constructed and engaged with as inherently dangerous and thus deserving targets of violence (see Langa et al., 2020). The structures that

underlie direct violence are, in other words, discursive as much as they are material and psychological: through mediated discourses, violence is paired with images of young black men. The resultant aggregated experiences of social suffering are thus persisting and pervasive, and even perversely rendered normative in the daily lives of many young black men.

Here, the institutionalisation of oppression in everyday life may also engender an internalisation of this very oppression. Following Bulhan's (1985) thesis on the psychology of oppression, such internalisation thwarts the generative potentialities of young black men, and their affirmative and agentic expressions of selfhood, relationality and community. In turn, and within contexts of a dominant culture that steers young black men towards a limited range of resources and modalities for the articulations and actualisations of their needs, feelings and aspirations, such internalisation can result in expressions of rage, grief, anxiety, frustration, hopelessness and helplessness through acts of violence against the self and others. This is certainly not inevitable, however. Internalisation and experiences of violence do not inevitably lead to violent action. Nonetheless, there is trauma embedded in the histories of violence, as well as how violence is enacted and endured in the present.

During the apartheid era, research into violence in South Africa tended to take its leave from political and/or results-oriented frameworks. Today, however, some researchers are trying to focus on how violence threads itself and flows between individuals, communities and social systems (see Bowman et al., 2018; Breetzke, 2012; Norman et al., 2007). Yet, when considering the social systems in which violence is embedded, a tendency continues to exist among researchers working in both the field of violence and that of masculinity, to neglect to resolutely excavate the economic, political, moral and ideological underpinnings and social particularities of violence (Ratele et al., 2010). Structural theories can thus assist us to understand male violence in South Africa. Such theories require that we examine what are referred to as strain and control (see Land et al., 1990; Pridemore, 2002; Sampson and Lauritsen, 1994). While strain theories concentrate on how structural inequality drives people to commit violent crime,

control theories posit that violent crime is committed when social bonds are weak. We can draw on both strain and control theories (neither of which are entirely exclusive from the other) to assist our understanding of the gendered nature of violence in South Africa.

Drawing on strain theory, economic deprivation and inequality are key contributors to violence (Warner and Fowler, 2003) and, as a result of apartheid spatial planning, are highly spatialised. Wilson (1996) notes that geographic clusters of poverty result in middle-class groups (which, in South Africa, are largely white) being formally separated from poorer and working-class populations, the majority of whom, in South Africa, are black. This means that these poorer groups have limited access to resources, opportunities, jobs, social networks and mobility, all of which detrimentally affect mental health (see Wilkinson and Pickett, 2009), thereby creating a ‘concentration effect’ of deprivation, disadvantage and more general strain (see Ousey, 2000; Wilson, 1987).

Strain, and its relation to economic deprivation, can also be assessed in relation to the Gini coefficient, which provides a statistical measure of a country’s wealth distribution. South Africa’s Gini coefficient is estimated at 0.63, making it one of the most unequal countries in the world (World Bank, 2019). Ten per cent of the population (most of this minority being white) own more than 90 per cent of the wealth in the country, while 80 per cent of the population have almost no wealth (Orthofer, 2016). People may, in turn, react violently when their own impoverished conditions are contrasted with the opulence of a small, mostly white, minority (Pridemore, 2002; Wilkinson and Pickett, 2009). Yet, violence should not be understood as an essentially poor, black problem, as centuries of racist and segregationist discourse would have it (Hendricks et al., 2019). It is crucial to underline that the majority of oppressed people do not engage in violence (see Gqola, 2015).

In considering control theory, in their classic work, Shaw and McKay (1942) noted that high density and heterogeneity of urban areas, as well as economic hardship and population mobility, tend to lessen social cohesion, weaken institutional development, and establish feelings of anonymity and impermanence, all of which have the potential to foster violence (see also McCall and Nieuwbeerta, 2007; McCall et al., 2010;

Parker and Johns, 2002; Sampson and Lauritsen, 1994). As a result of South Africa's historical trajectory, this is especially pertinent. Slavery, colonialism and apartheid have, cumulatively, subjugated the majority of the country's population to 400 years of racialised and gendered violence, brutal dispossession from their land, and vicious economic exploitation, all of which has done enormous damage to the formation of social bonds. South Africa's history of migrant labour, in which black, predominantly male, workers were required to work far away from their families for most of the year, has had a profound legacy for the social structure of households and families. South African families remain precarious and highly segregated, with few institutions in place to assist people to foster social bonds and negate the violent legacies of the country's socio-political history. This is not, of course, to say that there are not community structures and institutions in place that already foster bonds of this sort in an endogenous fashion. Nonetheless, the State of South African Fathers in 2018 reported that only 34 per cent of children lived with both their biological parents in the home (Van den Berg and Makusha, 2018). Of the rest of the children, 22 per cent lived with neither biological parent (which is significant), 41 per cent lived with their biological mothers only, and 2 per cent lived with their biological fathers only. The lack of strong institutions and the large number of children growing without the presence of their biological parents (and for others without their biological father) may, in turn, also result in feelings of insecurity and a hard existence which does little to deter the potential for violence, including inward-directed violence.

Control theory posits that the lack of institutions and the breakup of families (social and biological) imply that social protections against violent crime are not optimal. Despite this, violence is never monolithically or straightforwardly enacted (Manyema et al., 2018), and the majority of oppressed people in the country do not engage in violence – a vital point in guarding against stereotyping.

In fleshing out the context of violence, then, our analyses should attend not only to directly observable instances of violence, but also to the psychological valances of violence and its long history in South Africa. Therefore, because this history informs the structural make-up of contemporary South African society, we call for violence research

to attend to how historical trauma operates within and alongside social structures in the maintenance and perpetuation of violence.

IMPLICATIONS OF CONSIDERING DIFFERENT FORMS OF VIOLENCE IN YOUNG MEN'S LIVES

Prevention programmes that are gender- and age-sensitive, informed by an understanding of history and the intentional systemic socioeconomic under-development and dehumanisation of black people, are essential for decreasing direct forms of violence and connecting such violence to its structural determinants. Existing prevention initiatives that address men's violence against women and girls need to be strengthened. The development and adoption of the Gender-based Violence and Femicide National Strategic Plan was a significant milestone here (Republic of South Africa, 2020). Additional interventions need to be developed to address the distinct risks that predispose males to violence victimisation in tandem with interventions that address immediate and distal factors that increase violence perpetration. In both instances, it is therefore necessary that violence prevention initiatives integrate a well thought-out, nuanced focus on young men and masculinities. Violence prevention interventions should incorporate dedicated conflict resolution and relationship skills, anticipatory policing services, accessible support services, and networks that buttress guardianship across spatial contexts. Other important considerations for prevention efforts include the reinforcement of social protection systems that offer safety nets; enhancing the effectiveness of guardianship, guarding against social isolation and exclusion, and supporting cultural norms that emphasise connectedness and care for each other. Equally, the availability of weapons and alcohol use among young men needs to be addressed (Swart et al., 2016). Moreover, the intersections of substance abuse, gender, and violence require further study in the South African context (see Wong et al., 2008).

As Peacock and Barker (2014) emphasise, changing the attitudes of men is not sufficient. Gender equality work with men and boys must also address the social and structural determinants of gender and health inequalities. The consciousness-raising potential of feminist

interventions, such as workshops and seminars, on gender equality certainly cannot be ignored, but these are not always enough. As Peacock and Levack (2004) note, consciousness-raising should be paired with community-engaged efforts which simultaneously mobilise men to take action at the community level against violence.

Fighting for labour rights and economic equality should not be understood as separate from feminist struggles, but are in fact part and parcel of these struggles. In this sense, community-wide development initiatives to improve living conditions, such as housing and other infrastructure, should be understood as advancing gender equality. Framing such initiatives as violence prevention will help us to flesh out the structural character of violence. The development of businesses in areas marked by concentrated disadvantage may also have benefits for violence prevention by providing young men with opportunities for work and attachments to mainstream social institutions. In addition, the increased economic activity may work to strengthen positive social interactions among residents and improve social institutions more broadly (Sabol et al., 2004). Greater efforts should thus be made to link these various arenas of activism (e.g., labour struggles and reproductive struggles). Such work is deeply affective, and may benefit from the interventions of political or community psychologists for example, who can collaborate with different activists to forge empathetic solidarities (Malherbe, 2020). In this regard we are able to speak to the structural and historical nature of gendered violence in South Africa, as well as its psychosocial character.

With regards to violence scholarship, we concur with Bowman et al. (2018), who call for researchers to connect rather than simply collect data on violence. Thus, it is not sufficient to merely account for the high rates of violence in the country. Efforts must be made to link instances of direct violence to the structures, histories and ideologies which sustain such violence. In other words, attempts must be made to link the material facets of violence to its psychological and social consequences. We cannot understand violence as a monolithic, singular entity that exists only as a problem for poor black subjects (Dinan et al., 2004; Manyema et al., 2018), or that is merely a problem of young black men. We should attempt to understand all violent particularities

as they exist within the broader social and economic systems, as well as the physical and psychological valances that these systems hold.

CONCLUSION

In this chapter, we have sought not only to map out some of the gendered dimensions of violence, but also to bring nuance to violence as an object of study and intervention. If we are to begin to understand the high prevalence of violence in South Africa, and its disproportionately high prevalence among men, and young black men in particular, we need to understand how violence *moves*, which is to say, how violence lodges itself in our present conjuncture through history, social systems and ideology. Moreover, if we are to resist capitulating to the racist and sexist discourses and frames of interpretation that prevailed in South Africa for over four centuries (see Hendricks et al., 2019), we must struggle against collapsing into essentialising notions of community and identity. Essentialising of this sort, whether consciously or unconsciously carried out, attempts to fix violence and negates the complex task of seeking to understand how violence moves between peoples and places, and through time.

Both scholarship and intervention initiatives should guard against this by heeding the context within which violence is embedded so that we may begin the task of creating new contexts, structures, practices and relationalities where peace and nonviolence are fostered and rendered commonsensical.

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CHAPTER ELEVEN

Gendering protests: Mapping women's participation in community protests in Duncan Village, Eastern Cape

HLENGIWE NDLOVU

INTRODUCTION

Women's participation in protests is long documented in history. However, protest narratives tend to lean more towards the position and role of women as victims of protests, mostly relegated to the backstage of care work and emotional labour. This is not to dismiss or trivialise gendered experiences of women in protest. However, where women's participation has been recognised, it is usually in the context of protests that mainly affect women's immediate concerns. These protests are not considered broadly as community struggles, but as struggles that are specific to issues that directly affect women. Yet, some of these protests specific to women's immediate challenges continue to influence and shape the political atmosphere more broadly.

This chapter maps the participation of women in community protests as strategists and organisers in community struggles. It seeks to map the role of women mobilised under the identity of *omama boManyano* to insert their voices and assert their bodies at the centre of protests and community struggles in the Eastern Cape province of South Africa.

The analysis draws evidence from three case studies of protest: the Black Sunday (1952) where hundreds of women, organised by *omama boManyano* (women of prayer), became victims and survivors of a massacre; the Duncan Village massacre (1985); and the Reeston 87 protest (2014), where episodes of violence were likened to ‘scenes from Marikana’.¹ These case studies were documented by the author through ethnographic mapping in East London in the Eastern Cape province between 2014 and 2019, and by interviews, also conducted by the author, in April 2022 for the forthcoming documentary, *Democracy from Below*. While the first two cases are drawn from a historical perspective, analysis of the 2014 protest demonstrates the continued role of *omama boManyano* in the community struggles and protests of the Eastern Cape. Common to these three cases is the role that *omama boManyano* have played in mobilising and participating in the protests. Evidence presented throughout the chapter suggests that there is a network of generations of *omama boManyano* who have actively mobilised for and participated in community protests, yet their documentation and visibility in scholarly literature remains marginal or absent.

POSITIONING OMAMA BOMANYANO IN COMMUNITY PROTESTS

Several scholars have written on women’s organisations and their participation in community struggles (see Fester 1997; Gasa 2007; Hassim and Gouws 1998; Dlakavu 2017; and Xaba 2017). Lihle Ngcobozi’s (2020) work has focused on *omama boManyano* and their

¹ This refers to the protest at Lonmin platinum mine in Marikana in North West province on 16 August 2012, where 34 striking mine workers were shot dead by police.

role in national politics. Building on some of this work, this chapter is concerned with the role of women in the community protests of the Eastern Cape province in particular. Many of the women interviewed for this research identify as *omama boManyano* – consciously mobilised under this identity – and members of the community of Duncan Village identify *omama boManyano* as the legitimate and authoritative voice of reason in times of crisis.

The word *umanyano* originates from the Xhosa verb *ukumanya*, which means to join. Brandel-Syrier (1962) suggests that *umanyano* was first coined by Methodist church women referring specifically to their weekly meetings known as prayer unions. This identity was further adopted by women from other denominations referring to their church organisations (Haddad, 2004). It is important to note that *omama boManyano* (women of prayer) and *umama woManyano* (mother of prayer) are not used interchangeably. The former denotes a collective identity for a group of women (plural) and the latter refers to the identity of one woman (singular). However, *umama woManyano* (mother of prayer) and *umama we bhatyi* (literally translated to a woman who wears the Manyano uniform, as it appears on direct interview citations) are used interchangeably depending on the context, reflecting challenges of translating isiXhosa to English.

Both the church and the women of *uManyano* (women of prayer) have always played a crucial role in the histories of black communities by occupying a space in the spiritual, economic and political life of the community. In her ground-breaking work, *Mothers of the Nation: Manyano women in South Africa*, Lihle Ngcobozi (2020) notes that in the United States' civil rights movement and South Africa's antiapartheid struggle, the church became a crucial space for political mobilisation and ideological constructions of resistance to colonial occupations and apartheid. For Ngcobozi, *omama boManyano* hold a 'critical space in the South African imaginations of black womanhood, particularly where it intersects with ideas of religion, motherhood and the expression of black women's voices and their participation in politics outside of state-centric confines' (2020: 9).

Writing on women's movements in democratic South Africa, Shireen Hassim (2005) has highlighted the ways in which apartheid

violence affected black communities, particularly the home, which historically has been considered to be a woman's space. In reconfiguring the home as a space of resistance, Hassim contends that spaces such as the church, burial societies and stokvels transformed into solidarity networks and spaces of collective mobilisation and resistance (2005: 4). Furthermore, Zine Magubane (2010) notes the central role in shielding political activism of church groups such as *omama boManyano*, who constituted a space where women organised and mobilised for political consciousness. As such, the historical role of *omama boManyano* in Duncan Village and their participation in community struggles and protests can be traced to earlier anti-apartheid struggles that transformed the home and the church from private intimate spaces to public political spaces.

The women of *uManyano*, mapped throughout this chapter, have played a crucial role in community struggles in the Eastern Cape, from the defiance campaigns of the 1950s, through the township struggles of the 1980s, to the everyday community protests that have taken place since 1994. *Omama boManyano* are the voice of reason that continues to bring community members together to challenge and contest the post-apartheid order. As Ngcobozi (2020: 20) reminds us, 'the legitimacy of the Manyano women's identity as the entry point of political activism – their characterisation as mothers and the reliance on motherhood should be read with a level of complexity and depth'. Similarly, the women of *uManyano* in the Eastern Cape, and the role they continue to play in communities post-1994, should be understood as grounded in historical struggles in which women's role and voices have often been silenced.

METHODOLOGICAL APPROACH

The evidence presented in this chapter draws on ethnographic mapping and interviews conducted by the author. The latter forms part of research for a forthcoming documentary, *Democracy from Below*, recording understandings of democracy from a grassroots perspective. The chapter draws data from 22 life histories and interviews, archival work from the *Dispatch* newspaper in East London, and participant

observation and informal conversations with participants from the community protests that took place during the research period (2014 to 2022). From these narratives, we learn not only about anti-apartheid struggles and post-1994 protests, but about the meanings attached to the role of being *umama woManyano* (a woman of prayer) and the responsibility of that role beyond the church. Most of the stories shared were stories of struggle, trauma and resistance, while emphasising the role of prayer in overcoming everyday township struggles.

This chapter explores the agency of women as strategists and organisers in community struggles – accounts of which have tended to erase their presence and agency at the frontline, presenting them only as mothers responsible for care work. It explores the experiences of *omama boManyano* (as a collective identity) throughout the three protests as actors with agency, capable of (re)producing their urban space in ways that make sense to them as they share their everyday lived experiences. As Tsing (1993: 34) observes, ‘by treating women (and men) as individual commentators on their culture, we ask about disruptive as well as unifying features of their perspectives without assuming gender, ethnic, or political homogeneities’. Thus, empathy and sensitivity become a thread that runs through the reading and understanding of the experiences of *omama boManyano* as they assert their presence in collective community struggles and protests in the Eastern Cape.

THEORETICAL REFLECTIONS

This chapter builds on the existing work of feminist scholars on the recognition of women and their labour in protests (see, for example, Fester 1997; Gasa 2007; Hassim and Gouws 1998; Dlakavu 2017; Xaba 2017). The chapter contributes to this scholarship by adding the voices of church women mobilised under the identity of *omama boManyano*, whose role and presence in community protests has largely been erased from histories of community struggles in the Eastern Cape.

Writing on the experiences of women's organisations in the Western Cape, Fester (1997) problematises some of the arguments that maintain that ‘South African women organise on the basis of motherhood’. She

posits that 'female consciousness becomes politically activated into feminist consciousness under certain conditions'. For Fester, 'women's resistance arises out of their particular historical contexts'. She therefore argues that 'motherism and working "shoulder to shoulder with our menfolk" can be seen as a form of South African feminism' (1997: 46). In her book *Women in South African History*, Nomboniso Gasa (2007) also challenges scholars who have maintained the position that the 'motherist' politics driving anti-pass protests during apartheid South Africa was fundamentally conservative. She argues that, at the heart of the 1950s struggles, is the fact that African women were rendered homeless through state policies that required them to carry passes. For Gasa, the struggle against pass laws was, in fact, a struggle to be in the public domain at the same time as a struggle for free movement.

Reflecting on women's organisations and democracy in South Africa, Shireen Hassim notes that 'women do not organise as women simply because they are women' (2005: 4). They tend to mobilise diverse identities such as workers, students, African, white etc., and these identities may in turn frame and shape their organisation. In redefining the public space, Hassim and Gouws (1998) argue that 'civil society is not a gender-neutral concept, but is founded on the separation between public and private as two distinct arenas in society. Women's movements in South Africa have constantly challenged these boundaries' (1998: 55). They highlight that, ideally, citizenship should establish equality; however, in practice, 'the public-private distinction has shaped the different ways in which men and women citizens have been incorporated into citizenship—men as workers and soldiers, women as mothers' (Hassim and Gouws, 1998: 55). Reproductive responsibilities and the division of labour in society therefore become gendered constraints that tend to narrow the scope for women's participation in formal politics and in civil society (Hassim and Gouws, 1998).

The voices of *omama boManyano* that are centred in this chapter have fallen through similar cracks where narratives of community protest in the Eastern Cape continue to silence and erase them from broader community struggles. The mobilisation and deployment of their identity as *omama boManyano* has seen these women mobilising

collectively in ways that position them strategically in public politics and collective community protests, shifting the narrative of their participation from the private sphere to the public politics.

GENDERING PROTESTS

Writing on internationalism and solidarity, McGee (2018: 87) notes with concern that 'when women raised sensitive issues pertaining to their own family lives that did not fit within activist campaigns, men often dismissed these issues as ancillary to immediate political struggles'. Hassim and Gouws (1998), similarly, have observed how women's concerns, which emerged out of their direct responsibilities for household management and childcare, were deemed to be 'private' rather than 'public' concerns. Drawing from Lister (1997), they state that whenever these issues were brought into the public domain, welfare systems treated them as 'temporary compensations for family failures rather than legitimate citizenship claims' (Hassim and Gouws, 1998: 55). This response consequently marginalises women's interests from core political discourses (Hassim and Gouws, 1998).

Healy-Clancy (2017) shows that histories of women's erasure in South Africa date back to the apartheid era and how the state was complicit in unwriting the role of women in anti-apartheid struggles. She argues that throughout the anti-apartheid struggle women were routinely underestimated and ignored as political actors. Officials' underestimation of women opened up valuable political space for women who ran politically lively schools and clinics, but were never seen as threatening compared to male-led political groups. These conceptions have pushed the political labour of women to the backstage, consequently removing them from the frontline of protests, and relegating their labour to the home as a private space.

In the #FeesMustFall protests at South African public universities between 2015 and 2017, where students protested against exorbitant fees and made calls for decolonisation of the curricula, younger women contested the political space, seeking to challenge and disrupt patriarchal domination, sexual harassment and gender-based violence (Ndelu et al., 2017; Ndlovu 2017a; Xaba, 2017). However, the issues

that women and non-binary participants in the movement raised were never considered to be central to the demands of the #FeesMustFall protests (see Dlakavu, 2017 and Xaba, 2017). Instead of treating the issues raised by women within the movement as central to the struggle for inclusive university spaces, the debate around calls for an intersectional struggle contributed to the downfall of the movement as other student activists argued that those who called for the inclusion of women's issues were being divisive.

It is therefore not accidental that protests against gender-based violence (GBV) and femicide in South Africa have only recently gained attention within the general public and political parties in particular, some of which have utilised the issue in their political campaign strategies. For a long time, the struggle against GBV and femicide in South Africa remained the domain of women and related protests were not largely seen as affecting the economic and political landscape. However, if we are to begin the process of correcting our histories by historicising the role of women in protests and other community struggles, we need to recognise, acknowledge and take seriously the role of women in addressing intersectional struggles through protest action.

