Article

Women’s representation in government: quotas, substantive equality and self interested politicians

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Abstract
South Africa now has 45 per cent women in parliament due to the 50 per cent quota accepted by the ANC before 2009 election. Quotas are now globally used to get more women into government but it begs the question whether larger numbers of women in government contribute to policy influence that will benefit all women. This article grapples with this issue by looking at what we can learn from comparative studies. I then apply a theoretical framework developed by Mona Lena Krook that includes the following aspects to explain the successes or failures of quotas to make a difference: actors that campaigned for the quotas, motivations in the campaigns, the context in which the quotas were introduced and the normative institutions supporting quotas. I conclude by arguing that one of the underlying assumptions of quotas is that ‘women are virtuous and will support other women’. We need to shift this thinking to an understanding that women are self interested individuals just like men and I illustrate this with women parliamentarians belonging to the ANC Women’s League.

Introduction
Since 1994 the representation of women in the South African government has increased from 27 per cent to nearly 33 per cent in the 2004 election and to 45 per cent in the 2009 election. The increases are a direct consequence of the quota system linked to a closed list proportional representation electoral system. The ruling party, the African National Congress (ANC), is the only party that has accepted a voluntary quota for women before the 1994 election. At that time it was a 30 per cent quota and since 2009 has become
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a 50 per cent quota, complying with the global 50/50 campaign. The quota of the ANC has had a limited contagion effect on other parties, none of which has accepted a quota, but some of which have increased the number of women on their lists.

In the past two decades there has been a growing international trend for countries to accept party, legislative and constitutional quotas or reserved seats for women. The most commonly used are voluntary party quotas combined with a proportional list electoral system. Dahlrup and Freidenvall (2005:27) distinguish between an incremental track (where women’s representation increases without a quota as in some of the Scandinavian countries) which is a very slow process, or a fast track (where women’s representation increases rapidly through the use of quotas). These quotas can be used in democratic and non-democratic systems and as post-conflict settlements to change the conditions of gender inequality. Rwanda is a case of a post-conflict settlement in a country that now has the highest number of women in parliament in the world with 48.8 per cent. In 2007 countries with more than 30 per cent women in parliament were: Rwanda 48.8 per cent, Sweden 47.3 per cent, Finland 42 per cent, Costa Rica 38.6 per cent, Norway 37.9 per cent, Denmark 36.9 per cent, Netherlands 36.7 per cent, Cuba 36 per cent, Spain 36 per cent, Argentina 35 per cent, Mozambique 34.8 per cent, Belgium 34.7 per cent, Iceland 33.3 per cent, South Africa 32.8 per cent (45 per cent since the acceptance of a 50 per cent quota for the 2009 election), Austria 32.2 per cent, New Zealand 32.2 per cent, Germany 31.6 per cent, Burundi 30.5 per cent, Tanzania 30.4 per cent (Dahlerup 2007:76). The only countries among them that did not use a quota were Finland, Denmark, Cuba and New Zealand.

While quotas can be viewed as descriptive representation (improving the numbers of women), they are also supposed to create substantive equality for women. Dahlerup (2007: 75) contrasts ‘equality of opportunity’ with ‘equality of result’ where the first type of equality removes obstacles for women’s participation and creates descriptive representation but does not take into account women’s disadvantage. The second type of equality would be called substantive equality where measures (such as quotas) are used to increase women’s policy influence through the creation of policies that will benefit women (Celis 2008). The use of quotas buys into the assumption of ‘critical mass’. The idea of critical mass has been formulated to make the argument that once a certain group (be it women or minorities) reach a numerical weight (usually 33 per cent), they start to make a difference
to the institution in which they represent the group. Critical mass was considered a counter for tokenism when lone women become tokens for all women and cannot form a counter-culture to resist patriarchal culture (Childs and Krook 2008: 727).

Sarah Childs and Mona Lena Krook (2008: 725,729) have reevaluated arguments around critical mass and argue that there is a ‘crisis of confidence’ in critical mass theory, leading to its continued utility being questioned. According to them, we should not only look at the tipping point of 30 per cent but also at the gender dynamics in skewed groups (85:15 in favour of men), tilted groups (65:35 in favour of men) and balanced groups (50:50). As numbers move closer to being balanced, social experiences of men and women start to change and may lead to different inputs by women. It is also the case that most scholars look at cases where policy change does not take place but there are many instances where a relationship between numbers of women and policy change can probably be established. The role of men in supporting women or their lack of support should also be analysed. Childs and Krook (2008: 732) make the important point that critical mass theory reflects the ‘politics of optimism’ because the percentage of women in parliament are viewed as the key determinant of their behaviour, believing that the numbers of women will lead to non-conflictual politics with men that will endorse policy changes. Furthermore, what is often overlooked is the possibility that women as a group will grow more diverse as their numbers increase and that only a small group may want to represent women’s interests. Attention should be shifted from when women make a difference to how women make a difference. A shift should thus occur from critical mass to critical acts (by women who want to put women’s interest on the agenda) (Childs and