Elsewhere, I have argued that the home is a battlefield for women, understood and conceptualised as a space where power dynamics are not a reflection of pure patriarchal domination, but a site of struggle and contestation (Ndlovu, 2021). The shifting of the home and the church as a space of resistance, as transformed by *omama boManyano*, has reasserted the presence of women in the public political space. Histories of their participation in protest attest to the role they have played. This chapter thus contributes to efforts to reassert women's bodies at the picket line (Ndlovu, 2017b) and to highlight their role in community protests. Despite efforts to erase women from histories of protest, I argue that, in the Eastern Cape, the identity of women as *omama boManyano*, has been mobilised and deployed in ways that position them strategically in public politics and collective community protests, thereby making them visible.

CASE STUDY ANALYSIS²

The participation of women in community protests is not a new phenomenon in the Eastern Cape. While women have always participated, and continue to participate in, everyday community struggles, I focus on particular episodic events that form part of the history of the province, and on some ongoing service delivery-related protests. Here, the aim is to highlight the presence and participation of women in protests and to emphasise the role of *omama boManyano*, who hardly appear in documented histories of struggle and resistance in the Eastern Cape.

The case studies have been carefully selected to align with the protest methods and strategies employed by *omama boManyano*. While the first two case studies are drawn from a historical perspective (1952 and 1985), the 2014 case study is brought into the conversation to demonstrate the continued presence of *omama boManyano* and their role in community protests in post-apartheid South Africa.

BLACK SUNDAY AND THE BANTU SQUARE MASSACRE (1952)

Duncan Village township has a long history of resistance and violence. The events of the Black Sunday that led to the Bantu Square massacre in Duncan Village are some of the cases that are scantily recorded, even though they remain engraved in the memories of the residents of the township (Ndlovu, 2020a). On 26 June 1952, the African National Congress (ANC) launched a Defiance Campaign to resist pass laws, curfews, the Group Areas Act and the Suppression of Communism Act (Lodge, 1983; Breier, 2015; Bank and Carton, 2016). The wave of the Defiance Campaign had started in Durban and moved to other cities like Johannesburg and then to Kimberley and Port Elizabeth, among other regions. Most leaders of the ANC had already been

2 The case studies presented here also appear in my previous work on the histories of women's participation in community struggles of Duncan Village, my Doctoral thesis and Masters Research Report (see Ndlovu 2020a; Ndlovu 2020b; Mukwede and Ndlovu 2017; Ndlovu, 2015).

banned under the Riotous Assemblies Act and Suppression of Communism Act as a result of the Defiance Campaign (Mager and Minkley, 1990; *Daily Dispatch*, 1952). Alcott Skei Gwentshe, who was one of the ANC Youth League leaders in Duncan Village, requested permission for a political gathering in Duncan Village. The permission was declined and Gwentshe made a further request for a religious gathering, which was permitted (Mager and Minkley, 1990; Breier, 2015; Bank and Carton, 2016).

Disguised as a church gathering, the meeting at Bantu Square in Duncan Village was attended by a crowd estimated at between 1,500 and 2,000 people (Breier, 2015; Bank and Carton, 2016). As local historians maintain, hundreds of women put on their *uManyano* uniforms and headed to the prayer gathering. Authors and local historians maintain that while the preacher was still reading the Bible, the police issued a warning arguing that it was not a religious gathering (Breier, 2015; Bank and Carton, 2016). Within a few minutes, live ammunition was fired, and the crowd fled; some people were stampeded or shot, with some injured and some killed. The crowd that was gathered at Bantu Square broke into smaller groups running away from the police, while the police arrested those who were injured and locked them up in police trucks. The violence continued for about a week, with police arresting and killing protestors while residents burned anything associated with state power, such as municipal buildings and offices (Interview with Blauuw, 2017; Life history of Qebeyi, East London, 2017; Life history of Mkonqo, Duncan Village, 2017).

An eyewitness account of the hospital scenes at the casualty ward of Frere Hospital in East London is captured by Connie Manse Ngcaba, one of the staunch members of *uManyano*, in her moving biography *May I Have This Dance?*. Ngcaba (2015: 43–44) recalls the scene as follows:

I first experienced the barbarity of apartheid in November 1952. It was a Sunday afternoon. I was looking to the end of my shift at 4.30 pm. Suddenly, there was a call on the intercom 'Emergency. Emergency in Casualty. Please, everyone come.' ... What was usually a well-ordered unit was in utter chaos. There

was blood everywhere, injured people groaning and pleading for help ... more ambulance drivers were pushing their way in, with heavy stretchers... Dozens of friends and family members anxiously pushed into the crowd, hoping to identify those on the floor. The police were there too, pulling people aside, asking questions, threatening, trying to find ringleaders of what they called a riot ... My head reeling, I picked my way over bodies of people who were already dead ... some still clutched the bibles fresh from church ... so many women were lying around ... women of prayer that were familiar faces, some already dead ... Some of the injured had been shot in the head and the back. If they survived, they would probably be permanently crippled or paralysed.

Sister Quinlan Aidan, a Roman Catholic nun and Irish medical doctor at the St Peter Claver Mission in Duncan Village, died as a result of the violence. Her death made international headlines. Despite this, the official statistics maintained that only nine people died including two so-called Europeans i.e., Sister Aidan and Barend Vorster – a man who was selling insurance policies to the residents of Duncan Village.

Seven decades later, in 2022, the real number of black people who died is still unknown despite existing evidence about the Bantu Square massacre. The then apartheid policeman, Donald Card, who was tasked with investigating the murder of Sister Aidan, later acknowledged that the investigation revealed that more than two hundred black people died on Black Sunday. In their investigation, Card claims that they found that many bodies were not reported because of the fear of further victimisation and possible arrests for the murder of Sister Aidan (Thomas, 2007; Qebeyi, 2011). Local historian and former councillor, Mxolisi Koko Qebeyi, with support from the Eastern Cape Department of Arts and Culture, produced a documentary titled the *Dark Cloud* (2011). In that documentary, Donald Card³ is recorded saying that some of the dead bodies were secretly transported to King William's Town, while others were taken across the Great Kei River to

3 See Thomas (2007) for a comprehensive biography of Donald Card.

the rural areas (Breier, 2015; Bank and Carton, 2016). Local historians also note that other funerals in the township took place at night where only five people or less could gather due to police violence (Life history of Koko Qebeyi, 2017).

The women who died with Sister Aidan and those who survived to tell the story were (and continue to be) erased and silenced from the histories of resistance and protests in the Eastern Cape province by the state, the media and other narratives emerging from scholarly work (Ndlovu, 2020b). The distorted narratives erased the role and death of more than 200 black people, while silencing *omama boManyano* who were at the forefront of this gathering. Judith Butler reminds us that the framing/frame 'does not only exhibit reality, but actively participates in a strategy of containment, selectively producing and enforcing what will count as reality' (2009: xiii). It is therefore not an accident that Sister Aidan's death dominated both local and international writings, while the loss and death experienced by black women were overlooked. Where histories of the Bantu Square protest appear, they centre heroic images of certain male figures, such as Alcott Skeyi Gwentshe, Joel Mabi Lingisi and Cornelius Fazzie, who had initiated the meeting at Bantu Square (Breier, 2015; Bank and Carton, 2016).

THE DUNCAN VILLAGE MASSACRE (1985)

In the 1980s, Duncan Village became one of the focal sites where the struggle against apartheid rule took place. In 1985, United Democratic Front leader, Victoria Mxenge (uNoMxenge), was gunned down returning from a political meeting in Durban. uNoMxenge was mostly referred to as the wife of famous lawyer, Griffiths Mxenge. Yet, she was an activist in her own right. While her funeral was attended by more than 10,000 people, and letters of condolence received from exile, the majority of the attendees were women from Duncan Village. They mobilised under the identity of *omama boManyano*, who filled the bus to King William's Town (eQonce). One local historian remembers (Life history of mama MaMtolo, eQonce, 2017):

We had to do it for our own. *Wayengumama we Bhatyi* [she

(Victoria Mxenge) was part of the Manyano union] who cared a lot for everyone around her. If there was no one, it had to be us omama beBhatyi [women of *uManyano*] because naye ebengumama weBhatyi, kwakunyanzelikile [it was very important for us to attend as *omama boManyano* because she was also one of us.

On 11 August 1985, following the funeral of Victoria Mxenge, mourners returning from the funeral carried out arson attacks on every building associated with apartheid rule, including local offices. The confrontation with police continued in the following days. This ultimately left 23 people dead and 138 injured (Truth Commission Special Report, undated; SAPA, 1996). The events associated with this violence later dominated the proceedings of the Truth and Reconciliation Commission post-1994, where they were referred to as '14 days of war between residents and security forces' (Truth Commission Special Report, undated; Ndhlovu, 2015).

Reliving the memory of the massacre, one participant spoke about the loss of his mother at the protest. He spoke about the role of the church in community struggles of the time and how, even though he did not attend NoMxenge's funeral, when he heard about the protest that led to the massacre, he feared for his mother and other church women: 'Even though they always participated and played an important role in many community struggles, this one was a special one for them. Umama uNoMxenge was one of them, so we had to give them space in the bus because it was important for them' (Life history of bhuti Tura, Duncan Village, 2014). Under the identity of *omama boManyano*, women played an important role in mobilising for and attending the funeral of Victoria Mxenge, which resulted in the protest that led to the Duncan Village massacre of 1985.

REESTON 87 PROTEST (2014)

On 23 November 2014, I had an opportunity to sit through the planning process of a protest while conducting participant observation for research fieldwork. The protest took place between 23 and 24

November 2014 as one of the ongoing protests in Florence Street informal settlement in Duncan Village. The protests were intended to remind the mayor of an on-going service delivery issue of the 87 houses that ‘disappeared’ in Reeston when they were forcefully occupied by residents who were not the supposed beneficiaries. The 87 houses belonged to the residents of Florence Street informal settlement, who had been notified to prepare for relocation to Reeston township as part of a de-densifying project. However, residents of Florence Street (the ‘Reeston 87’) later learnt that they would no longer be moving. Their houses had been occupied by residents from an informal settlement near Reeston who also protested and claimed that they had been waiting for houses for a long time (see Ndhlovu, 2015; Mukwedeya and Ndlovu, 2017). The protest came after a series of marches to hand over letters of demand and petitions to the mayor of Buffalo City (East London), asking him to find a means of returning the houses to the rightful owners, or to sign a written agreement that they would be allocated other houses.

On the evening of 23 November, a group of women gathered at the house of the chairperson of the special committee elected by community members to represent them in the ongoing housing struggle. The special committee was made up of five women and two men; the chairperson and her deputy were both women. In the planning meeting there was a total of eight women (including myself) and two men: one of the men was a committee member, and the other was a young man who assumed the duties of running errands to prepare material for the protest (see Ndhlovu, 2015).

When the chairperson of the committee was convinced that there was enough material for starting and maintaining a fire to block the road for the protest, she gave the young man a list of houses where he was to invite *omama boManyano* to come and pray for the success of the protest. Even though some of these women were not part of the Reeston 87 group, the chairperson trusted them, and they came to assist with prayer. In her words, ‘these are the women that I pray with. When I go to war, they do not care if the problem concerns them or not, it is a war and it needs prayers, that’s it’ (Conversation with sisi Noluthando, Florence Street, 2014).

About four more women joined the planning team and we prayed: for the success of the protest, for the safety of everyone who was going to participate and for a long-term solution to the issue of the 87 houses that continue to haunt the people of Florence Street to date. Key to this 2014 protest, is the centrality of prayer and the role of *omama boManyano* who played the role of strategising, but also collectively coming together at night to pray for the success of the protest and the safety of protesters. Moreover, the emphasis on finding a permanent solution to the Reeston 87 housing issue with *omama boManyano*, who were not affected, is a further testimony to how women mobilise collectively under the identity of *uManyano* to deal with community struggles and facilitate protest action for long term solutions. It is important to note here the importance of *omama boManyano* and their continued role in community protests, even post-1994.

A few hours before the beginning of the protest, women also took the responsibility of calling the *Daily Dispatch* newspaper to alert the media that there was going to be a protest and framing the narrative around their ongoing struggle for the Reeston 87 houses. The protest was successfully executed at around 03h00 on 24 November 2014. The police only arrived at the scene around 05h30 because traffic had started building up, with truck drivers calling their companies to complain that they were stuck trying to enter the East London town (see Ndhlovu, 2015). A lot of people were injured, especially women. This particular protest and many others that have taken place in Duncan Village are generally characterised by excessive violence with police firing rubber bullets and throwing teargas; community members retaliating by throwing stones. Zwanga Mukhuthu (2014) of the *Daily Dispatch* newspaper described scenes from a protest similar to those at Marikana.

The activism of *omama boManyano* and their participation in community struggles is a thread that runs throughout the history of protests, from the 1950s to present struggles. Their role remains central in community struggles and protests as they navigate different forms of marginality. Yet, despite the power of their mobilisation, the strategic planning, the prayer meetings and the execution of the protest itself, *omama boManyano* have remained absent from such narratives,

contributing to practices of erasure and silencing of women's participation in protests.

RECASTING WOMEN AT THE PICKET LINE

The history of the Bantu Square massacre has haunted many local historians, especially those who are still seeking justice or, at the very least, acknowledgement from the state of the lives of the black people lost along with Sister Aidan. The Eastern Cape Provincial Government has, however, built a memorial site for the victims of the 1985 massacre. According to Mxolisi Koko Qebeyi, the documentary, *Dark Cloud*, was meant to appease the ancestors of both black people and the Roman Catholic sisters who continue to work at Sister Aidan's Memorial Centre situated at the St Peter Claver Mission in Duncan Village. Qebeyi concludes the documentary by stating the importance of this historical event, arguing that the Bantu Square massacre, which claimed more than 200 lives if historical records are correct, is larger than the Sharpeville massacre of 1960⁴ and is thus deserving of the same recognition.

In emphasising his point, Qebeyi asks, 'Sixolisile kuNongendi, kodwa aphi na amathambo amaqhawe awangaleyomini?' [We have apologised to the nun, but where are the bones of the heroes from that day?] Alongside this, however, I argue that, in recollection of these memories and revival of the history of Black Sunday, an equally important question should be asked: 'Aphi na amagama amaqhawekazi awanikelwa kwimfazwe yase Bantu Square?' [Where are the voices of women (dead or alive), who were sacrificed at the battlefield of Bantu Square?] While Qebeyi's question is important for recollecting the history of the Bantu Square massacre, recognising the individual women who were at Bantu Square constitutes an effort to ensure that, in correcting this history, we recognise and centre their role and that of *omama boManyano* in the community protests and struggles of

4 The Sharpeville massacre refers to the killing of 69 people by police at a gathering in Sharpeville township organised by the members of the Pan Africanist Congress (PAC) on 21 March 1960. 21 March is celebrated as a public holiday to observe Human Rights Day in South Africa.

Duncan Village.

Zuko Blauuw, a historian working for the East London City Museum and Library, is an important figure in the oral histories of Duncan Village and the narratives of the Black Sunday. He has a rich history of the St Peter Claver Catholic Mission in Duncan Village where Sister Aidan practised as a medical doctor, a resident and a church member. Despite his positionality in the community and the church, Blauuw strongly believes that the story of the Bantu Square massacre should be told in a balanced way that does justice, not only to the death of Sister Aidan, but to the role of history and the political atmosphere in the Bantu Square tragedy (Interview with Zuko Blauuw, 2017). In locating Sister Aidan's tragic death at Bantu Square in the political climate of the time, we begin to recognise the role of *omama boManyano* in mobilising for the gathering and their active role in other community protests. It is this rich history of women's activism and participation in protests of the 1950s that generations of *omama boManyano* have built on to further their community struggles, including the women of the 1985 Duncan Village massacre and those involved in the 2014 Reeston protest. It is a thread that weaves through the historical and current protests of the Eastern Cape.

Pumza Mkonqo is a community leader and activist, and a devoted member of *omama boManyano* under the Baptist Church in Duncan Village. In the forthcoming documentary, *Democracy from Below* (Barry, forthcoming), covering local reflections on the meanings of democracy, Mkonqo notes that she comes from a generation of *omama boManyano* from whom she draws most of her activist skills and strategies. For Mkonqo, women occupy a very important space in the history of Black Sunday, the 1985 massacre, and current community struggles in Duncan Village. In her own words (Interview with Mkonqo, Duncan Village 2022):

... to be *umama woManyano* [to be a woman of prayer (singular)] means that people trust you and take seriously whatever you say to them. This is because when you get that uniform, they fasten it to the last button. The significance of the last button is trusting you as *umama woManyano* with *imfihlo zabantu*

(people's secrets). Those [the 1952 and 1985 protests] were difficult times and having to convince people to come out and attend any gathering, given the political atmosphere, whoever was calling people needed to be trusted. No one could have done that in ways that *omama boManyano* did. Therefore, I insist that when the Eastern Cape finally recognises the people of the massacre, the names of these women [*omama boManyano*] must be thoroughly searched and be written in the history of the province.

In a separate life history, Mkonqo contends that the role of *omama boManyano* in the history of mobilising for community struggles and protests cannot be contested. They were also the main victims, both dead and alive, of the Bantu Square massacre (Life history of Mkonqo, 2017). Mkonqo notes that 'at a gathering of more than 1,500 people with women seated on the ground in their Manyano uniforms, one cannot help to imagine scenes of violence breakout and implications of their [the women's] disadvantaged sitting position. This is the same case for the women who attended the funeral of uNoMxenge' [the 1985 massacre] (Life history of Mkonqo, 2017). This thread of resistance and resilience can be traced throughout most protests of Duncan Village, weaving from Bantu Square, through the Duncan Village massacre, to the Reeston 87 and other current protests in the township.

On 27 April 2022, I went to Duncan Village as part of a team of researchers to document reflections on 28 years of freedom in South Africa. Upon entering the township, the researchers were met by an angry crowd, predominantly women and children, burning tyres and blocking the streets of Duncan Village in protest. In most of the video clips taken on the street, documented women express their frustrations over ongoing electricity blackouts that had lasted for more than three weeks (Barry, forthcoming). The presence of women protesting on a day intended to be celebrated as 'Freedom Day', marking the anniversary of South Africa's first democratic elections, indicates the continuation of women's participation in community struggles.

On the day of the 27 April 2022 protest, local resident, Mrs Dini Nzama was waiting for the research team at Ntsenyerho Street in

Duncan Village, ready to film the first episode of *Democracy from Below*. Sharing her life history with us, Mrs Nzama noted the struggles faced by women in Duncan Village community and the Eastern Cape broadly. She traced her own participation and that of other women in protests, from the struggles of the 1980s to those of the present. Mrs Nzama maintained that women bear the brunt of service delivery failures and an uncaring government, finding themselves having to mobilise (sometimes violent) protests because of the burden of care they carry for their families. Reflecting on the experiences of Covid-19 and the precarity of women, I have argued elsewhere that gendering care labour imposes a double burden on women, where the constant battle for survival and resistance exacerbates the degree of their precarity (Ndlovu, 2021).

Central to Mrs Nzama's narration was the role of the church, her identity as *umama woManyano* and how the women's union has carried community struggles in Duncan Village (Barry, forthcoming). In a moving episode of the documentary, she expressed her return to *uManyano* union after experiencing poverty, in song as she sang: '[crying] Akwaba sendivuma nangenhliziyo yami... (I confess with my heart to leave all my sins...)'. This is a song drawn from the Xhosa Methodist Church, hymn number 170. Mrs Nzama used this song to explain to us the role of *omama boManyano* in restoring her dignity and their role in holding the community in the historical and present struggles (Interview with Mrs Dini Nzama, Duncan Village, 2022). Mrs Nzama's is not a unique story, but a narrative shared by many women in Duncan Village who continue to see their involvement in community struggles as having been shaped by histories of resistance as learnt from generations of *omama boManyano*.

El Sadaawi notes that industrialisation and capitalism place a burden on women's responsibilities as women 'continue to bear the double or even triple burden constituted by their new roles at home towards the husband, children and sometimes relatives' (2010: 65–66). Drawing from these observations, I argue that the double role imposed on the women of the Eastern Cape, in both historical and current struggles, is an epitome of how the accounts of community struggles that broadly focus on the care labour of women, serve to erase women's

broad contribution to these struggles. Throughout these histories of resistance and protest, the role of *omama boManyano* remains key in shaping the mobilisation and strategisation of protests.

Like many other communities across the country, *uManyano* has provided a collective space for women as a 'site of struggle, survival and resistance' (Haddad, 2004: 4). Consequently, the presence and role of *omama boManyano* at Bantu Square, at the Duncan Village massacre and in the Reeston 87 protests cannot be erased from history. Their role as active strategists who plan and execute protests that influence change in society must be recognised.

CONCLUDING REMARKS

Drawing from the oral histories of the Bantu Square massacre (1952) and the Duncan Village massacre (1985), and experience as a participantobserver at the Reeston 87 protest (2014), this chapter has shown that understanding the role played by *omama boManyano* is crucial for gendering community protests in the Eastern Cape. Women's role, strategies and participation in community protests are usually erased from the narratives of organised community struggles linked to broader national struggles. However, re-mapping the participation of women in the community protests of the Eastern Cape and Duncan Village in particular, by centring the role of *omama boManyano*, will contribute to resurrecting the voices and role of women in these protests and many others.

This is a necessary exercise to counter histories of deliberate omission that continue to silence and erase women from accounts of community protests. I have argued that women have always been and continue to be present at the forefront of community protests as active strategists who plan and execute protest actions using repertoires that are sometimes similar to those largely ascribed to men. The life histories of *omama boManyano* in the Eastern Cape offer a window through which protests have presented an opportunity for women to claim and reassert their position in society as active leaders in mobilisation and protest.

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Interviews and life histories

Conversation with bhuti Sipho, Florence Street, 2014

Conversation with sisi Noluthando, Florence Street, 2014

Interview with bhuti Sipho, Florence Street, 2014

Interview with Mrs Dini Nzama, Duncan Village, 2022

Interview with Pumza Mkonqo, Duncan Village 2022

Interview with Zuko Blauuw, 2017

Life history of bhuti Tura, Duncan Village 2014

Life history of Koko Qebeyi, East London, 2017

Life history of Mama MaMtolo, eQonce, 2017

Life history of Pumza Mkonqo, Duncan Village 2017

CHAPTER 12

Ethics and South Africa's democratic dividend: Youth and gender, seen not heard

VUYO MAHLATI

INTRODUCTION

The topic of ethics and youth has never been so relevant and timely, both in South Africa and the wider world. The previous chapters have reflected on the meaning and different dimensions of ethics. This chapter builds on that theme, as well as drawing on the Institute of Global Ethics' view that 'ethics is a process, one that is simple without being simplistic; complex but not complicated'. The view of ethics as a process creates space for the analysis of determinants of ethical behaviour in young people and the environment from which they draw the principles of right and wrong conduct. Simply put, who and what determines the code of conduct and why? Most importantly, how can we rebuild morality with shared ethical principles that promote fairness and social justice?

The year 2016 in South Africa marked 20 years of the Constitution

and 40 years since the Soweto 1976 uprising, when youth showed courage and leadership in confronting apartheid. Of concern though, is the continued poor socio-economic status of Black youth (including Coloured youth). Their growing radicalism and discontentment with authority calls for serious reflection. Their debates are increasingly raising questions about the Constitution's transformational agenda and the representation of their voice in the electoral system. Those are the critical pillars of South Africa's democratic state, but the youth are losing hope in the system and respect for their leaders.

Introducing the *Social Profile of the Youth 2009–2014*, the statistician general, Pali Lehohla, noted:

For over a decade, census figures have shown that South Africa has been experiencing a youth bulge. As young adults enter working age, there is a potential to fully engage them in productive activities. However, when young people cannot find employment, when they cannot earn a living, this youth bulge becomes a demographic time bomb, as large masses of frustrated youth become a product of social and economic uncertainty.

The report reveals that the youth population (aged between 15 and 34 years) grew from 18.5 million to 19.6 million between 2009 and 2014 and made up about 36 per cent of the total population. The main areas of vulnerability continue to be employment, crime, health and poverty. According to the report, the youth represent about 70 per cent of the total unemployed over the past decade.

Of concern is the fact that the trajectory of development and underdevelopment among the youth is entrenching intergenerational poverty and inequality, particularly from the perspectives of race, class, gender, disability, education and geography. While there are impressive cases of achievement against all the odds, those should be the norm rather than the exception. The relevance of ethics and proposals presented in this chapter cover both privileged and underprivileged youth. The emphasis, however, is on conditions that make the youth vulnerable to behaving unethically as we seek solutions for building and entrenching the ethical foundations of human personality.

Just when the narrative of disengaged and apathetic youth with feelings of entitlement was gaining traction, community youth protests erupted across South Africa, disproving that analysis. They were followed by the #RhodesMustFall and #FeesMustFall movements at most universities. While action by the youth is appreciated, as it is yielding positive results for the advancement of transformation, the danger lies in the negative consequences of a youth revolt in which the culture of integrity, ethical activism and discipline are eroded. Former president Nelson Mandela acknowledged in 2000 that fearless, adventurous youth should be viewed as special, ‘not only because they are vulnerable and are the first to suffer whenever we adults get things wrong, but also because of their remarkable spirit, and their ability to heal not only themselves but their societies as well.’

This chapter concerns itself with the framing of ethical behaviour, highlighting the context and approaches for aligning ethics with youth development. The latter is viewed as critical for nurturing ethical agency to guide youth activism. The chapter also unpacks the multiple facets influencing an individual’s or nation’s moral or ethical standing, which is critical for building a sense of identity, dignity and justice. At the heart of that inquiry is the question: given the challenges we face, how can we nurture ethical youth to leverage the demographic dividend for Africa’s development? That question is based on the belief that Africa’s turnaround narrative has ethics at its core. The chapter will also touch on the gender imperatives in building an ethical foundation for an equitable society. That addresses the power dynamics and brings to the fore the hidden acts of brutality and societal double standards while showcasing the radical expressions of discontentment by the youth. Also of significance is the reaction to and interpretation of what is seen and the lens of so-called ethical principles.

ETHICS AND THE GENESIS OF MORALITY

According to the Merriam-Webster Dictionary, ethics refers to the rules of behaviour based on ideas about what is morally good and bad. This section analyses what influences behaviour – its contextual determinants and the structural forms nurturing good or bad conduct.

Those include family support, education, training and employment spaces. The concept of a modern moral genesis concentrates on the moral formation and agency of children and youth. That assists in unpacking the perceived ethical breakdown as it relates to the youth. The view is that the project of building ethical foundations has to be aligned with the reform of social structures and institutions adapted to young people's developmental realities. Of importance is the quality and content of the nurturing agents (for example, the manner and type of family support as well as quality – breadth and depth – of education and training outcomes). In other words, we need to ask: to what extent do education and other forms of institutional support address the core values and skill sets needed to equip young people to respond to life's necessities and opportunities, given the challenges they face?

This analysis considers the changing societal context from which moral principles of good and bad were and are derived. Sipho Pityana (1999) points out that post-modernism has put under intense scrutiny all principles that are dogmatic or imposed. Thus, the socio-cultural determinants of behaviour on the basis of 'used to be' no longer work, making it difficult to define or describe the genesis of modern morality. David Everatt demonstrates that in *Fees Must Fall* (Booyesen, 2016). He points to the supposed 'lost generation' of the 1980s and 1990s and the revolt against liberators, asserting that youth agency is more feared than admired, and that older leaders feel a constant need to guide and shape it: 'Youth have an instrumental value, but their agency is more commonly regarded with caution by those seeking to retain the status quo,' Everatt argues.

He goes on to say that youth were politically demobilised but offered no alternative channels of expression or action. That suppression of youth agency is very often not considered when youth are labelled as displaying a sense of 'entitlement'.

The calls for a shift in focus from merely criticising and judging the youth as disrespectful and self-obsessed are increasing as the desperate desire to change the status quo intensifies. 'Stop patronising the youth. Listen!' is now one of the trending headlines. Malaika wa Azania, in the *Sunday Independent* of 14 June 2015, criticised older people, saying:

They want to define the parameters of engagement for young people. They want to decide what is a civilised and acceptable way of protesting against structural dehumanisation. That the system itself is uncivilised escapes the minds of such elders. There's nothing civilised about an education system that is not geared towards a progressive African developmental agenda.

Increasing access to technology and social media has helped resuscitate youth agency, amplifying their voices. That is occurring at a time when there is increasing commoditisation and monetisation of life, which not only changes the way people relate but has completely altered the medium of instruction, introducing new forms of social transaction. Unfortunately, it is happening at a time when social structures such as the family, community, organs of state, spaces of learning, and work are grappling with change, including shifting from dictatorial, authoritarian rule to democratic constitutionalism. All of a sudden, people of all races and classes, children, youth, women, and people with disabilities have equal rights. That leaves parents and teachers struggling with new forms of discipline, with corporal punishment no longer a legal option. Churches, on the other hand, are grappling with such issues as homophobia as the youth push back, protecting their human and constitutional rights.

In October 2016, the South African Anglican Church's synod rejected a proposal that would have allowed blessings for same-sex couples entering civil unions. *The Citizen* in January 2017 reported that South African celebrity choreographer Somizi Mhlongo stormed out of Grace Bible Church after a visiting pastor remarked that homosexuality is 'disgusting' and 'sinful'. Those cases highlight what I call the current clash of rulebooks that affects the genesis of modern morality.

The clash of rulebooks in culture, religion and law creates a stalemate, with each side accusing the other of having lost the moral high ground. Rapid change has also brought complexities, as the value-based nuances packaged in indigenous languages and cultures get lost. Social media and post-modern life in general have introduced new universal norms of engagement as well as alternative forms of moral

(and sometimes immoral) agency. The parental privilege of control that was previously dominant in shaping and framing the moral agency of the youth has diminished. Suddenly, a new virtual community, a preserve of children and the youth that is mostly unknown to family and educators, is taking centre stage through the social media and influencing moral formation.

Moral agency and ethical activism

Moral agency and activism push us to consider the relationship between the person, the institution and society. Those relations become important when dealing with transformation. For instance, in the current example of students, universities and society, the interplay between moral agency and activism becomes apparent. Students made everyone aware of the link between transforming universities and society. That was radically, and sometimes violently, demonstrated. As they pushed for the dropping of fees, they also campaigned for decolonisation, highlighting the embedded social ills of class and gender inequality, including rape. The students used activism to push the universities and society to transform themselves.

The bravery of youth in recognising and championing transformation through the #RhodesMustFall, #FeesMustFall and #OpenStellenbosch campaigns has been widely written and talked about, both in South Africa and abroad. Educator Jonathan Jansen (2015) provides a context as he asserts that:

The transformation of what we know, and how we come to know, about ourselves and others, has not been part of change at South African universities since the advent of democracy in 1994. The core of what we call curriculum knowledge has remained largely undisturbed over the period of regime change in South Africa.

While applauding youth activism, the importance of nurturing moral agency as the rule rather than the exception remains critical. Larry Rasmussen, an American moral theologian quoted by Pityana, sheds some light on what he calls 'moral community' and 'moral

formation'. He argues that moral formation and moral agency involve a series of interlocking steps: character formation, decision-making and action. Of significance is his assertion that the moral content of a person's actions derives from the moral judgement he or she makes as a result of learning that has been acquired.

The concept of ethical activism becomes relevant in nurturing moral agency as the youth champion change within the context of transformation and African renewal. While sounding tautological, ethics emphasise the moral mode of action (the manner of acting or doing), while activism refers to vigorous acts. In other words, ethical activism underscores the means to an end, with social justice and transformational change influencing moral judgement and action. In that context, young people are viewed as social actors navigating socio-economic, cultural and political environments (Bray et al., 2010). Ethical activism, however, demands everyone's cooperation. In an environment of general societal ill-discipline and unethical behaviour, one cannot expect to see an ethical response from young people. Patrick Fitzgerald and Oliver Seale (in Booysen, 2016) conclude that the sectoral and institutional disruptions and protests by students and other stakeholders have highlighted the need for a collective narrative and, perhaps, a national campaign on the future vision and value of universities. They argue that that national dialogue 'should focus on the role of universities as major contributors to education, strategic skills-formation, and economic and social development'.

With fractured and fragmented learning spaces at home and in school for both rich and poor, one wonders what investment society is making in enriching positive moral judgements beyond the individual. Such an investment would help determine and deliver the desired quality of youth's moral agency. More research needs to be done in that area. In *Growing Up in the New South Africa*, Bray et al. (2010) pointed out:

The predominant emphasis in literature on children, adolescents and youths in South Africa has been on atypical groups. As with most other social science research in South Africa, research on childhood and adolescence has been heavily reactive to the political environment.

Poverty, inequality and necessity – drivers of survival behaviour

Historically oppressive legacies, the breakdown of families, the erosion of social capital, and poverty and unemployment have contributed to the acceleration of moral decay. Diop (in Makgoba, 2009) warns that the numerous paradoxes of the present situation in Africa seem unintelligible without knowing the continent's recent and remote past. He refers to 'Africa's development crisis', which he claims is torn between agricultural stagnation, demographic explosion and environmental degradation. This section explores the tenets of behaviour of a young person determined to survive and succeed in the current South African environment.

Child-headed households, school dropouts, teenage pregnancies and the falling age of recipients of social grants, unemployed youth and youngsters in jail are just some of the indicators considered to have an impact on survival behaviour. That happens in an environment where adults who are supposed to guide and mentor take advantage of vulnerable youth, subjecting them to human trafficking, rape and slave labour. To what extent does the embedded structure of inequality in our society perpetuate deviant behaviour that is rooted in survivalism? The research organisation Trade and Industrial Policy Strategies (Tips) released a paper in 2016 titled 'Analysing the Impact of State Services on the Cost of Living for the Poor', which sheds light on what is driving South African youth. According to the paper, just over half of the poorest 40 per cent of households include people with jobs, while the richest 10 per cent of households account for over half of the country's household consumption and 95 per cent of its assets.

The Tips paper highlights the fact that tertiary education remains the biggest cost burden for the poorest families. According to Jansen, research at Free State University has shown that around 69 per cent of students experience food insecurity. While poor families do not pay for primary education, the poor quality of no-fee schools remains a concern. The National Development Plan asserts that a commitment to a minimum living standard would ensure that all households could meaningfully participate in the economy. The cost of food, commuter transport and housing must be reduced while raising the quality of free

or low-cost education. We cannot preach morality and ethics to people with hungry stomachs.

UNPACKING THE DEMOGRAPHIC DIVIDEND: THE MILLENNIALS

This section briefly unpacks the demographic dividend construct, highlighting the differences between African and Western millennials. John Ross observes that the demographic dividend is about the changing age structure of the population that occurs when a falling birth rate changes the age distribution (Ross, 2004). That can open a limited window of opportunity, depending on how countries respond, as it does not last forever. The main opportunity associated with the demographic dividend in developed countries has been economic growth and human development. Census 2011 and Statistics South Africa's *2016 Youth Report* confirm a South African youth bulge that forms part of Africa's demographic transition. A 2015 World Bank report notes that demographic change can have a deep impact on a country's economic growth and the wellbeing of families, if the right policies and programmes are adopted. The report asserts:

Harnessing the demographic dividend means empowering women and girls by improving their health, education and skills and providing them with greater market, social, and decision-making power.

It also contrasts the demographic changes in Africa with those of East Asia, Latin America, and the Middle East. It points out that, between 1975 and 2010, East Asia experienced a rapid decline in fertility that reduced youth dependency while at the same time increasing the number of working-age people (of between 16 and 64 years).

The South African youth bulge coincides with the notion of 'millennials'. Unlike the better-defined 'baby boomers' with a year bracket from 1946 to 1964, 'millennials' is a loosely used term with no clear definition to mark the millennial transition. The term initially referred to those born between 1980 and the mid-1990s, and was

recently stretched to the 2000s. An article by Richard Fry of the Pew Research Center in the United States maintains that the millennials are overtaking baby boomers as America's largest generation, including immigrants. In this article, millennials are defined as those between the ages of 18 and 34 in the year 2015. While the Pew Center shows millennials are a burgeoning group in the US, advanced economies in general are facing ageing populations compared to Africa. Africa's workingage population is projected to peak at 64 per cent in 2090 (IMF, 2014). According to the South African Institute of Race Relations' 2015 report on labour market trends, 48.5 per cent of economically active Africans in South Africa were aged below 35 years, while about two thirds of the white economically active population were aged 35 and above. StatsSA (2016) also points to the number of unemployed Black and Coloured youth, which has increased more rapidly than the employed in general.

The global demographic shift towards the falling share of older populations has been associated with rising incomes, faster productivity growth, higher savings and rising living standards (NDP, 2012). However, the plight of millennials locally and globally presents a different picture. A World Economic Forum publication (Myers, 2016) indicates that millennials have it worse than any other generation, with intergenerational inequality rising in Western countries. It also highlights the fact that pensioners have experienced significantly higher disposable-income growth than young people in almost every wealthy country over the past few decades. That trend is attributed to unemployment and debt impacting negatively on young people's earnings, a result of the global financial crisis.

The situation in South Africa is even more complex. While the millennials in Western countries are presented as the most educated generation in history, the picture here is different. As South Africa celebrates over 20 years of democracy, a new generation of young people is reaching adulthood as 'born frees' (referring to the post-apartheid era). The reality of many of the born frees is, however, far from free. The executive summary of the NDP highlights the fact that the legacy of apartheid continues to determine the life opportunities of the vast majority of our youth. Malaika wa Azania, who published her

first book at the age of 22 in 2014, *Memoirs of a Born Free*, presents the complexity of being young and Black in post-apartheid South Africa. In an interview about her book with Samantha Moolman of Creamer Media, she strongly argued against the term 'born free', insisting that it is a false idea because:

... the constructs that defined apartheid South Africa continue to define post-apartheid South Africa ... If constructs of apartheid South Africa continue post-1994, then logic dictates that people born after '94 become products of an un-free society.

BUILDING ETHICAL FOUNDATIONS: EMERGING LESSONS

A person with *ubuntu* is open and available to others, affirming of others, does not feel threatened that others are able and good, for he or she has a proper self-assurance that comes from knowing that he or she belongs in a greater whole and is diminished when others are humiliated or diminished, when others are tortured or oppressed, or treated as if they were less than who they are (Desmond Tutu, *No Future Without Forgiveness*).

How was it possible under apartheid that many generations exposed to brutality, some exiled from loved ones, stayed focused on the common purpose of liberation? That is what this chapter refers to as ethical activism, drawn from the global phenomenon of humanity. For us, it is the product of African *ubuntu*, as elaborated on by Archbishop Tutu. The connection (belonging to a 'greater whole') through passion and determination transcends the borders of race, gender, class, creed, language, age and time. But ethical activism requires ethical leadership.

The leaders of the liberation struggle understood human weakness: they recognised that true freedom was yet to come and would be for generations a work in progress. They led an excruciating process of negotiations with the oppressor in delivering the 1996 Constitution of the Republic of South Africa. The Constitutional Court approved that on 4 December 1996 as the supreme law of the land with effect from 4 February 1997. It is thus imperative to refer to the Constitution when

addressing South Africa's ethical foundations, as its Bill of Rights emphasises dignity, equality and freedom.

The Constitutional Court has further affirmed those rights in its rulings, reinforcing the ethical foundations. In 2016, for example, it affirmed the rights of a young man against a big telecommunications company. In the case of *Makate vs Vodacom* the Court ruled in favour of Nkosana Makate – a former Vodacom employee who challenged his former employer for not compensating him for inventing their 'Please Call Me' product. The service, introduced by Vodacom in February 2001, allows prepaid cell phone users to send a message for free to other users, asking to be called back.

That was a serious ethical indictment against Vodacom leadership and the company. The Court concluded:

The stance taken by Vodacom in this litigation is unfortunate. It is not consistent with what was expected of a company that heaped praises on the applicant for his brilliant idea on which its 'Please Call Me' service was constructed. The service had become so popular and profitable that revenue in huge sums of money was generated for Vodacom to smile all the way to the bank. Yet, it did not compensate the applicant even with a penny for his idea. No smile was brought to his face for his innovation ... Vodacom invoked legislation from the height of the apartheid era to prevent the applicant from exercising the same right.

To win that case, though, Makate had to be persistent – it took seven years of legal battles before it reached the Constitutional Court. The Johannesburg High Court dismissed his case in 2014. That illustrates how the ethical failures of both public and private establishments impact negatively on young people, blighting their futures.

Millennials were also affected by the 2007/8 financial crisis – one of the most significant ethical crises of our time. Much has been written about how greed and get-rich-quick-schemes resulted in evictions, vulnerability and prolonged unemployment.

The process of building South Africa's ethical foundations in relation to the youth has to take causal factors into account. For instance, it

does not work to preach to the youth about adhering to values against the background of unethical cultures and behaviour by leaders and institutions. Workplaces are one site of ethical framing that should reinforce ethical values. *Eyewitness News* quoted Makate as saying: 'I joined the company at the age of 18, straight from school, so it formed the basis of my corporate upbringing and I love the company.'

But unemployment deprives many young people of the opportunity to engage with a workplace. Of the 3.7 million unemployed youth in 2014, only 1.6 million, or 48.3 per cent, had worked before, according to StatsSA. In addition, labour laws and bargaining structures may guide workers' engagement with employers, but the many unemployed youths have no formal engagement structures. Engagement with the system as individuals (for example, as victims of rape) or as part of a collective (through community deprivation) is not feasible in many cases, with the result that they give up or resort to violence.

The case for constructive engagement and ethical activism exists in what are often called service-delivery protests (others have dubbed them 'the rebellion of the poor'). Despite progress in extending access to basic services, the problems of quality and effective delivery persist. Local communities have become impatient, judging by the number of protests that have erupted, and young people are often the face of those protests, 'toyi-toying' in front of police. *Business Day* reported that in 2012 there were the highest number of popular protests since the end of apartheid. Commentators in public debates in the media and social dialogues are most concerned by what they see as moral decay based on the violent nature of the protests and the destruction of social infrastructure and community assets. The May 2016 vandalising and burning of 25 schools in Vuwani near Thohoyandou in Limpopo Province sparked a national outcry. The protest was a reaction to the changed demarcation of their municipality, despite objections. In response, someone tweeted: 'What sort of demand is worth one school, let alone 23 schools? #Vuwani'. Another protest that raised public comment was the 'Poo Protest' against inadequate sanitation in Khayelitsha, Cape Town in June 2013. In that instance, protesters dumped faeces on the steps of the Western Cape provincial legislature and the departure terminal of Cape Town International Airport.

While the State's response generally is 'to bring order' and arrest the alleged perpetrators, we need to understand the elements that led to the fundamental breakdown in the system that reduced activists to such destructive behaviour. What needs to be done – beyond delivering services – to break the cycle of violence seen as having its roots in apartheid and unemployment? How can constructive citizen engagement be promoted, assuming efforts towards a capable and developmental state can enforce willingness to prioritise people's needs and voices? Most importantly, recognising that the youth are the face of the protests, how can youth dialogues be made effective through the injection of ethical activism: in other words, moving from demand protest to revolutionary, ethically led activism?

The nurturing of youth as agents of change is critical, as they are prepared to face not just local challenges but global complexities. Schools and institutions of higher learning do act as platforms of social change while nurturing the young so as to realise their potential.

VOICE THROUGH ACTION: YOUTH AND GENDER AGENCY¹

When women unite, the whole world trembles — Zelda Martin, 2015

Goals Four and Five of the United Nations Sustainable Development Goals seek the achievement of inclusive and equitable quality education, as well as gender equality and the empowerment of women and girls (Osborne et al., 2015). The experience of girls and young women of harassment, rape and violence in South Africa has reached frightening proportions. While campaigns promoting gender equality and exposing gender-based violence intensify, they seem to have little impact in the home and educational, social and work spaces. This section highlights how young women at institutions of higher learning mobilised and integrated their fight against the patriarchy into student protests. Their agency came at a time when adults had turned a blind

1 This section of the chapter has been edited for this volume in compliance with the provisions of the Protection of Personal Information Act (Act 4 of 2013).

eye to their suffering.

University protests in 2015 and 2016, from #RhodesMustFall to #FeesMustFall and #OpenStellenbosch, were arguably the most radical demonstrations of youth and gender agency in the post-apartheid era. Of major significance were the young women leading transformation protests covering the triple oppression of race, class and gender. Their protests were about education as well as the struggle against race, gender and class inequality. Fighting the patriarchy was central. Anti-rape protests at Rhodes University (#RURReferenceList) and Wits University drew the attention of national leaders and feminists. The students challenged violence against women as well as society's acceptance of symbols of oppression such as statues of Cecil John Rhodes and the superficial notions of the 'rainbow nation'. Their message was clear: 'We are not free! We are made to fit into an environment that does not embrace who we are. We are visitors in our motherland. As women, we are also not safe: we are exposed to all forms of abuse.'

Young women had reached a point where they felt they had no choice but to defend themselves. Through their actions, they radically drove home their message, redefining the moral principles adults preach but do not necessarily practise. Their radical methods caused a stir as they exposed breasts and used vulgar language in their protests. They were labelled and ridiculed, but they persisted.

Mmatshilo Motsei, in her book *The Kanga and the Kangaroo Court: Reflections on the Rape Trial of Jacob Zuma*, asserts that 'silence is not an option'. She highlights the problematic contrast where men's power is viewed as an aphrodisiac, while women have a negative sense of self. Also important is Motsei's point that older and supposedly more powerful women continually fail to protect, support and affirm vulnerable young women. Her view is that the youth are instead vilified and ridiculed. Motsei reveals that 'often the oppressed internalise and come to believe the oppressor's negative view of themselves'.

Zelda Martin's article, *A Tribute: The Women of Fees Must Fall*, presents photos of protesting women, including Wits SRC president Nompandolo Mkhathshwa. She acknowledges that the media have left those 'strong Black women' leaders entirely out of their narrative of



Figure 12.1: The fight against patriarchy and high fees were linked in this student's poster (Photo: Katlego Disemelo)

the campaign. Recognising that they are seen but not heard, the young women used striking, dramatic and raw visuals to communicate their messages. They remained steadfast, saying 'enough is enough' in posters and banners.

The protest against rape (#RURReferenceList) took another turn at Rhodes University in April 2016. Hundreds of students and some lecturers protested against what they perceived as inadequate policies to deal with rape on campus. The protests resulted in the suspension of university activities, while pictures of half-naked young women made the headlines). The students wanted action taken against alleged rapists whose names they listed. The university vice chancellor eventually promised to review policies to deal with that issue.

The relevance of those demonstrations lies in their rude reminder of how the ethical failures of older generations, past and present, have contributed to the moral decay and collapse of ethics in society and how they affect the youth. As Nelson Mandela acknowledged in 1995:

There can be no keener revelation of a society's soul than the way in which it treats its children. We come from a past in which the lives of our children were assaulted and devastated in countless ways. It would be no exaggeration to speak of a national abuse of a generation by a society it should have been able to trust.

The previous section highlighted the role played by work in framing ethical behaviour. This section extends that to higher-learning institutions, raising the question of who grooms the youth out of school and work. StatsSA indicates that the Not in Employment, Education or Training (NEET) rate among the youth has remained at about 30 per cent since 2012, with the highest rate recorded in 2013 at 33.5 per cent. The share of unemployed young people with educational attainments lower than matric remained unchanged at 57 percent from 2009 to 2014. What then becomes the solution? How do we break the vicious cycle?

ETHICAL FRAMING: BREAKING THE VICIOUS CYCLE

The vision of a new society that guides us should already be manifest in the steps we take to address the wrong done to our youth and to prepare for their future. Our actions and policies and the institutions we create should be eloquent with care, respect and love. – Mandela, 1995

As a mother, gender activist and specialist in public policy and development planning, I have come to appreciate that we are framed by the environment we are trying to reframe and change. Ethical activism is thus an actionorientated consciousness driven by the self and collective moral reasoning to counter that irony of life.

The social environment, peer group and organisational moral reasoning are very important in most youth ethical framing. Breaking the vicious cycle thus requires a multi-pronged approach to cover youth with diverse needs, for example NEETs, youth at work, post-school youth in training, and youth at school. It is critical to infuse ethical activism into youth activism. The question becomes: when, how, what and who introduces ethical activism? Previously – and in some cases still – socio-political movements, faith-based institutions and professional bodies established youth bodies and played a nurturing role. More and more youth formations are, however, left to organise themselves.

Guiding frameworks and approaches for ethical development

To be truly transformative, ethical development processes have to be aligned with Africa's renewal. South Africa is a member state of the African Union and a signatory of various continental and United Nations protocols. As highlighted in earlier sections, the Constitution and various government policies and laws aim to redress the imbalances of the past and create an enabling environment for youth development. That extends to the NDP's Vision 2030, adopted as a strategic framework to guide implementation.

However, as pointed out by the Thabo Mbeki African Leadership Institute, there is an obvious and destructive lag between the adoption and the implementation of policies. The Institute, which forms part of the University of South Africa, was launched in 2010 in partnership with the Thabo Mbeki Foundation. It aims to address Africa's human capital deficit by nurturing thought leadership and developing change agents. As registration requires a matric qualification, the part-time programmes are mainly accessible to youth at work and post-school youth in training. There is no doubt, though, that such initiatives are needed to leverage the demographic dividend.

The issue of change agents to bridge the gap between policy and implementation requires also the retraining of teachers and coaches at all levels. Programmes should also target those who interface with the youth. The problem is not just access to resources, but the mindset of ethical change agents, as traditional authoritarian approaches are

ineffective. Former Manchester United manager Alex Ferguson, talking of his coaching experience, warns that you do not get the best out of people by hitting them with an iron rod. 'You do so by gaining their respect, getting them accustomed to triumphs and convincing them that they are capable of improving their performance,' he writes.

In the case of unemployed youth, education and training require special attention, with public-and-private-sector collaboration. The release in April 2016 of the 'Vulnerable Groups Series I: The Social Profile of the Youth, 2009–2014' by StatsSA is a welcome development in that regard and will assist in developing targeted interventions.

Strengthening social structures and institutions

The building of ethical foundations should be based on aligning policies with social structures and institutions, as well as developing targeted strategies for framing the desired ethical behaviour. The strategies should consider the human development cycle, from childhood to adulthood, within a socioeconomic and historical-political context. Social structures and institutions operate as nurturing centres that set norms, rules, shared values and principles that regulate behaviour. They are systems of socio-economic stratification that transmit culture and act as critical spheres of influence. Those include the home; primary and secondary schools; community, sports, cultural and recreational institutions; faith-based and political institutions; and post-school/tertiary and work institutions. Access to effective social structures and institutions can have a positive effect on a young person's ethical behaviour. Conversely, when they do not exist, or become inaccessible or ineffective, the chances of negative and immoral behaviour increase. Of significance is the complementarity of those structures and institutions in covering the different dimensions of life: developmental, social, economic, physical, emotional and spiritual.

Changes in the form and quality of social structures affect ethical framing strategies. Research by Dan Chimere-Dan indicates that the family has remained the dominant living arrangement in South Africa, with seven out of 10 households in 2014 being families. However, single-parent families as a share of all families increased by 37 per cent from 1996 to 2014, while couple families decreased by 31 per

cent over the same period (Chimere-Dan, 2015). The rise of single-parent families occurs at a time when the extended family is declining, weakening the support system that has assisted with ethical framing. It is worth noting that childbearing has overtaken marriage as the most common entry point to family formation. Seven out of 10 children born in South Africa in 2014 were to women who had never married. That was the case with 75 per cent of Africans, 63 per cent of Coloureds and 15 per cent of Indians (Chimere-Dan, 2015). The concern here is that the family concept in most faith-based formations and African traditions is not a factor in that reality and does not adequately support the single family and young mothers.

Of serious concern is the quality of education, an issue raised in the National Planning Commission's Diagnostic Report and by StatsSA. The South African Institute of Race Relations' 2015 *Labour Market Trends Report* also refers to the poor quality of education, pointing to the correlation between education and employment. The report indicates that the unemployment rate of those with tertiary qualifications is less than half that of people with only primary education. Of further concern is the fact that female labour participation rates for all race groups are considerably lower than for their male counterparts.

CONCLUSION

There is no doubt that the challenges facing South African youth are enormous. There is also no doubt that the demographic dividend presents a window of opportunity – but to realise it we must act decisively and quickly. When StatsSA points out that more African and Coloured youth are unemployed, involved in crime and uneducated than youngsters of other races, we know that the battle against intergenerational poverty and inequality is almost lost. The advantage, however, is that we understand the problems much better. The reality reminds us that colonial and apartheid regimes deliberately used oppressive laws and violence, imposing foreign cultures with well-targeted programmes that destroyed identities and structures and dispossessed people of their land and other assets. Thus, generic approaches with a narrow focus on post-apartheid service delivery will

not go far enough if we are to redress the ills of the past. Having an identity document and access to water, electricity and other services is essential but not sufficient to frame the right mindset and ethical outlook. The NDP emphasises that the immense challenges can only be addressed through a step change in the country's performance. The report asserts that young people deserve better educational and economic opportunities. Of importance is the emphasis on the fact that focused efforts are required to eliminate gender inequality.

This chapter has argued that with driven ethical leadership, the youth bulge can be used to tackle challenges and take up opportunities. Central to that is the reform of existing educational, socio-political and economic systems, and related institutions. Those regime and systemic reforms must centralise human-centred approaches, enhancing a value-based ethical focus on human capital development. That involves infusing ethical activism into youth programmes to help refocus the energy of the youth while building capabilities. Attention should also be paid to addressing abusive and unethical behaviour by older people. Building ethical foundations should form part of social change and African renewal. As social actors, children and youth should be enabled to navigate through various socio-economic, cultural and political environments.

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Section Four

*Women contributing to critical
global debates*

CHAPTER 13

Nervous conditions: The burden of race, class and gender in the constuction of the postcolonial order

TSITSI DANGAREMBGA

INTRODUCTION

Good evening, ladies and gentlemen. It is a great honour for me to be with you tonight, an honour for which I thank the Mapungubwe Institute for Strategic Reflection and the University of Johannesburg. I would like to acknowledge the Chairperson of the Board and Board members of MISTRA and the Vice-Chancellor of the University of Johannesburg. Welcome all and thank you.

This evening I will share some thoughts on Nervous Conditions: The Burden of Race, Class and Gender in the Construction of the PostColonial Order. The conclusion I will present to you this evening is that we can have the Africa we want. We can be the Africans we want to be in the nations and communities we want to have, on the

continent we desire. As South Africans know very well, it's possible. Indeed it is possible in spite of our nervous conditions. Having the Africa we want and being the Africans we want to be in that Africa is going to require a little work, though. It is that work that I am going to engage with this evening.

I will begin by defining a nervous condition. I will go on to look briefly at the incidence of nervous conditions on the continent. I will then engage critically with the notion of postcolonialism, referring to two main challenges I have with the notion. I will be reframing the arguments from my own perspective. This will lead me to formulate my understanding of the era in which we find ourselves. I will use the following concepts:

The colonised protagonist; the colonising antagonist; the colonised mind; the colonising mind; guerrilla state and internal colonisation. I will argue that Africa is facing, in the first instance, not a crisis of leadership but a crisis of personhood. I will map briefly the role of leadership and the people in the genesis of this crisis and will end by proposing a remedy for the crisis. In proposing a remedy I will invoke Zakes Mda's concept of justifying the enemy. I will end with a note on gender.

NERVOUS CONDITIONS

What do we mean by a nervous condition? A nervous condition can be defined as one that affects a person's emotions and a person's state. To be nervous is to be frightened or worried about something that is happening or that might happen to the extent that this fear or worry is evident in a person's behaviour. A nervous person is tense, apprehensive and easily upset. She is excitable, sensitive and highly strung. These negative emotional states then become the person's condition, a nervous condition.

Nervous conditions are caused by biological and environmental factors. The two categories are not completely mutually exclusive. However, for the purposes of this discussion, environmental factors are of interest. These include poor nutrition, exposure to toxins, stressful life events, chronic stress, culture, abuse, poverty and war. All of the

conditions on this list of environmental causes of nervous conditions are prevalent on our continent.

Human beings experience these nervous emotional states as distressing and undesirable. Therefore, human beings undertake action to dispel these states and to return to a positive emotional balance. Correction of negative emotional states can be brought about in several ways. Firstly, people can leave the environment which causes the nervous state. Secondly, people can change their perceptions of the situation that causes the nervous condition. Changing perceptions of a negative state can be done in several ways also. Drugs can be used to target the physiological processes of perception. These drugs may be medical, or they may be drugs that are used recreationally. This latter category of recreational drugs includes alcohol. A second method of changing perceptions is to change behaviour. Behaviour may change at either internal cognitive or overt physical levels. Internal cognitive behaviour change involves a person changing her own thought processes to change her perceptions. Other means of adjusting perception are all those activities that can alter consciousness by inducing trance-like states, such as dancing, exercise and fasting. Meditation, as well as connecting with a meaningful higher power through practices such as prayer usually engage both internal and overt mechanisms. The categories do overlap.

We all suffer from nervous conditions at time. We all go through phases when we are excitable, or worried. However, when a nervous condition is of such an intensity and of such an ongoing duration that an individual is no longer able to function, we talk of a person suffering from a nervous illness.

Incidence of Nervous Conditions

According to the UN online magazine, Africa Renewal, Kenyan health experts estimate that one fourth of the Kenyan population of 44 million suffers from a range of mental diseases, including schizophrenia and other psychotic disorders, bipolar disorders, depression and severe anxiety. A 2003 South African study, ratified in 2014 by professors in the Departments of Psychiatry in the Universities of Cape Town and Stellenbosch, estimated that approximately one third of South Africans

suffer from some form of mental disorder. The professors noted how, given that the figures excluded children and adolescents as well as a number of other key disorders, the prevalence of mental disorders in SA is probably higher than one third of the population. It was difficult to obtain mental illness incidence figures for African countries, so I will end with figures from one other country, Zimbabwe.

No official statistics were readily available, but one of Zimbabwe's leading weekly newspapers, the *Financial Gazette* had this to say on April 6, 2017:

The effects of almost two decades of an economic free-fall has had a devastating mental, emotional and physical toll on the generality of Zimbabweans who can no longer absorb the rigours of the meltdown. According to the World Health Organisation (WHO), some 1,3 million of the country's 14 million people, representing 10 percent of the population, are now mental patients. There were just above 600 000 mentally ill people in 1999, which means that the figure has more than doubled in less than 20 years.

The Herald Newspaper of January 4 this year adjusted the figure of 10% incidence upwards when it stated that:

Neuropsychiatric disorders are the leading cause of disability in Zimbabwe accounting for 18,7 percent of all years of life lost to disability and premature mortality especially from suicide in (those) under 35 years of age.

These figures might be an under-representation of the incidence of nervous illnesses in Zimbabwe. As we know, Zimbabweans are frequently rather coy about calling things what they are. I will return to that later. However, the reason why I say the above figures may be an underestimate of the incidence of nervous illness in Zimbabwe is that several years ago I heard a joke about this subject.

I was working for an organisation called 'Women Filmmakers of Zimbabwe' at the time. We had put out a call to Zimbabwean women

for documentaries on themes that they felt were important for their well-being. We received a concept for a documentary on post-natal depression. It was during research for this project that I came upon the joke. It goes like this. 33% of Zimbabweans are on antidepressants, 33% are on alcohol and the other 33% are on both.

More recently a journalist in Zimbabwe has made a wonderful documentary on mental illness called ‘State of Mind’. Yes, in case you asked, that documentary filmmaker is male.

Dr Sacrifice Chirisa, in his article for *The Herald*, linked mental illness to suicide. Table 1 below shows 2017 World Health Organisation (WHO) figures for suicide in the ten African nations ranking highest from such deaths.

Kenya is not included as its rate is relatively low at 6.5. This suggests that in spite of a high incidence of mental illness, Kenya is managing this illness so that suicide rates remain relatively low. WHO tells us that suicide is a global phenomenon, with 78% of suicides occurring in low- and middle-income countries in 2015. In that year suicide accounted for 1.4% of all deaths worldwide, making it the 17th leading cause of death in. It is worth emphasising that in 2017 it was the second leading cause of death amongst youths aged fifteen to twenty-nine. So nervous conditions can be fatal. They affect our youth disproportionately and as such require our express attention. Of note is the higher incidence of suicide for males as opposed to females. This is a global trend.

Table 13.1: Suicide rates in selected African countries, WHO 2017

Country	Suicide mortality/100 000	Region
Equatorial Guinea	22.6	West Africa
Angola	20.5	Southern Africa
Ivory Coast	18.1	West Africa
Central African Republic	17.4	Central Africa
Sierra Leone	15.4	Southern Africa

Swaziland	14.7	Southern Africa
Gabon	10.9	West Africa
South Africa	10.7 (F=4.6, M=17.1)	Southern Africa
Zimbabwe	10.5 (F=5.6, M=15.5)	Southern Africa
Lesotho	10.4	Southern Africa

POSTCOLONIAL ORDER

I will now look at the postcolonial order.

The category 'postcolonial' is one I am increasingly contesting, as have so many others. My two main criticisms are the following.

A Transforming Colonialism

Firstly, at the theoretical level, I do not understand how a system that transforms itself into another version of itself can be perceived of as being post itself. European colonisation of Africa has only been modified, it has not come to an end. The purpose of colonisation was to transfer wealth from where it was found outside the colonising nations into the colonising nations. Today we still see that net movement of wealth.

The colonial system may have changed in that it has adjusted some of its more excessive practices, such as direct rule, legal rendering of local populations as less than human, apartheid systems and genocide. There are more individuals today across the globe who are toiling to end the work of colonialism. However, the purposes of colonisation are still served in our era by systems that were created in order to be adopted after the end of direct colonialism. Therefore the system of colonialism has merely changed but it is still in existence.

To my mind, being told we are in the postcolonial era is an integral part of a strategy to keep that colonial system functional. If we all believe it is over, we will not look to dismantle it. We will concentrate on other things. Here we see the power of naming in effect. Those who have the power to name are those who have the power to determine.

The term postcolonialism is said to have emerged in the 1970s in response to cultural production that dealt with the relationship between the colonised protagonist and the colonising antagonist. Emanating from the academy of the 1970s, it is unlikely that many colonised protagonists were part of this academic conversation. The naming, then was done by individuals who were part of, or at the very least who were beneficiaries of, the colonial project.

The appearance of the term 'postcolonial' in the 1970s followed a period of fundamental change in the nature of colonisation as a response to transformations in economic imperatives caused both by technological advances and also by actions for independence undertaken by colonised protagonists, as well as by their allies who resided within colonising antagonistic nations. The term originated out of engagement by the academy with the works of anti-colonialism writers such as Fanon, Said and Spivak, within the academy itself. In the field of fiction, representatives of the canon are writers such as Achebe, Ondaatje, Allende, Coetzee and Walcott. In the area of non-fiction, Kincaid is a notable figure. The explicit term 'postcolonial' does not occur often in the texts of these writers, particularly not the early texts. Fanon writes rather of a dying colonialism. Said uses the term on p275 of his seminal work *Orientalism*. He writes 'Oriental studies were to be thought of not so much as scholarly activities, but as instruments of national policy towards the newly independent, and possibly intractable nations of the postcolonial world.'

With this statement Said analysed how colonial forces that had given up political control of the nations they had colonised were repositioning themselves for continued engagement under the banner of postcolonialism. Clearly this term was coined in order to enable a conversation about a particular historical epoch. Nevertheless, it was the colonising antagonist and not the colonised protagonist speaking.

The Colonised Protagonist and the Colonising Antagonist

I have used the phrase 'colonised protagonist' several times. This is the result of a choice I have made not to use the term 'colonial subject'. My reason for this choice is that a subject has an architect. A subject is propounded by a principle that is prior, that exists before the subject.

This prior principle is a mind. It is an intelligence that thinks. This intelligence perceives objects in its universe and it positions these objects with respect to itself on one hand, and with respect to each other on the other hand. This mind enunciates positions of objects and the relationships between objects to the one who acts. This one who acts is the subject. Thus the subject is created by the mind that moves it. The mind is the first actor. A colonial subject would therefore be she who is created by the colonial mind and who is moved by this colonial mind.

A protagonist, however, is the first or principle actor moved by her own mind to order the universe according to her own principles. In the world of the colonised protagonist, there are therefore two minds – at *least* two minds – in operation. The first is the mind of the protagonist prior to colonisation. The second is the mind of the colonising antagonist. This is a situation of conflict. It begets the nervous conditions thematised this evening. Nevertheless, a colonised protagonist does not inevitably give up her mind to the colonial universe. A colonised protagonist has a choice of whether to become a colonial subject, or whether to continue to be her own subject who orders the universe in accordance with her own principles. Both choices come with costs.

From this point of view, I am more comfortable with the term neo-colonialism as opposed to postcolonialism.

Internal Colonisation

My second concern with the notion of postcolonialism flows from the first. It is my submission that the objectives of colonisation are being served by new powers within the former colonised countries. There are two principle ways of looking at this. One way regards the new governments as agents of the coloniser, intent on extracting wealth from the south to the north for the benefit of the north. The second perspective sees the new governments as new colonial agents themselves, intent on extracting wealth from the south for their own benefit. This wealth often ends up in the north as well, but their primary concern is to extract wealth from the country for themselves. In either case we can see the colonial antagonistic mind at work to effect the

project of colonisation. The trajectory of events in Zimbabwe leads me to argue that the Zimbabwean government, and indeed possibly governments elsewhere on the continent, fall into the second category.

I'll expand on this idea. Zimbabwe's leadership was and is of a specific nature. The Zimbabwean armed struggle against the colonial antagonist was waged from 1966 to 1979. Those who left the country to lead the armed struggle became in effect the leaders of an establishment that can be thought of as a Zimbabwean state in exile. This state in exile was able to and did raise an army. It exacted donations from Zimbabweans both within the pre-independence state and outside it. As these donations were necessary to the exiled state, in order for it to continue to run and to pursue its objectives, the payments that the exiled state extracted can be regarded as a kind of taxation or tribute. Such contributions were often freely given. However, within the pre-independence state, and not outside it, sanctions frequently followed failure to comply with the demand for contributions and it was common for these sanctions to be of a brutal nature. The situation here is that of a military state having been effectively created outside the borders of Zimbabwe, led by a military government that was also situated outside the physical boundaries of the country. I call this entity the guerrilla state. It is this guerrilla state that reinvented itself as a political party called ZANU-PF in the last phases of the armed struggle and which gained formal control of the nation to become the Zimbabwean government at Independence. The occupation of a nation by an extractive guerrilla state that had previously claimed to be waging a guerrilla war in the name of the people it occupies is what I call internal colonisation.

How did this state of internal colonisation come about when Zimbabwe was the hope of many in the world, both inside the country and outside it, at its independence in 1980? Indeed, following the guerrilla war and the end of colonial direct rule in 1980, ZANU-PF was almost universally popular in most of Zimbabwe. At that time, Zimbabwe was proud of possessing a number of educated political leaders. It also possessed sound infrastructure and a functioning economic system. This infrastructure and economic system had resulted from about one hundred years of British colonial rule. In

addition, events on the continent had given Zimbabwe's new leaders the chance to learn from history. The country also was home to numbers of trained Zimbabweans who had received a good education under the Rhodesian strategy of building a black middle class as a buffer between white settler society and the rest of the population, or as a result of the activities of missionaries. It was not, in most quarters, specifically stated, but it was tacitly expected that these educated Zimbabwean leaders and people would perform well with respect to maintaining and developing the economic, political and social pillars of the nation.

Social reforms were quickly carried out by the incoming ZANU-PF government. The reforms led to improved access to services such as health and education for the majority. The remains of the Rhodesian system of apartheid, which had already begun to be dismantled during the war, were finally done away with. These reforms were a cause for increased confidence in the ZANU-PF government, that had been ushered in by the people with elation at Independence. Zimbabweans soon boasted to others and to themselves that they were amongst the most literate and most intellectually accomplished people on the African continent.

Thirty-eight years after Independence Zimbabwe is on its knees socially, politically and economically. Following leadership change in November last year, in an action that Zimbabweans coyly name 'the coup that was not a coup', the country is led de-facto by a military government. The current president is only the second head of state to govern the country in nearly four decades. Unemployment stands as high as 95% by some estimates, although the government recently released a figure of 6,62% while in 2014 the World Bank quoted a figure of 4%. The financial system is living on borrowed time. Annual inflation was at more than 14% in 2017. The local currency is artificial and not exchangeable. Citizens are unable to access cash from banks. There are no signs of corruption being curbed. The budget deficit is 12% of Gross Domestic Product. The economic challenges have affected the government's ability to deliver social services almost to the point of non-delivery. All the pillars of the Zimbabwean nation are very crumbled.

THE CRISIS OF PERSONHOOD

What happened in Zimbabwe is that after Independence, ZANU-PF embarked on a strategy to entrench itself in power at the same time that it engaged in social reforms. The strategy of entrenchment had three principle components. Through propagating a 'glorious saviour' myth of its ascent to power, the ZANU-PF government bought time in which to entrench its rule.

The first part of the ZANU-PF strategy of entrenchment was and remains control of the population. This was and continues to be done by controlling the media and, where necessary, by intimidation that deployed – in the new state against citizens – the practices of the guerrilla war. The second set of tactics involved neutralising rivals. This was done in a number of ways. On the one hand, rivals were kept happy by buying them off. Another tactic was establishment of complex corruption networks that served as an incentive for loyalty, but that also trapped individuals into silence and obedience. Where these tactics did not work, rivals were eliminated. The third feature of the entrenchment strategy was the holding of regular elections. The election served to provide information about opposition patterns and to legitimise the standing government. Leaders were kept in line by a combination of carrot-and-stick and favour-and fear-incentives. The overall effect was a level of *gleichschaltung*¹, or the standardisation of political, social and economic institutions in the manner that was first seen with the National Socialist – Nazi – government of Germany in the last century.

The Zimbabwean people colluded in this internal colonisation. In the beginning, most appeared too jubilant at what they took to be the defeat of the colonial regime to interrogate their new government. There were no objective voices raised in Zimbabwe when the triumphant guerrilla state and its armies marched into the country at the beginning of the internal colonisation process.

I remember women singing ecstatic but incredibly ill-advised songs

1 'Gleichschaltung' refers to the process of achieving rigid uniformity and cooperation within an authoritarian state.

at that time. For example, one of the songs exhorted Mr Mugabe to get onto the women's backs because the women wanted to piggyback him in a towel. There was no public critique of this kind of behaviour from any quarter.

Nor do I remember any private critique. People went with the tide. It was a wild orgy of celebration. Today some older Zimbabweans say, 'Oh, we knew...we knew Mr Mugabe this, Mr Mugabe that...' but at the time they were silent. When pressed, they contend that they were silent because they feared the incoming, tribute-demanding, guerrilla state that had once been in exile and had now become the recognised national government within the country. Other Zimbabweans simply did not know anything beyond the celebrations they saw. These responses persist until today, decades after

Independence. To this day, many remain silent out of fear. Others chuckle and continue as before. Thus, whether conditioned by the media, terrified by intimidation, depleted of resources or all of these or none of these, the generality of the population was and is unable to organise any successful counteraction, or to construct any significant alternative.

The behaviours described above were performed by Zimbabweans. They were chosen and engaged in consciously. This is the crisis of personhood that I referred to earlier. The fact that needs to be faced is that, even if colonial forces exerted pressure on Zimbabweans, it was possible at any point for any of the stakeholders concerned to choose to act differently. Yet, virtually all the protagonists of the nation of Zimbabwe saw fit to behave in ways that resulted in Zimbabwe being the broken state that it is today. The Zimbabwean nation, both its leadership and its people, forsook responsibility as their nation tumbled to ruin. Even today, people and government blithely utter empty phrases such as 'business as usual', 'open for business' and 'please pass the popcorn' even though their homeland is perishing. Zimbabweans as a nation has failed utterly to engage with the tragedy of its own implosion.

I invoke three ideas to unpack this horrible state of affairs. The first idea is that of ignorance. The second is the idea of trauma. The idea of vicarious gratification is the third.

Ignorance and the Crisis of Personhood

Ignorance applies to both people and leadership. It is related to control of the people. Because ignorance is entangled with control of the people, it appears as though ignorance operates only within the people and not within the leadership. I argue that only an ignorant leadership can exert control over the citizenry in such a manner and to such an extent that the citizens can no longer contribute to strengthening and advancing the nation. The Zimbabwean leadership did not know how to engage the people in the project of constructing a prosperous nation. The Zimbabwean leadership might even have been ignorant of the fact that constructing a prosperous nation is the role of national leader. There are many facets to ignorance of leadership, which include personal and social history, lack of specific leadership education and lack of exposure to key experiences.

The ignorance of the people derives from their wish for a supreme authority that absolves them of personal engagement with and responsibility for the affairs of their nation. This desire is often related to extreme control in the past and includes that form of control found in tribal societies. Thus the population has no concept of itself as the citizenry of a modern nation state, nor of the roles and obligations of the citizens of such a state. The colonising guerrilla state gladly takes over the role of supreme authority that has been left vacant by the end of direct European colonial rule. It presents a particular image of itself and constructs a particular narrative around itself. Emerging from a tribal society into a period of direct colonial rule followed by a ferocious war, in the absence of information to the contrary, the people believe the myth of the guerrilla state constructed by that state.

With time, however, evidence of the dictatorial nature of the colonising guerrilla state comes to light. It is an incremental process. With the standardisation of information, news of state atrocities comes in dribs and drabs. The atrocities themselves occur against people designated as being in some way 'other': They are 'dissidents' often due to ethnicity; they are foot soldiers of the European colonising forces; they are opposition or, they are rural folk who are merely a resource for the guerrilla state and have no significance in and of

themselves. Finally, as we hear today, they are Zimbabweans who do not have liberation war credentials. Over time, such categories of otherness with respect to the guerrilla state broaden to include more and more citizens. Eventually each person in the population is confronted with the truth of the repressive nature of the internal colonisers. Every individual is faced, sooner or later, with the choice either of believing the new evidence concerning the nation's supreme authority or discounting this evidence. Whether the new evidence is accepted or rejected, its existence produces extreme levels of cognitive dissonance in the population as old beliefs become unstable. This cognitive dissonance is experienced as conflict and tension, in other words, as a nervous condition that exacerbates previous nervous conditions. As such it leads to the second idea around the genesis of the crisis of African personhood. This is the idea of trauma.

Trauma and the Crisis of Personhood

Trauma is a disordered psychic or behavioral state resulting from severe mental, emotional or physical stress or injury. Trauma results from an event, or from a series of events, or from a set of circumstances harmful or life threatening in any way, as experienced by an individual. Harmful or lifethreatening events are by definition violent. Thus the experience of violence is a leading cause of trauma. Trauma research identifies anxiety as a common symptom of the condition. Other symptoms are anger, sadness and emotional outbursts. These effects are long-lasting and affect the individual's functioning and mental, physical, emotional or spiritual wellbeing.

In Zimbabwe, research by the government-established Organ for National Healing, Reconciliation and Integration found that Zimbabweans have suffered violence for close on a thousand years. Initially, in this period, was the violence of intertribal fights of rival kingdoms of the Shona-speaking groupings. These rivalries were followed by Rozvi and Nguni invasions. After these invasions came a brutal colonisation. Following colonisation a liberation struggle, in which almost no human atrocity was considered taboo, was waged. At the end of the liberation struggle, people endured suppression and oppression under Robert Mugabe's government. Today, there is more

of the same under the current leadership. The trauma inflicted on the people of Zimbabwe by the ZANU-PF government has a dimension not present in the other traumas I have mentioned. This is the element of betrayal of the people's faith. While dealing with the trauma of the atrocities themselves, people are also dealing with the effects of betrayal which include shock, loss and grief, morbid preoccupation, damaged self-esteem, self-doubt and anger.

Research has further revealed that prolonged exposure to trauma can change the hormonal environment in the body, and that such hormonal changes can affect both the behaviour of a traumatised person as well as the development of a foetus within a traumatised person. It has been found that prolonged exposure to trauma can affect the DNA structure in the body and that these changed structures of DNA can be inherited. Thus it is possible that the traumas we have suffered in our part of the world have been encoded into our being through our genetic material. Zimbabweans and other peoples whose history includes colonisation are traumatised beings whose behaviour acts out the effects of this traumatising.

The notion of trauma can help us to understand why both populations and their leaders on our continent choose to behave in unimaginably destructive ways. Both the leaders and the people are traumatised human beings.

Vicarious gratification and the crisis of personhood

The third idea, that of vicarious gratification, flows from the notion of trauma. The acknowledgement at some level of experience - which need not be conscious - that I have been injured and that I am vulnerable induces the experience of powerlessness. To overcome this state of powerlessness, the individual who is experiencing such a state may identify, consciously or unconsciously, with a powerful entity. This identification allows the individual to stake a claim in that powerful entity's power to compensate for the power that is lacked by the self. Through this identification, the powerless individual opens herself up psychologically and emotionally to a vicarious experience of power when the power holder displays power over others. Thus human beings who experience powerlessness can become ecstatic

at the brutalisation of other people who are perceived as powerless, and, when sanctioned by a power holder, will participate in this brutalisation of others also. It is incumbent on us to remember that this state of powerlessness has been experienced by our entire citizenry, leaders and led. Before obtaining positions of power, our leaders were amongst the powerless who were ruled by the colonial antagonist. Our leaders often experienced extreme forms of trauma visited on them by the colonial antagonist. The authority of struggling for liberation and the experience of power thereafter thus unleashed latent ferocity and bloodthirstiness in many of the leaders on our continent.

This unleashing of ruthlessness demonstrates one of the more pernicious attributes of this system of vicarious gratification. The powerless - in the binary of powerful and powerless - are ready at any moment to step into the shoes of the power holder. The only separation between them is opportunity. Understanding this, the power holder becomes more oppressive towards the powerless.

The led and the leaders have become existentially entangled with each other.

Another dimension of vicarious gratification is that we love to see black people suffer. We identify blackness as the source of suffering. Therefore we are gratified when that blackness is punished in someone else. The punishment of the other means that the blackness has been punished already so that we ourselves will not have to be punished for being black.

Ignorant, traumatised people who perceive themselves as powerless build dysfunctional nations. Theirs is a crisis of personhood. This condition culminates in crises in the nation's social, political and economic institutions.

ENGAGING WITH OUR CONDITION THROUGH THE CREATIVE ECONOMY

So, as a continent, as nations, as individuals, we have a lot of work to do. We have to engage in the difficult labour of recreating our personhood in a manner that enables us to thrive. We need to renew our social, political and economic institutions in order to create nations

that flourish. We do this, as Bob Marley and Ngugi wa Thiong'o have informed us, by freeing our minds from the grip of the colonial antagonist. I am here tonight to argue that the creative economy is a foundational institution in achieving these goals.

That the planet has arrived at a moment in its development where it is championing creative economies is not fortuitous. Developments over thousands of years have led to large-scale fabrication of the products that human beings need. This process of upscaling the production of goods began with domesticating the provision of food through agriculture. Over time, the process of amplifying the provision of goods spread to other areas of endeavour, such as the provision of clothing, the provision of shelter and the provision of movement from one place to another. These processes were bound up with and flowed from developments in technology. The rate of provision of goods increased exponentially with the advent of industrialisation, which itself was driven by technological advances. Developments in technology require deployment of human beings' creative capacities, thus these technological improvements were themselves the outcome of creative interventions. Here, I am emphasising that no significant human advancement has ever taken place without tapping human creative potential.

Today technology is impacting all areas of human endeavour and experience at increasingly accelerating rates. This impact is also affecting that area of endeavour that we call the arts. Technology has impacted on the arts to the extent that provision of arts goods has, in many countries, been up-scaled to an industrial level. Combining the creative processes of technology and the arts, we have today an area of endeavour that is called the creative industries. The system in which these creative industries function is called the creative economy.

The Creative Economy

An economy is a system where value circulates. In the traditional economy the things that are valued are resources such as land, labour and raw materials. In the creative economy, the things that are valued are resources possessed by all individuals, namely the contents of our minds, our hearts and our souls, and the manifestation of these

contents as our emotions. The creative economy values those products that come from our imagination. Imagination comes from experience, so our experience of our universe is our valuable resource in the creative economy.

Africa has so far largely scorned the creative economy, discounting it as a frivolity and a distraction. At least that is how many of our governments have justified their attitude towards the creative economy. It is possible, though, that such statements are made to camouflage other intentions. It may well be that the line many African states have taken toward the creative economy is a pretext because the creative economy is uncommonly powerful at economic, political and social levels in our communities.

At the economic level, the creative economy puts products into markets. The news at the moment is about Nigerian American author Toni Adeyemi's seven figure book deal for her debut children's fantasy novel. Marvel Films has just celebrated *Black Panther* box office takings surpassing the billion-dollar mark around a month after the movie's release. I am sure there are many people in this room who have invested in Bitcoin and others who are devising new ways of doing things using block chain technology, for example. Here at the university, we are all reading text books which have to be bought. It is a rare person indeed who does not switch the television on once in a while or listen to music. We all participate in the creative economy and are buyers in its markets.

However, the creative economy does not only put products into markets. At the political level, the creative economy disseminates ideas into groups, communities and nations. The creative economy offers people alternatives and gives them a voice in which a desire for alternatives may be expressed. By its nature the creative economy works against totalitarianism.

At the social level, the creative economy puts representations of the world into society and into our minds. When we engage with the products of the creative economy, its novels, its films, its music, technology, these become part of our experience and so the creative economy also determines who we are and how we view the world. The creative economy affects how we relate to ourselves, to others and to

objects in our universe. It influences the values that societies embrace. It also allows us to revisit past experience in a way that reframes these experiences for us, thus freeing our minds from old patterns. Yes, it fashions and refashions the mind. As such, the creative economy is a wonderful invitation to us to re-create ourselves and our society and its institutions. This re-creation can be done in the image that we decide upon.

In the past, astute governments prioritised those aspects of human creativity that revolutionised the material aspects of human existence, and this put a premium on physical raw materials. Today astute governments are increasingly championing those aspects of human creativity that transform the intangible aspects of our existence and this puts a premium on incorporeal raw materials. This is where our trauma and our nervous conditions become the raw material that we use to create products that go on to re-fashion us in an uplifting manner.

It is possible of course for a creative economy to create destructive products. It is common knowledge how over the course of half a millennium the colonial antagonist produced creative economy products that vilified the colonial protagonist. Protectors of the colonial antagonistic mind continue to ensure, through gate-keeping, that the colonised protagonist does not express herself in a creatively redemptive manner. Beneficial creative economies require careful construction through appropriate strategies for education, funding and distribution. Failure to ensure that beneficial creative economies are constructed will have dire consequences. The following two videos illustrate what I mean and demonstrate how Zimbabwe is being militarised by creative economy products that feature one of Zimbabwe's most talented and popular young musicians:

- <https://www.youtube.com/watch?v=xESEnQEivk>
- <https://www.youtube.com/watch?v=bP6v19ZTS0U>

I believe that the collaboration resulted from dire need on the part of the young man. He approached me for help with his career before this collaboration began. However, I was not able to assist and now this is the path he has taken. The militarisation on the part of the government

however is a deliberate action. This week's edition of *The Daily News* on Sunday reported five thousand soldiers deployed to Zimbabwe's rural areas. Therefore it is of profound importance that we put in place strategies that will build creative economies that foster peace, democracy and the best that is within us.

Zakes Mda expounds on this point in his fine book, *Justify the Enemy: Becoming Human in South Africa* (pp 35-36). In this text, Bra Zakes reminds us that when we create narrative our goal is not to create characters that are formulaically good or bad, but characters who are understandable in the light of their experiences.

This is what he says – I'm going to read quite a long quote –

When we black children of South Africa were growing up, we were taught by our parents, but especially by our grandparents, that we were not fully human until someone made us human. Humanity, our elders believed, was not something you were born with. Rather it was endowed by other people. You were therefore a person because of other people. They called this philosophy ubuntu in the Nguni language and botho in the Sotho languages. And how do others endow you with humanity? By giving you bounties of compassion and generosity. ({He says} I have since added tolerance to this list, but I do not remember our elders mentioning that particular virtue.) When you thanked someone who had been compassionate and generous to you, you uttered the words: 'You have made me into a person.' As a beneficiary of ubuntu you had to make others into people, too, by showering them with compassion and generosity. Through deeds of compassion and generosity you could attain a high level of humanity, a level that enabled you to show ubuntu to the enemy.

Adopting the method of justifying the enemy as Bra Zakes exhorts us to, we produce characters that are fully human in the categories of both perpetrator and survivor. We intervene in and act to remedy the crisis of personhood. This does not only apply to narrative. It applies to all products of the creative economy, including technological products.

We require a vision for tools of mass construction, rather than tools of mass destruction. By justifying the enemy in our creative endeavours, we act with compassion and generosity, creating the potential for the humanising of those who were enemies and for realising an improved quality of humanity in ourselves. We claim a healthy humanity where justice takes its course in a merciful manner.

South Africa is performing admirably in developing its creative economy when compared with other African states. However, our creative economies will not succeed unless, in addition to structuring them appropriately, we are able to scale them adequately. The example everyone knows of successful scaling is Nollywood. This is why, as we develop our national products, markets and systems, we must have the end goal in sight, namely that ultimately these structures must feed into regional and also into a continental creative economy. On this note, I conclude with a call to African leaders to invest astutely, with the objective of improving life for all, in the creative economy at national, regional and continental level. I make my call to the continent, but especially to governments that are lagging behind in this respect, such as my own government in Zimbabwe. I hope President Mnangagwa will hear and heed this call.

Finally, I have not had time to touch on some of the issues that are relevant to tonight's discussion, such as gender. In that respect I wonder whether anyone here had a question in the beginning when I spoke of some Zimbabwean women filmmakers who wanted to make a film about post-partum depression. Was there perhaps a question that was muttered under someone's breath? Well, whether the question was on our minds this evening or not, I'd like to answer it. The answer is no, the women filmmakers did not get funding to make their documentaries.

Thank you for your kind attention.

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CHAPTER FOURTEEN

For Africa to live, the nation must die?: The fluidity of African identity in a changing continent

GRAÇA MACHEL

Your Excellencies, Distinguished Guests, Comrades and friends,

It is a pleasure to join you this evening to explore a few new, and not so new ideas. I thank MISTRA for challenging me to reflect and share my personal experiences and views.

Let me begin by an anecdote of how I landed in a Frelimo military training camp. I had just left university and I joined a group of young women from the two provinces up north of Moçambique. In these two groups, none of the girls could speak Portuguese. They had been mobilised from their communities and villages. They had never been to the capital of their province. The first time they came across electricity was at the camp. They had no idea of what Moçambique as a country was all about, and I landed up with them for military training.

It was at the end of the first two weeks that the leaders of the camp realised that these women could not clearly grasp the basic

instructions of 'To the left' or 'To the right.' So my first shock was the first day of training when our instructor said: '*esquerda ire*' (turn left) and he had to turn to the left, so that the girls would understand in which direction to turn. And then when he said '*direita ire*' (turn right) he would turn to the right so that the girls could understand to turn right.

You can imagine for someone like me coming from university, you have all these very fancy ideas of fighting for independence and who you are, and I asked myself: 'What? Who am I here? And who are my peers?' The camp had developed an extraordinary programme; at the beginning all of us would have to tell who we are and why we had decided to join Frelimo to fight for the liberation of our country. Each one of the girls of course had to tell this story and that is where my education started.

When they had to say what oppression meant for them, what colonialism was, and then what Moçambique was and how they had decided to join the movement – I'm not going to go into detail – it was the first shock for me to understand that what I always thought of as Moçambique, was much more diverse, much more complex than I had imagined. I learnt that there were people in my own country whose understanding of the country was just the small village where they had lived. They had no idea of what the sea was; yet Moçambique has 3000 kilometres of coast. They had no idea what a building of three or four stories was. Their understanding of nation and country, and the diversity of Moçambique, was completely different from mine.

So we started the journey together. We'd have to train and live together, many times communicating by means of signs. Why I'm bringing in this example is to illustrate that on this continent of ours, there are still millions and millions of Africans who are born, grow and die in the very limited space of their village and their community, without having an opportunity of understanding the magnitude of what a nation represents; and remember, many African countries are not like South Africa. In many areas of the continent, Africans cannot read and write, and they have no television. The only medium is radio, oftentimes in local languages.

So I'm suggesting this as a first reflection of what identity – of what a citizen who belongs to a certain country – means. I think that our initial relationships, family and others, our positions in our family, our community, our society, our relationship with authority, with our elders, with our peers – these are the first fundamentals which mould us as social beings.

This evening I have been asked to address the implications of a quote from the great Mozambican freedom fighter and President, Samora Machel. He stated: *'For the nation to live, the tribe must die.'*

If as a continent we are to thrive, then we must make the time, take the opportunities to explore the multiple questions that challenge our 'African' identities.

All of these are moulded by the specific socio-cultural context that we are born into. Common history and language are key components or elements of cultural identity. These become the references that build the social being, the human being that we initially are.

So generally speaking, these socio-cultural contexts, these resulting relationships can be seen as the 'seeds' of our identities, or our social beings. They can, and will expand, be built upon, change shape, but they are still the seeds of our future selves. We can look at the contexts within which these seeds are planted in a range of ways – socio-cultural, economic, socio-economic, etc. and see that many of those contexts overlap. In considering the socio-cultural contexts, ethnicity is a core framework and this is how the 'tribe' helps form the seeds of our identities.

It is clear that the many overlapping contexts of our early years means that sometimes our 'tribes' develop in different ways. Ethnicity provides one set of lenses; economic wealth or financial poverty might provide another; age and gender provide yet other lenses. Yet I would argue that some of those lenses are subsumed within the wider socio-cultural lens of 'tribe'.

If tribal norms then 'seed' our identities, is the argument that for a national identity to thrive, the tribal identity must die? Or that further: for Pan-Africanism to thrive, national identities must die?

I would argue that this is not the case. Let's look at the analogy

of a seed. When a seed is planted, it does not die. With the right conditions, including soil, water, sun, the seed does not die. It is transformed into another living entity.

The seed transforms – at one point spreading its roots and then growing out of the earth and forming a stem, eventually a trunk, branches and leaves. Indeed, what is in the seed is what dictates the nature of the transformation that emerges from its sowing.

The very being of the seed maintains its identity in the transformation process. There is an Akan saying: *‘a crab does not give birth to a cow’*. Thus the seed from an orange will produce an orange. The seed from an avocado will produce an avocado. The innate influences the transformation, yet does not kill in the transformation. And as human beings we are able to influence the transformation; to use old seeds to breed stronger hybrids; to develop new strains, new strengths.

Tribal values feed into national identity, and the nation feeds into tribal identity. There has to be a value proposition for the tribe to feel embraced by, and integrated into, the nation. But at the same time the nation has to be able to embrace and integrate the tribe. By extension I’m actually talking about ethnic diversity, racial diversity, and class diversity.

On our continent I think we are still struggling with the question of nation building. I can mention maybe one country where history and language have played a role in such a way as you can say that it is close to being a nation with some sort of cohesion – Tanzania.

And if we look outside of our continent – and I know this is controversial – the United States of America, despite its huge diversity and people of all origins, has one thing in common: they feel American. They are Americans. We have to question what it is that make people of Japanese origin, of Irish origin, Latin American, African, and all the other diverse permutations, even the huge diversity of class – that at the moment of the truth, they are all Americans. What is it? What are the elements of that national identity which builds what you can call the pride of belonging to a nation?

These are complex dimensions, which African nations are struggling to comprehend, to manage in the process of forging a nation.

I dare to say that with the exception of Tanzania, none of our African nations have resolved the question of nation building. And even worse, I do not think we as a continent have clarity on how to build on that diversity and to forge a cohesive nation.

I am looking at the tribe, and more widely at the nation as at the heart of the identity we form through our ethnic socio-cultural contexts as the seed that is within us all. That seed of our identities is transformed as we grow, as we extend our relationships, our physical, emotional and intellectual contexts. Yet our identities remain rooted in the original influences and norms within which our social beings developed. So the seed does not die. It is rooted but transformed.

So our original identities do not die. We are rooted, but as additional influences and contexts are added to our lives, so we transform and our identities are expanded, transformed.

So no, I do not believe that the tribe must die for the nation to live.

I believe that ethnic diversity, racial diversity, and class diversity must be offered a clear value proposition that makes them feel that they benefit from being part of a nation state.

We have this space we call our homeland — in Portuguese I would say '*patria*' — the space where we all feel we belong, yet it's not very clearly defined. I would thus submit that tonight we should think, what does it mean for each one of us to be a South African? Why do we feel, and what makes us believe that we are, South African?

In a nation where today we still say: '*I'm African and this one is Indian, and that one is white, and that one is coloured*', the racial divide in South Africa is still very clear and deep. Yet I will suggest that there are elements that bind us all; what are they? How do we cultivate them so that we grow away from that kind of (race and class) separateness, and feel all of us, that we are South African?

I believe that we must provide the right conditions for the tribe to root a national identity, and a continental identity, to move beyond its initial 'senses' and enable a stronger, equally vibrant, but possibly further — seeing and more connected individual and collective (national and continental) 'being' to emerge.

However, we must provide the right conditions for the tribe to

root a national identity and a continental identity; to move beyond its initial lenses and enable a stronger, equally vibrant but possibly further seeing and more connected being to emerge – whether in our individual identities or in our national or continental identities.

With a tree, the stronger the roots are, the better able the tree is to resist winds and external shocks; because it is deeply rooted, but also because the transformation has allowed it to protect itself through its branches, its leaves, its fruit or flowers – and through its connectedness with other products of the earth. There is an intrinsic relationship with the initial seed but the final product is more intricate, bigger, stronger and more connected to the external world.

As social beings, as we grow and absorb the influences of a wider society, so we transform ourselves and gain a broader sense of belonging – beyond the family, beyond the tribe, beyond the nation. In a world where modern transport means that we can travel hundreds of thousands of miles in less than a day, our ability to move within other geographies, other cultures is multiplied.

So the influences that mould our identities are multiplied and extensive. When that works well, we can gain a broader sense of belonging in a continental or international context.

Yet where we are grounded, that broader sense of belonging still recognises and salutes the initial relationships and intellectual and emotional linkages that root our belonging.

For this transformation to take place in positive contexts, building on the strengths of our socio-cultural roots rather than being strangled by them, we need the appropriate influences to surround our sense of being. We need the right contexts, motivations and visions to move beyond the tribe, beyond the nation and into a vibrant sense of Pan-Africanism.

Let me recall our recent history. When Ghana's Kwame Nkrumah at independence reopened his country and its borders to welcome all the liberation movements (being the first sub-Saharan country to become independent) he was joined then by the likes of Haile Selassie, Modibo Keita, Ben

Bella, Julius Nyerere and others. They formed a huge movement of Pan-Africanism, together with others from the diaspora, like Du

Bois, to say 'freedom for all of us'.

Pan-Africanism is rooted in an understanding that from the Atlantic to the Indian Ocean, from the Cape to Cairo, as we say, from all corners of the continent we had experienced the same slavery; we were experiencing colonialism and oppression; and we had a common destiny. So Pan-Africanism was born out of the necessity to achieve freedom and independence for all on this continent.

Then we had a second generation of Pan-Africanists, at the moment the continent was politically free we had equally visionary leaders, such as Thabo Mbeki, Olusegun Obasanjo, Abdelaziz Bouteflika, Joaquim Chissano and others, who established the New Partnership for African Development (NEPAD) and the African Peer Review Mechanism through which we would be able to build prosperity for all Africans. Theirs was a leadership that understood that there is no nation that can survive alone. Pan-Africanism has to be based on a clear set of principles, values, goals and targets if we are to work together.

Africans must feel that there is value and benefit belonging to a broad African entity, beyond birthright. Let us use the example of the European Union. Many countries are queuing to join the European Union because they perceive that there is something concrete which will help them, which is going to uplift their nation if they join.

We must question ourselves: what is it our African Union is offering our nations? Why do we join? Why do we need to be part of this organisation? Is it about intent and political statements? Do we have clarity, as the founders of Pan-Africanism had in the past? They clearly sent the message to every African: freedom and fairness. Today do we have a very clear message; a very clear goal when we join and we say we are Africans?

I would like to suggest that Pan-Africanism has to strive to claim Africa's own precolonial identity.

This map is a product of the Mandela Institute for Development Studies, from one of the programmes we are undertaking – the African Heritage Research Programme. In this programme we are questioning who we are as Africans. The Berlin Conference carved up the continent into more than 50 states. But what was it before

Berlin? Who were we before Berlin? We existed. We had history. We had culture. We had a way of being. So the first study, which we are undertaking is to define languages. The blue indicates Afro-asiatic regions using mostly the Arabic language; yellow Nilo-Saharan; and red is what we can call Niger-Congo. The orange is Niger-Congo-Bantu, and I want to dwell on this one. This map shows us that people migrated from mid-west Africa down to central Africa and on to southern Africa. These peoples have very much in common in terms of language, social institutions, practices, and traditions. So as South Africans we have much more in common with Ghana and Nigeria, than we may think.

The programme is thus starting with language, to identify certain words that mean exactly the same thing. They may be pronounced a little bit differently, but they mean the same thing. We are in the process of learning what are the practices, the traditions, and the institutions that are shared. Of course there are also differences; but there is much more commonality than difference. We say to ourselves we are much more than English-speaking countries. We are much more than French-speaking countries. We are much more than Portuguese-speaking countries. In fact, we have our own languages, and why this is important is that Pan-Africanism has to have that emotional element attached to it.

As I was saying at the beginning, it is the village where you are born and the family where you are raised that moulds your value system and defines your identity. Through a Pan-Africanist lens, these are the fundamentals, not whether one speaks French, English or Portuguese. Language-based fights for positions at the African Union fly in the face of these principles. Even in West Africa, although it is a regional economic community, when it is the turn of West Africa to take a position, the first thing they discuss is: '*Is he French-speaking? Is he English-speaking?*' to establish the difference between someone from Côte d'Ivoire and someone from Ghana, irrespective of the qualifications and the ability to deliver in that position.

I am thus proposing that in our journey to define the roots and the values of Pan-Africanism, we have to claim this map. Without changing the borders which were imposed on us by Berlin, we have

to expand our sense of identity by returning to source, who we were, to discover who we want to be so that our children, grandchildren and great-grandchildren, will be proud of being African, and not simply proud to be speaking Portuguese or speaking English.

The notion of 'Africa' and of Pan- Africanism sometimes presents as a vexed concept. I am sure we have all argued at some point in our lives against the generalisations that are made about 'Africa'. So very often negative and ignorant generalisations prompt us to point out that our continent consists of 54 states, making generalisations virtually irrelevant and often insulting.

Yet, many of us that have made those arguments are also strong believers in some kind of African identity; in some kind of Pan-Africanism that goes beyond the borders of our 54 nations; that builds on commonalities that can be found in what at first seem to be completely different and diverse corners of our continent.

The dominance of the Berlin agreement and the consequent acceptance of its political boundaries both by colonial conquistadors and later by our own liberation movements has set up paradoxes that we continue to struggle with as individuals and as nations. And we need to fight the ramifications of those paradoxes if we are to grow in collective strength and collective identity.

Recent research conducted by the Mandela Institute for Development Studies (MINDS), explores the spread of what they describe as four language communities that existed and traversed the geographic continent of Africa for generations before colonialism divided the continent into the Berlin drafted physical spaces. These language communities spread throughout the continent in different patterns and mean that even today there are some communities in West Africa with close linguistic and other social cultural ties with communities in Southern or Eastern Africa.

So our personal and national identities and the similarities between them do not have to be dominated by the current political disposition on the continent.

These were the beliefs held by our Pan-African forebears. The Nkrumahs, the Nyerere's and others looked beyond the Berlin boundaries to an Africa where we could build on our commonalities

and our similarities to form cohesive and collaborative African institutions, African cultures, African economic systems, African ways of thinking and being that would help our continent to thrive and protect our continent's peoples from further generations of colonialism and imperialism. They highlighted our shared experiences of slavery and of colonialism but also our shared cultural heritages that had protected our communities through the ravages of imperialism and other oppressions.

They emphasised the importance not only of nation states (after all, these were the people who led the fights against colonialism in their various countries) but also of how those nations could work together to protect our continent from further manifestations of imperialism. That was why solidarity with national liberation movements was crucial to their beliefs and actions. They saw an Africa with strong political and economic nations, but they saw an Africa where those nations worked together to give us a continental advantage through various types of economic, social and political integrations. Those Pan-African activists provided the conditions, the thinking and the contexts that have helped our 'seed' of nations to begin to transform into a stronger entity that is Pan-African.

I fear however, that we might allow that transformation to wither under the lack of rain (new and collective thinking, integrated institutions), poor soil (the paucity of joint initiatives, the rarity of future planning together not separately and for decades not months and years) and a proliferation of weeds (unhelpful nationalistic competition, short sighted conflicts of all types, narrow mindedness and social injustice and oppression).

We must question what it is that is dividing people in South Sudan. What is it that is dividing people in the Congo, the DRC? What is it that is dividing Africans when they engage in wars against brothers and sisters within the same boundaries, brothers and sisters who in the past, fought together? What is it?

In order to provide good conditions for the transformation to a vibrant, healthy Africa that revives our fading traditions of challenging the world, bringing new thought, new art, new economics, new science and new cultures to our global contexts – we need

the rain of a clear and positive vision of *our* Africa. We need the fertiliser of new generations of thought and youthful energy that looks beyond narrow interests and shallow, dying ideas. We need the soil that pulls through our positive traditions and links them with new ways of being, new ways of interacting with our peers, with our comrades across this continent and with the new trends across the globe.

Yes, African identities are fluid but so many of our continental proverbs point to the strength of fluidity, to a core holding that fluidity true. I stand here before you with many identities: I am a woman, a Mozambican, an African, and much more.

My children and those of you in younger generations have a multitude of other identities that you claim. Identities that have been influenced by our technological age, in which social media allows people across the globes in starkly different geographical, cultural, economic and social settings to exchange ideas, share their lives and influence each other in ways my generation barely dreamed of. It is exciting, it is motivating and it feeds the fluidity of identity that can generate new concepts of 'African' and 'Africanism'.

Our children and grandchildren's identity as African is no longer grounded in the tribe. Sometimes they do not even speak the language of their parents, but they are nonetheless Africans. You will even see those who return from the diaspora, when they come back, they choose to come to the continent, not necessarily to the countries of their parents. They can come to Ghana, to Ethiopia, to Rwanda. Wherever they go, they are 'coming home'. They are coming to Africa.

So we do have a new identity of Africanness emerging. What we need is the rain, and I think today what we miss is that strong, clear message, which is telling us where we come from, who we are today, where we have to go together, building on that sense of solidarity. In other words, I am saying that what we miss today is clear leadership. Being African is not something which just happens simply because we were born here and because of the air we breathe.

So I repeat my question: what does it mean to be South African,

what does it mean for you to be African? I do not have answers, and I do not think there is a blueprint. What the Mapungubwe Institute is challenging us to do however, is to think through the issues, and to question ourselves about our identity, our identities, many identities, and how the overlapping of those identities makes us strong, not weaker, as we seem often to believe. How to go beyond the small community and embrace the nation, and how as a nation to embrace the rest of the continent? I think the challenge for us in different positions, different ages, men and women, young and old, is to claim these identities and turn them into strengths. Our different identities should be understood to be elements making up a greater vision for the continent.

Yet, I would argue that when my generation and my children's generation dream, we dream rooted in our early experiences, in our early lessons. We dream in ways that are deeply African.

I'd like to tell a story that I think illustrates my point. At some point I worked with a former Sudanese Ambassador. I remember him telling me how he had worked and visited in many parts of Africa and the thing that struck him most was that in so many countries, when he asked people who they were, they would reply that they were Kikuyu, or Tutsi or Mende etc. But in three countries, the replies were always consistent 'I am Ghanaian', 'I am Tanzanian', 'I am Mozambican'. It is not coincidence that those are the countries of our Pan-African forebears. And it is no coincidence that Kwame Nkrumah and Julius Nyerere are remembered not only as a great Ghanaian and a great Tanzanian respectively, but as the towering leaders of Pan-Africanism.

Postscript

I wanted to close by saying something personal, if you'll allow me. For many of you it is the first time I see you since my bereavement. I want to say to each one of you and all of you, thank you. In many ways Madiba went through 2013 because there was such a positive energy being sent to him to keep him alive. South Africans kept him alive, and he felt that. That is why, even at a critical moment, Madiba would bounce back. So I want to say thank you for the love

and support. Many of you prayed, I don't know how many times, for him. I just want to say thank you. We don't take it for granted. I don't take it for granted.

I want also to thank you because when the moment came and we had to accept he had to go, there was a moment of unity, of total unity in this country, which maybe is unique and I am of the belief that this was his last gift to South Africa. It was precisely an opportunity for all South Africans, regardless of the diverse identities I talked about, all South Africans to be united in love and best wishes for him. So in essence the last message of Madiba to South Africa is this: You are not Indian South African, you are not White South African, you are not Xhosa South African or Zulu South African, you are South Africans. This is what he wanted – through those moments of uncertainty, he wanted you to experience one single thing. This you did, you united in love around him. So thank you. Thank you so much.

But more importantly, I would urge that with reflections of this nature, sooner than later we should identify ourselves as belonging to this nation, this great nation of ours, and not to the small restricted identities which are still defining us.

I thank you very much.

CHAPTER 15

Has the world moved under our feet? Making sense of the toxic geopolitical challenges of today

NALEDI PANDOR

INTRODUCTION

M. Youssef Mahmoud and Albert Mbiatem (2021: 2) begin their book on leadership and peace with a foreword by the Former President of Timor Leste, President Ramos Lorta. He forthrightly states: ‘We are living in particularly challenging times. Liberal and social democracies are being overrun by intolerant far-right ideologies that embrace ethno-nationalism, xenophobia, racism, exclusion and violence. These virulent ideologies thrive in many other parts in the world. They are dangerously undermining democracy and the rule of law, fundamental freedoms and human rights.’ That was published in 2021. So where are we now?

SETTING THE CONTEXT

The question everyone is seeking answers to relates to suspicion that a seismic global shift may be underway and that its true nature and purpose might remain opaque for some time. Thus, those who are in the driving seat should prepare for a bumpy, uncertain, constantly shifting drive and be ready and nimble in changing gears.

Seasoned pundits and Public intellectuals are still attempting to theorise about the ‘landslide’ 2024 election win of President Trump. The curious musing and scrutiny arise from first-term missteps and mishaps. An arguably inadequate responsiveness to Covid-19, rejection of science in a leading research nation, increased antipathy towards diversity and glaring neglect of the rule of law. The broad poll expectation was that he would not perform well even if he won. How did the ground shift to a landslide degree for American voters, and how was this candidate the only option? Has the ground shifted for all the globe, has the world moved under our feet, while we were sleeping? When we ponder the moment, it is easy to forget that the signs were there in the first Trump term; the difference may be intensity and a newly energised, very robust intent on foreign policy and international trade disruption.

The answer to whether the world has shifted has to begin with scrutiny of the character and posture of the Biden administration up to 2024, especially its failure to sustain established Democratic Party confidence in international law, multilateral cooperation and reasonable trade terms with China or through the World Trade Organisation (WTO), and its inadequate response to a nervous public that latched on to the untruths of fake news and seemed to embrace the belief that America had lost its way. Interestingly, ‘the way’ as implied by the voting pattern, signalled a troubling departure from policy and practices traditionally associated with policy and practice in the United States.

Some examples include: a stance on immigration indicating the American dream was no longer an open invitation, and that an open, inclusive electoral democracy embraced for many decades was no longer regarded as legitimate; women’s reproductive rights and equality

could be – and were – severely undermined and judicial independence, a cornerstone of American democracy, was to suffer significant reversal. The values and principles associated with established America had suddenly become the irritations of America, and their reversal became a threat to the rest of us. So, the ground has shifted, and it is critical to recognise that tectonic shift and to adapt to it. The details of the missing way may not always be clearly articulated by Americans, but seem to lie somewhere between fear of immigration, a decline in working-class feelings of economic empowerment, blamed on migrants, and the view that government machinery has become a monstrous, menacing presence in public life.

Added to the then increasing sense of an ‘American dilemma’ is the continuing rise of China as an industrial manufacturing giant, a confident political global leader, and an increasingly innovative technology economy able to produce novel products and processes due to targeted investment in science, innovation and technology. Fifty years ago, Chinese universities did not feature significantly in scientific journals, and impressive numbers of Chinese students filled universities in Europe and America. That has changed, with millions attending university in China amidst a growing research profile. The recent world war commemoration in China has surely added to the consternation. Attendance at the war commemoration is perhaps one of the most significant signs that ‘world shifting’ is underway.

Furthermore, India has also grown in economic prowess and smartly built a niche in digital technology skills, surgical medicine and management of tropical diseases. Efforts by China and India to combat poverty and create a thriving middle class have created a consumer client base that is more than five times that of America, and the two countries thus form a formidable economic force individually, and together. Both countries have smartly entered the creative arts and invested in fashion, film, culinary excellence, and music, astutely asserting that cultural power and political impact can merge gracefully.

East Asia has also become a powerful economic hub for tourism, manufacturing and energy resources. Boasting large populations, Indonesia, the Philippines, Malaysia, Singapore and Thailand have the capability to wield significant influence on global affairs yet seem

largely distant from current geopolitical tensions. The one matter that flares up and involves them in the geopolitical sparring of China and America is that of control of the South China Seas and, at times, tariffs – though that is tenuous in that region.

In the Pacific Rim, Japan and South Korea are economic and political heavyweights, and while largely stable, face the ‘menacing’ presence of North Korea. Japan has a global agenda primarily tied to the USA and has had to work at improving trade links with an increasingly capable China. Perhaps the ground beneath their feet shifted, too. The recent South Korean decision to purchase 103 Boeing planes announced by President Lee at the White House (Economist Magazine, 2 September 2025) may indicate how South Korea plans to manage the shifting ground.

All this means that for the first time in centuries, America and Europe (the West) have effective non-European competitors that understand strategic imperatives and utilise opportunities effectively. It is difficult to describe Europe’s place in this competitive context. The region continues to be a powerful global unit, but over time it has somewhat appeared to lose currency due to a seeming deference to America. While being one of the most established in institutional formation, and most wealthy regional blocks, excessive bureaucracy, inadequate innovation and attachment to traditional notions of the state have profiled Europe as uninventive, rather traditional and focussed largely on its own interests rather than global progress.

In his article on US and EU company formation in the growing digital market, Marcus Magarian (2024: 1) succinctly compares digital innovation and capacity in the USA and in Europe. He reports that ‘no EU company founded in the past 50 years has a market capitalisation exceeding 100 billion Euros, while all six US companies valued above a trillion dollars were created during this period’. A telling fault line for Europe may lie in too dedicated a focus on internal policy, on regulation as protection, on agricultural subsidies and issues such as public service pension and thus failures to promptly recognise and respond to looming threats and desires for greater freedoms such as those growing in the Sahel or the need to devise new approaches to the long standing tensions with the Russian Federation.

What place does Africa occupy in these shifting grounds? It has significant strategic potential, and unrealised promise in lead economies such as Nigeria, South Africa, Ghana, Kenya, Egypt, Algeria, and Mauritius. Nonetheless, our continent has yet to make good out of its abundant promise and to learn to do so as a strategic united economic force, rather than national states trying ineffectively to engage with giants. Tragically, Africa has not succeeded fully in weaning itself of dependency on Aid, on the reality of long-term leaders that cannot shift the ground, on corruption, and poor capacity in executing development plans. Africa appears locked into existing positions while the ground is shifting. Belief that rescue exists from Europe, America or China is misplaced, and greater investment in African excellence and African performance is critically urgent.

The demographic dividend of millions of young Africans is being wasted as the skills and education systems have not been able to offer young people quality education and skills that can contribute to economic growth or investment to support entrepreneurship. Weak client states have rendered public service that is incompetent, arrogant and crooked. The result is that a needy people, seeking only a change in their lives, are turning to attitudes and practices that devalue democracy and reencourage attraction to a strong man who will produce results. This is evident from the responses to the multiple coups in the past four years and the popularity of former senior military officials who don the cloak of head of state and self-proclaimed revolutionaries. Countries experiencing these political changes are desperately hanging on to the hope that this time things will be different.

Africa has been acknowledged as a very wealthy continent with vast mineral resources, abundant arable land and a keen and enterprising youth. Yet, it has the poorest people in the globe, the least literate and very few with disposable assets. In the past two decades, internecine conflicts, civil war and rebel incursions have severely impacted on Africa's prospects. Even more worrying, the imprint of illogical and angry extremism has entered Africa under the guise of the prejudice of Islamophobia. The conflicting groupings all emanate from generally poor backgrounds, yet they have the military means to exact a terrible toll on infrastructure and innocent civilians. Practices alien to Africans,

such as public beheadings, bombings, and the rape of women and girls have been part of the expansion in African conflicts.

During the 1990s, several African countries illustrated Africa's ability to achieve growth and progress. That period of prosperity through infrastructure development and investment in agriculture needs to be revived today, alongside increased support for ocean economies, increased energy resources, water infrastructure and a plan for African management and pricing of its minerals.

The reflections on the African context are purposely lengthy due largely to the well-developed practice implying that the faults in Africa emanate from elsewhere and Africans do not have any responsibility for their condition. This is patently false, as is illustrated by a string of self-inflicted failures. Failure to act on the plethora of development plans agreed under the auspices of the OAU and even today failing to vigorously implement Agenda 2063, the blueprint for the Africa we want. The reality of external negative and friendly interference in Africa's affairs is acknowledged, but the notion of complete African innocence for its dilemmas is patently false.

IDEOLOGICAL DRIVERS OF CHANGE

If it is plausible that the world has shifted, it is useful to consider the ideological underpinning of this change. Is this an advance in progressive values and ambitions, or is it a regression? What of the left or the right today?

The ideological influences that are impacting on nations, organisations and regional blocs today are difficult to neatly compartmentalise. Do we continue to have the clear divide of left, centre and right? Or are the lines increasingly blurred? In the period following the Second World War, the ideological cleavages and attachments seemed clearly delineated. The right wing and the centre existed in parts of the West and Latin America, the left wing in Eastern Europe, parts of the Caribbean, Asia and Eurasia under the Communist ideology best expressed by the Soviet Union and China. Conservative ideology was associated with the then-declining National Socialism in Western Europe and the defeat of the Nazi regime, which somewhat

drove right-wing adherents underground.

Marius Ostrowski (2023) suggests that the divides, as we may have used them in the past, have undergone changes that have resulted in some difficulties in clearly describing the distinctions in these political leanings. Members of society who we may regard as very liberal can be the ones pushing the most virulent xenophobia; those seen as conservative or on the right may be the staunchest fighters for workers' rights. He argues that expanding and contracting these ideological labels is often part of the 'bread and butter of ideological contestation'. We see this to some degree in this country, with those proclaiming white genocide and an end to land redistribution cast as revolutionary, while those supporting transformation are portrayed as behind the times.

The ideals of the left served as an important resource for the struggle against colonialism in Africa and other regions of the world. The South

African liberation movements benefitted from significant support from the left in the struggle with links to the Soviet Union and Russia in particular. However, it is also possible to argue that individuals with vastly different political leanings played important roles in our liberation through civil society organisations that formed the heart of the international anti-apartheid movement.

Globally, there is increased use of the label 'Right' at present in the face of the MAGA (Make America Great Again) movement, and following right-leaning party successes in Germany, in the United Kingdom local elections, in France's local and assembly elections and in Argentina's swing to the right. The left is sometimes described as ascendant in parts of Latin America, especially Brazil, Chile and Colombia. The right tends to be ascribed hostility to immigration, as well as xenophobic, homophobic, pro-Israel beliefs and austerity economics. Although the Labour Party in the UK has some of these features, it would probably strongly resist being described as right-wing. The best approach may be to gauge political party policies on workers' rights, equity, race, immigration, human rights and international law. I would argue that the left has been in decline for a long period, unable to rescue itself from suggestions of being weak on economic growth, soft on human rights, and insufficiently attentive to

domestic interests and concerns. The right benefits from an assumed imagery of toughness, while the left is often unable to challenge being depicted as weak.

South Africa and those African countries that allow political parties are witnesses to the emergence of an increased ideological distinctiveness among political parties. Some are rabidly anti migrants, or anti African foreigners; some are firmly against black economic empowerment, and others are strongly supportive of state intervention in the economy. The oddity is that within those that support various forms of empowerment, ethnic chauvinism enjoys a lofty position, as does homophobia. This makes it difficult to argue that the left is strictly so and the right is clearly such. I am uncertain as to the nature of political discussion in various parties as distinct from the desire to be elected to Parliament. The suspicion is that an agenda item on 'left or right' might be interpreted as marching orders rather than political discourse. Ideologies have certainly shifted along with this shifting world. Thus, while the Trump policies may, for our purposes, suit a 'right' leaning compartment, the determination to have the state share ownership of defence companies, local production, and protectionist tariffs may be presumed more left.

The strong signal from Beijing this week of a seismic reordering does not directly provide ideological insights, apart from a clarity that direct engagement on a new world order is on the cards.

The lack of ideological clarity sometimes poses potent threats and is particularly deadly for the pursuit of a human rights-oriented policy approach. The tolerance of many of Israel's allies for the genocide in Gaza indicates the obfuscation that can arise when there is significant dilution of political ideology.

Consider, for a moment, the development of international law after the Second World War. The immediate post-war period was characterised by the emergence of political beliefs that appeared to promote a more humane and tolerant global community. The United Nations was created as the premier world multilateral institution; this initiated the opportunity to develop a system of international law that would guide access to human rights, international cooperation, and the protection of civilians from the devastating effects of war.

That hopeful period gave life to the Universal Declaration on Human Rights, the Convention on Genocide and other instruments and institutions designed to protect the innocent and the vulnerable. Human rights law and International humanitarian law were all codified in this period to form a body of protection against future wars. A flaw then, that influences and shapes global cooperation today, was the modelling of the UN Security Council (UNSC) on the basis of victor, vanquished, and protector.

The five states that allocated the UNSC veto power to themselves created an unrepresentative and undemocratic practice that has hampered UN efforts to play the role of a trusted arbiter in world affairs. So, while the ground shifted then, it merely exaggerated and affirmed existing power structures. Nonetheless, this was and has been a historic advance for the globe.

The collapse of the Soviet Union and the creation of European states keen to break ties with the Soviet Union dealt a severe blow to the ideology of the left. It also created ideological confusion for countries that had strong ties with the USSR and had relied on it to support liberation struggles and the end of colonial domination. The right morphed into presumed liberal ideology, a break from the colonial imperial presence and a more nuanced relationship of donor and exploiter of mineral resources. For citizens in Europe, life assumed a drive for resource accumulation, shift work that paid the bills and very slim hope of a full escape from the challenge of a mediocre existence. The UK Conservative Party's assault on trade union rights in the 1970s severely diminished the role of trade unions and converted many to pliant supplicants who exerted minimal influence on remnants of progressive thought and seemed to desert progressive ambitions on worker rights, respect for diversity, and the rejection of racism and exploitative economic policy. That shift has had a lengthy growth period and is maturing today, as we see in trade union tolerance of human rights abuses.

The decline of the left and the rise of the right collided with the impact of the attack on Iraq and the ensuing rise in Islamophobia linked to Zionism. A significant component of international relations is framed by this recent yet ancient history. It consists of a toxic and

drugging mix of conflict of religions and civilisations, racist notions of superiority and that enduring belief that difference means challenge. The failure to see offence in Gaza, as contrasted with perspectives on Ukraine, pointedly emphasises how human beings are defined as less worthy depending on race, geography, faith, and gender. The shift has been permitted currency and energy for several decades; morality and humane norms have been surrendered to the holders of the purse.

Developing countries and their poorest are the main losers in this declining ideological present, with billionaires and multinationals occupying supreme power to direct global affairs.

This dismal assessment should not be read to suggest ideology doesn't matter. An urgent reinsertion of positive values and principles is vitally needed. Nelson Mandela recalled Senator John Lewis in the famous troublemaker speech, in which Lewis stated the world needs troublemakers who make good trouble. In deference to that important call, the Nelson Mandela Foundation has adopted the 'Making good trouble' theme as part of its legacy work. Restoring progressive values is what foundations making good trouble need to work on today.

Imagine for a moment how easy it is for rights to dissipate. Research, innovation and higher education thrive in a context that prizes and honours freedom of expression. Civil society and youth support for the Palestinian cause have witnessed a massive attack on freedom of expression and academic freedom. The practice of telling universities what to teach and think, which essentially disappeared under Henry the Eighth, has found new life in Europe and America, with universities, research institutes and even media caving in under state pressure. Nothing has evidenced the sad diminution of progressive thought more than this collapse, which forced academics into being the implementers of actions they would have died before implementing twenty years ago.

COMPLACENCY AND SPACES FOR AUTHORITARIAN DIRECTIVES

These failings result from the complacency that stems from early successes in the enjoyment of civil and political rights and in a belief

that governance is benign. The idea that thousands of workers could be dismissed from government employment in weeks would possibly be regarded as wild imagination here: it took less than two months in the USA, with not much of a whimper from trade unions and other organs of civil society. Retaining energetic connections with democratic political processes is something we in South Africa should not neglect. Our history of mass mobilisation and participation has created a healthy political activism, but it is vital to strengthen and retain this with broad civic education and civic activism.

Authoritarian conduct has fascinating snowball characteristics. Negative actions may begin with instructions to end protests, and then change into curricula written by a politician, and then instruction on who to admit, and finally state control of all Senate appointments. In the research domain views of non-scientists on the efficacy of vaccines can develop into new protocols on infant inoculations, then become false statistics on infection prevalence, deaths and so on. A culture of rejecting intellectual excellence can very readily become a universal culture of mediocrity. The crowning of a big man who offers office positions, money and undeserved clout can result from the laziness of complacency. This is the political embrace of 'The Emperor's Clothes' myth.

South Africa has a very good Constitution that attempts to address vast areas of socio-economic, civil and political belonging. Critics sometimes complain about judicial independence – hoping, I assume – to have biddable judges who will ignore the law. This is not to suggest the document is perfect, but, compared to many, I prefer it. Others suggest radical amendments, including on land redistribution. The Constitution provides for this, but action has been very lamentable. A further demand is Parliamentary supremacy, not clear as to meaning, but we had that under the apartheid Parliament with no checks and balances. Complacency must also be avoided by non-state actors. The notion that citizens do not have social agency is patronising and a recipe for very slow progress in development. Citizens in countries straining under the weight of authoritarian democracy probably became complacent and assume that their rights will always be upheld by those chosen to govern. Public political expression should articulate

preferred policies, rights and practices.

THE RUDDERLESS LEADERSHIP EFFECT

The speedily evolving context described extensively here requires focused, committed, knowledgeable and visionary leadership. Leaders whose intention is to maintain stability due to fear of disruption are sure to fail their nations. Leaders today have to be clear on purpose and goals. For all the faults ascribed to the leader of America, he has clear purpose and vision: to make America great again by punishing other states, by using military and economic might, and by somehow convincing the working-class majority that every reversal is temporary and is in their interests and will eventually guarantee greatness. It is tragic that many will experience the results of failing to use power for positive objectives too late for recovery.

In our context, making Africa great for the first time in centuries should be the key goal of our leaders. There is sometimes concern that the preferred targets in Africa remain hazy and unclear. Small weak states compete unendingly and fail to collaborate on shared prosperity. Many African analysts comment that African economies are small and not likely to reach levels of growth to sustain their development plans. Yet, our countries appear to plan individually and thus fail individually. Visionary leadership with clarity of ideology is a must for Africa. Old notions of limited unity, failed projects and inconsistency need to be replaced by vision direction and collaboration. Africa is confronting bullying demands for its critical minerals; it's unclear as to whether an African response and plan on these strategic resources has been agreed upon, or whether implementation is underway. The imposition of unwieldy tariffs on African goods has probably been responded to without an African strategy. It is possible that far more is being done; if that is the case, improved communication will be most welcome. If there is no collaborative response, it may be better not to know. However, it must be stressed that battling powerful bullies requires full engagement and collective action. Africa needs to recognise and acknowledge its strategic power and use it to good effect. At present, we still act as supplicants; we have much to offer and should let the world

know that. Much should be made of BRICS creating its own bank, and we should be built on that foundation to establish international financing diversity. Focussed leadership should know what to do.

THE INTERVENTION OF A DIGITAL WORLD

Digital technology has become a significant and potent political and knowledge force. The development of artificial intelligence is creating a larger gap between the rich and the poor. Added to that, social media and AI tools can contribute to political confusion and the promotion of lies as truth. There is a real danger that the shifting sands of technology – while being a great advance – can serve as the purveyor of ignorance and the absence of intellectual rigour. Our societies need to be nimbler in responding effectively to dishonesty via social media and the use of hatred and misogyny to create followers and influence. South Africa has been a victim of these false claims in the current white genocide claims promoted by organisations and individuals in our country. The surprise has been the lack of informed debate and fact-checking on this matter. Individuals, using imagery and technology to lie, have escaped scrutiny and effectively evade probing questions. Interestingly, the response of some laudable opinion writers in our country has been to call on government and the ANC to respect America, given its economic weight and influence. No such calls for respect for Africa were ever made when Africa was called a dirty name. The world shifting should not mean we collapse in that momentum; we need to strengthen the grip of our feet and find our centre. This inflection point is a moment in which Africa could be so much more, and we should use it to strengthen multipolarity cooperation and the creation of a better world.

RELATIONS BETWEEN THE USA AND SOUTH AFRICA

It is important to reiterate that South Africa intends to retain good relations with America while also strengthening relations with other countries. South Africa has benefitted from the presence of hundreds of American companies employing thousands. In the automotive sector, South African workers have developed excellent skills and

can be utilised to build competence in other technology sectors. South Africa needs to build relations based on mutual interests rather than unequal partners. Our interventions and responses should acknowledge the importance of newer and growing trading partners, such as our continent, East Asia and China. President Ramaphosa has been emphatic about continuing to rebuild solid relations with America while also being diverse and complimentary in approaches to existing and new opportunities.

THE G20 MOMENT

The chairpersonship of G20 has created excellent opportunities for South Africa to showcase our country and the continent. The South African theme unashamedly confirms our commitment to positive values of diversity and shared prosperity. The efficient hosting of over 100 meetings has illustrated our ability to manage large events and created a fresh opportunity in this climate to strengthen links with Europe and the world's premier emerging economies. South Africa needs to use the summit to have dedicated reflection on the globe, on international law, inclusive growth and strategies to relieve Africa of the yawning post-Covid debt that is hindering Africa's progress. If a new alliance on humane values can be built among the nineteen that may attend, the prospects for this changing world will be more positive, and it will be wonderful that South Africa will have played a new leadership role in establishing a new global ethos.

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CONCLUSION

The scholarship and politics of care

LWANDA MAQWELANE

INTRODUCTION

As the chapters in this volume demonstrate, the conditions of women in South Africa in the past century have been shaped by repeated transitions resulting from combinations of civil society activism, women exercising their agency and the exertion of political will. This was partly in the pursuit of more inclusive, just and sustainable economies. In navigating various dimensions of these shifts, this volume provides a range of conceptual lenses and transdisciplinary insights. Most cogent has been a decolonial and epistemic critique that pursues Pan-Africanism and feminist political theory as theoretical entry points.

This volume is published at a time when scholars search for new understandings of why the intersectional challenges facing women have endured. The different authors critically examine the efficacy of the strategies meant to achieve structural and systemic transformation(s),

social security, justice, economic emancipation, and to articulate the women's voice in these. This volume thus provides readers a timely inquiry into the deliberate return to, and deep understanding of, historical (dis)continuities that have shaped the South African polity, exploring how these structural and systemic shifts have impacted the advancement of women. It is within this context that society must critically engage with the women's post-1994 agenda and evaluate its success.

After 1994, producing studies on the position of women and on questions of gender became an emancipatory act, in much the same way as feminist thought and writing in the 1970s and 1980s challenged the masculinised view of the world that dominated even well-intentioned studies of the liberation struggle. Recognising the 1956 Women's March, the 1994 democratic transition – with its interim and then final constitutions – and the 1995 Beijing Declaration as significant milestones, the book reveals these milestones as a reminder of an unfinished liberation struggle. The narrative of liberation, at least for women, remains incomplete. This makes the need to revive gender mainstreaming efforts, in response to the persistent anti-gender equality movement internationally, urgent (Caywood and Darmstadt, 2024).

This concluding chapter explores how post-1994 gender mainstreaming policies have failed to institutionalise resilient care infrastructures such as essential care provisions supported through regulatory and fiscal interventions within macro policy. By analysing these dynamic and temporal structural breaking points, it illustrates how macroeconomically bound industrial policy reforms continue to expose women to structural and systemic vulnerabilities that render unpaid care work invisible. Ultimately, the conclusion calls for a community-situated activism that unapologetically positions the material, lived experiences of black women as the primary locus of policy inquiry and structural reform.

THE PITFALLS OF POST-APARTHEID
MACROECONOMIC DESIGN

Policy, by nature, is not neutral, but is shaped by ideological positions that inform policy framing, implementation and, ultimately, institutionalisation. Understanding how gender mainstreaming policies were conceptualised in the 1990s requires a critical review of how women framed their resistance – ideologically and in practice.

It may be argued that in the anti-apartheid struggle, the Federation of South African Women (FEDSAW), the Natal Organisation of Women (NOW) and other women's organisations grounded their ideology largely in motherhood as an overarching umbrella. Many of their campaigns centred around the needs of families, reinforcing the caregiver role. For motherhood to serve as both an ideological point of departure and a conceptual framing, it needed to locate itself within the broader liberation movement and its various structures. Therefore, trade unions, youth and student groups, faith-based organisations, other civil society structures, underground movements and armed formations became hubs of intersectionality. These were leveraged to centralise the home and motherhood as a political-ideological space for defiance (Makana, 2017; Walker, 1982). This represented a rejection of Western feminist dichotomies (Fouché, 1994).

Motherhood provided the necessary ideological positioning to dispel the arbitrary distinction between the home and the state (Walker, 1982). More importantly, motherhood allowed women to carve out and co-create a collective identity that transcended race, ethnicity and class (Magubane, 2010) and transgressed the divisions that distinguished them from each other. This fundamentally shifted the political landscape, transforming the home into a primary site of resistance that actively challenged the state's incursion (Wells, 1993). This deliberate collapse of the arbitrary divides, although not perfect, acutely positioned women at the frontline of the struggle. It compelled them to act not only as defenders but ultimately as militant combatants, fundamentally reconfiguring the nature of their political agency (Magadla, 2023). The struggles to maintain a stable home turned into a militant act of defiance (Fouché, 1994), effectively rendering the

domestic sphere into a site of contestation.

The use of motherhood as a conceptual framework for women's resistance and collective organisation is not without contestation. Hassim (1991) argues that to solely confine the role of women within motherhood reinforces a masculinist paradigm that characterised the role of women as mere reproducers of the struggle rather than as active political participants. This, in turn, perpetuates patriarchal binaries that leaves the internal domestic patriarchy unexamined. Whilst Hassim's assertions remain a relevant critique, her framing leans more towards a Eurocentric paradigm that fails to take account of the multi-layered complexities that informed women's instinctive organisation under motherhood. There is therefore a need to use a Marxist-feminist and Pan-African decolonial lens to surface the intersectionalities and layered complexities of motherhood. Motherhood, others argue, was a timely intervention and catalyst for destabilising the apartheid regime, thereby disrupting its economic structures and shifting the household towards radically contributing to the reframing of frontline defiance (Freerks, 2025; Mezzadri et al., 2025a).

However, while motherhood served as a site for radical collective defiance (Fouché, 1994), it proved inadequate as a framework for interventionist policy design post-1994, as it relegated the intersectional vulnerabilities and complexities induced by race and class to the margins (Walker, 1995). It failed to catalyse the expansive structural and systemic reforms necessary to dismantle patriarchal structures after 1994, leaving them largely unchallenged. Consequently, policy dualisms and bottlenecks emerged through the various iterations of macroeconomic plans – the Reconstruction and Development Programme (RDP), the Growth, Employment and Redistribution strategy (GEAR), and the Accelerated and Shared Growth Initiative for South Africa (AsgiSA). State institutions such as the Commission for Gender Equality (CGE) continued to position women as the primary caregivers. The state continues to struggle to articulate a post-1994 transitional framework capable of achieving genuine liberation for women beyond the confines of family welfare and state dependency.

It is within this historically grounded contemporary analysis of women-led state engagement and policy development that it is possible

to argue that the pursuit of market-driven economic policies constituted a missed opportunity for the structural and systemic emancipation of black women. This is because post-1994 macroeconomic policy development characterised the market as a gender-neutral space, which resulted in the failure to structurally and systemically align fiscal targets with social development imperatives (Sadie, 2005). This failure by the state speaks to the long-standing critique of postcolonial African development, which has remained disproportionately skewed towards capital-intensive aggregates (Mkandawire, 2001, 2014; Lopes, 2018).

This misalignment has reduced state-led gender mainstreaming efforts to mere bureaucratic and technocratic interventions rather than instruments of radical structural transformation. This position is further supported by the extensive empirical research conducted by Budlender (2001) in *The Women's Budget Initiative*, which indicated that under GEAR, South African women, particularly Black women, were structurally positioned to use their unpaid labour as a systemic and structural buffer to fiscal shocks and the austerity-driven measures. Essentially, this framework used the involuntary and invisible everyday work by women as what Mamdani (1996) called an 'infinite subsidy' for the economy.

WHAT WE KNOW

The 1990s democratic transition introduced a new a rights-based citizenship in South Africa. But it failed to radically transform the gendered realities of poverty (Gouws, 2005). The failure was exacerbated by the state's appropriation of motherhood as an ideological tool of analysis, resulting in a conceptual regression that framed the majority of state-led gender interventions through the lens of state-dependent welfare grants. Ultimately, true emancipation requires an epistemic shift that centres Pan-African feminist political economy, actively dismantles the colonial division of labour, and reconfigures macroeconomic policy to value, protect and prioritise the care economy. The failure to enact systemic transformation through the pursuit of a just care economy has, over time, developed deep-seated structural and systemic contradictions (Hassim, 2014; Gouws,

2017) that have resulted in waves of contemporary, youth-led resistance movements (Dlakavu, 2017) and protests directly confronting the state's structural limitations. As a result, the accumulated structural and systemic gaps in policy, and the ongoing invisibilisation of women's care work, translated into a series of radical intersectional protests.

The 2015 #FeesMustFall movement, the 2016 Rhodes University Rape Protests, and the 2025 declaration of South Africa as a femicide state collectively provided the building blocks towards a 'structural breaking point' of the post-1994 liberal agenda. They shared an overarching argument that, even though expressed through calls and demands for institutional decolonisation – and heightened awareness to institutionalised systems of gender-based exclusion – they fundamentally brought to the surface the crisis in social reproduction life-making of the neoliberal university (Ahmed, 2015; Luescher et al. cited in Moletsane, 2022). The intersectionality of these movements was able to create the conducive material conditions (Dlakavu, 2017; Naidoo, 2016) necessary for challenging, even though temporarily, the artificial boundary between political economy and the everyday lived experiences of women, thereby exposing the fragility and inherent limitations of prioritising fiscal austerity over human dignity (Andrews, 2020; Roy, 2025). By exposing the enduring 'blind spots' within gender policy, these movements forced a re-evaluation of how gender equality ought to be pursued in South Africa.

The temporary collapse of these artificial boundaries highlighted a demand for a definitive shift away from a market-driven conceptualisation of gender mainstreaming. The movements advocated for a materially grounded conceptualisation and understanding of women's lived experiences, moving away from a linear technocratic application of gender mainstreaming restructuring macroeconomic policy to centralise the care economy as a fundamental pillar of industrial strategy (Tsikata, 2009). Therefore, there is a need to develop an acute understanding of why this struggle remains unfinished.

This means rigorously interrogating the 'why' behind the disconnect between formal state-led milestones and the seemingly regressive economic conditions that dictate women's everyday survival, particularly for the poor and working class. This demands a renewed

sense of activism that serves as a collective invitation to explore the different prisms through which gender activism within policy can be pursued, allowing it to unapologetically move beyond the technocratic fixes of the state to challenge national policy paradigms (Mama and Okazawa-Rey, 2012). The abovementioned, however, cannot happen in isolation or in the absence of rigorous scholarly engagement that must continue to map generative and alternative modes of thinking, doing and being. Combined, these systems thinking and doing approaches enable the innovative curation of contextually responsive policies that are grounded in the everyday experiences of the very people on whose behalf these policies claim to speak. Doing so requires a genuine attempt to do justice in telling the tale of the unfinished story that allows us to reflect on how black women have remained engaged in an ongoing negotiation with an incomplete liberatory agenda.

LIBERAL DISCOURSE AND THE FATE OF GENDER EQUALITY AFTER 1994

Economic policy in South Africa, and industrial policy in particular, is at a crossroads, facing unprecedented pressures from both domestic and geopolitical crises, with women experiencing the most severe impacts of both. However, current policy paradigms often fail to capture this complexity, necessitating a histo-contemporary informed critique of industrial policy in understanding how it drives development. Therefore, the need to critically engage the intersectionalities between neo-institutional growth orientation, and welfarist interests in poverty reduction (Mkandawire, 2014). The objective of challenging the status quo is to surface the extent to which gender mainstreaming in policymaking has structurally marginalised the lived realities of women, particularly black women.

It is precisely this marginalisation that demands a shift in analytical focus, positioning gender inequality as an outcome of a sequence of structurally informed macroeconomic policies. By adopting the lens of the 'everyday woman' scholars and policymakers will be subsequently better positioned in articulating the extent to which economic policy shapes the conceptualisation and integration of gender within

industrial policy. Understanding these patterns of (dis)continuities is pivotal in linking macroeconomic policies to gendered outcomes. At the core, this requires surfacing the distinct dichotomies between a productive and a productivity-driven economy, interrogating how these paradigms are understood within the neoliberal mainstream economy (Mtembu, 2021).

THE RACE-CLASS-GENDER NEXUS

Marxist feminism remains significant because it acknowledges the connections between class, capitalism and gender. Central to this analysis is the gender-class nexus, a concept that describes the relationship between class and gender systems and how they influence one another. This framework acknowledges the unique characteristics of capitalist societies, which fundamentally structure how women experience oppression and inequality (Bohrer, 2019). Intersectionality in the context of gender and class emphasises that women's experiences of oppression are influenced by the simultaneous influence of both factors rather than being simply determined by only one. The framework contends that capitalism depends on and reinforces a gendered division of labour, where men are predominantly positioned in roles of authority within the formal economy, while women are typically assigned to caregiving and reproductive tasks (Sengupta, 2023). In doing so, it explains how structural injustices and power disparities affect women's experiences. In South Africa, this intersection takes place against the backdrop of race, making the race-class-gender nexus the primary fault line.

The convergence of Marxist feminist theory and intersectional analysis offers a critical vantage point for exposing the structural deficiencies of contemporary industrial policy by challenging the conventional reliance on a non-gendered economic aggregate that obscures the gendered division of labour essential to capitalism. By centring the lived experiences of black women, and African women in particular, as the primary locus of inquiry, it opens the potential to move beyond abstract critique to provide the empirical grounding necessary to dismantle existing policy orthodoxies and reconstruct an

economic framework genuinely responsive to the material conditions of the marginalised.

THE CARE ECONOMY AS AN INSTRUMENT OF WOMEN'S EMANCIPATION

In her classic text, *The Joys of Motherhood*, Emecheta (1979) defines the care economy as an exploitative institution of biological and social reproduction that renders women an endless source of extractable and invisible labour. Wanner (2013), through an iterative process of intergenerational sense-making, contextualises the definition within contemporary South Africa. She argues that the care economy is predicated on a racialised system that is purposefully kept in place as a means of subsidising the productivity of the middle classes. The conceptual and contextual framing of the care economy clearly highlights the failed attempts at gender mainstreaming efforts through neoliberal macro-policy applications. These failures have been attributed to the deficiency of neoliberal policy frameworks that have characterised gender mainstreaming through formal markets – as such completely undermining and or pushing to the margins the importances of unpaid care work (Sibeko et al., 2021). Therefore, there is a need to explore alternative conceptual framings that allow for an ideology that practically reflects the everyday experience.

It is precisely within this policy vacuum that feminist macro-economic theory offers a structural framework that embeds care directly into the mechanics of an industrial strategy (Elson, 1999). This framework centralises the care economy beyond the traditional boundaries of paid and unpaid labour (Mbilinyi, 2015). By expanding the conceptual understanding of the care economy and centralising it as a core component of industrial policy, states would be better positioned to bridge the gap between policy and practice across different social contexts. Hence the need to recognise labour markets as gendered institutions (Elson, 1999) informed by social, political and historical biases. The private domain functions as the primary factory for the public market (Fudge, 2014). Reinforced by systemic biases that result in the formal economy being sustained by black women's

invisible and unpaid labour, it subsequently becomes an involuntary subsidy that also acts as a buffer for the market that exploits their care while refusing to recognise it (Tsikata, 2009).

In working towards an inclusive and emancipatory economic framework, there is a need to transgress existing systemic and structural boundaries that serve as limitations for gender mainstreaming policies. Despite genuine attempts at reform, industrial policies of states continue to be skewed towards capital-intensive aggregates (Lopes, 2018; Mkwandire, 2001; Amin, 1985). By centralising the care economy as one of the foundational pillars of industrial policy, states better position themselves to transcend existing policy limitations. This approach enables states to gain a more in-depth focused view and understanding of existing inequalities within the labour markets, understand how they are structured, and actively challenge and reinstitute what counts as work as it is configured and actively challenge what counts as work (Fudge, 2014: 4).

For example, this means revitalising and scaling up the Social Sector of the Expanded Public Works Programme (EPWP), which was originally introduced in 2004 and significantly expanded during its 2009–2014 phase. In essence, the social sector of the EPWP, coordinated through the Department of Social Development, formalised the role of care work, especially within sectors such as Early Childhood Development (ECD) and Home-Community Based Care (HCBC) (Mohapi, 2016). However, concerns pertaining to decent work remained glaring. The report on Public Employment Programme in the Care Economy in South Africa (International Labour Organization, 2021) highlighted that the lack of a decent wage and the use of precarious contracts by an underfunded (and sometimes corrupt) NPO delivery system has created untenable cycles of precarity that demand rigorous engagement if such systems are to ensure that women, particularly black women, are not trapped into cycles of exploitation disguised as intervention mechanisms.

Consequently, to enact agile and contextually responsive reframing models that have the potential to cross historical periodic (dis)continuities of treating gender-related issues as add-ons to economic frameworks that result in industrialisation, policymakers must directly

challenge traditional macroeconomic policies that treat industrial aggregates as gender-blind or non-gendered parameters (Ngandu, 2008). A framework is required that considers everyday life-making (Mezzadri et al., 2025b). Himmelweit and Plomien (2014: 1) note that this helps states (Lotz-sisitka et al., 2018) move towards transformative frameworks capable of embedding care within macro-economic policy structures.

THE JUST ENERGY TRANSITION AS A LEVER FOR GENDER EQUALITY

The need for structural transformation is particularly relevant when evaluating it against the unfolding Just Energy Transition (JET) initiative that has seized policymakers and other stakeholders in South Africa. In the absence of genuine transformation and the integration of the care economy in how industrial policy is conceptualised and implemented, South Africa runs the risk of perpetuating inequality, exploitation and continued marginalisation of gender imperatives. Consequently, integrating the care economy as an integral JET policy framework(s) is a critical avenue for achieving structural reform. As Kasan (2024) notes, these interventions are vital if the state is to mitigate systemic inequalities, by structuring public finance to invest directly in localised social infrastructure such as clinics, public facilities and water networks (IEJ, 2022) and simultaneously act as a catalyst for a low-carbon employment engine. Contemporary data continues to highlight that although the JET Implementation Plan (JET-IP) (2023 2027) addresses redistributive, restorative and procedural justice, it remains reliant on market-driven mechanisms that inadvertently shift the burden of green austerity onto the unpaid care economy (Germanwatch 2023; Stellenbosch Business School 2026).

The decommissioning of the Komati Power Station in Mpumalanga serves as a primary example of how policymakers and the state failed to give the appropriate consideration to the nuanced and firmly rooted gendered ecosystem that served as an integral component of sustaining mining communities such as Komati. Thus, the state fails on its own redistributive, restorative and procedural justice frameworks outlined

in the JET-IP. This unconscious structural ‘blindness’ plunged the women of Komati into a state of survival compounded by heightened levels of gender-based violence (Indalo Inclusive, 2025). This critique is substantiated by climate justice and feminist research that highlight that market-driven transitional pathways still incorrectly regard energy markets as gender neutral.

This reinforces existing structural and systemic inequities that ensure that women, and black women in particular, remain as the bottom-of-the-barrel shock absorbers of green austerity policies (PARI, 2024; APRI, 2024). The consequences of failing to enact this shift are clearly visible in Mpumalanga communities such as Middleburg, Hendrina and eMalahleni where the absence of clear, gender-aware reform strategies and the local realities of green policy implementation have resulted in the rise of domestic violence (interview with Mpumalanga Representative – Womandla; World Bank, 2024).

CONCLUSION: RECONFIGURING THE POLITICAL ECONOMY OF CARE

Gender mainstreaming efforts after the 1994 transition have been limited by structural and systemic tensions. These include the ideological lens through which inclusion and/or its lack is framed. This critique moves beyond the mapping of the exclusions and transitioned towards exposing how a market-driven economy relies upon and reproduces gendered marginalisation. It is within that context that the post-apartheid liberal agenda has failed to deliver the promised liberation of women and that the struggle for true women’s emancipation remains an incomplete story.

This volume is a collective invitation to activists, researchers, scholars, policymakers, the state and, more importantly, ordinary women in various communities to heighten and advance calls for gender equality and structural policy reforms through collective action. It is a call for active engagement and participation that directly aligns with Fanon’s (1963) call that ‘[e]ach generation must, out of relative obscurity, discover its mission and either fulfill or betray it’.

In ongoing efforts to engage the ‘why’ behind the disconnect

between formal state-led milestones and the regressive economic conditions dictating black women's everyday survival, we must guard against isolating this struggle within the confines of academic ivory towers. Instead, we must progressively and aggressively seek to locate these debates and conversations within everyday communities. It is only then that the women of South Africa, through the power of their collective agency, stand a chance of finally finishing the protracted struggle. By centring the lived experiences of black women as the primary locus of inquiry, we can unapologetically challenge national policy paradigms, reject technocratic fixes, and do genuine justice to both telling and transforming the unfinished story of liberation.

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Appendix

The chapters in this book are compiled from previous MISTRA publications and annual lectures.

Chapters from books

1. Lisa Vetten, 'The simulacrum of equality: Engendering the post-94 South African state', *Essays on the Evolution of the South African State: Legacies, Reforms and Prospects*, 2013
2. Amanda Gouws, 'Gender and the state: Assessing feminist institutionalism in South Africa', *The State of the South African State: Capacity, Capabilities and Ethics*, 2025
3. Sindiso Mnisi Weeks, 'The violence of harmony model: Common narratives between women and lower-level traditional leaders', *Traditional Leaders in a Democracy: Resources, Respect and Resistance*, 2019
4. Desiree Lewis, 'Academy-based feminist intellectuals and the nexus of state, globalisation and civil society', *The Role of Intellectuals in the State-Society Nexus*, 2015
5. Salimah Valiani and Nester Ndebele, 'A feminist perspective on women and mining in South Africa', *The Future of Mining in SA: Sunset or Sunrise*, 2018
6. Khwezi Mabasa, 'Abafazi Bayazbambela: A gendered response to South Africa's agrarian question', *Land in South Africa: Contested Meanings and Nation Formation*, 2021
7. David Fadiran and Hammed Amusa, 'Gendered dimensions of migration

- in South Africa: Governance and implications for livelihoods', *Migration in South Africa: Conflicts and Identities*, 2024
8. Basani Baloyi, Miriam Di Paola and Andrew Mukandila, 'Structural transformation in South Africa: Who bears the costs? The invisible work of social reproduction', *The Evolving Structure of the South African Economy: Faultlines and Futures*, 2023
 9. Refiloe Lepere, 'Between Sisters as a black feminist aesthetic', *Mintirho Ya Vulavula. Arts, National Identities and Democracy in South Africa*, 2021
 10. Kopano Ratele, Shahnaaz Suffla, Lu-Anne Swart and Nick Malherbe, 'Historical trauma and structure in violence against and by young men', *Youth in South Africa: Agency, (In)visibility and National Development*, 2021
 11. Hlengiwe Ndlovu, 'Gendering protests: Mapping women's participation in community protests in Duncan Village, Eastern Cape', *Protest in South Africa: Rejection, Reassertion, Reclamation*, 2023
 12. Vuyo Mahlati, 'Ethics and South Africa's demographic dividend: Youth and gender, seen but not heard', *Seeking the Ethical Foundations of the South African Nation*, 2018

Chapters from annual lectures

13. Tsitsi Dangarembga, 'Nervous conditions: The burden of race, class and gender in the construction of the post-colonial order', MISTRA Annual Lecture, Johannesburg, 2018
14. Graça Machel, 'For Africa to live, the nation must die? The fluidity of African identity in a changing continent', MISTRA Annual Lecture, Johannesburg, 2014
15. Naledi Pandor, 'Has the world move under our feet? Making sense of the toxic geopolitical challenges of today', MISTRA Annual Lecture, Johannesburg, 2025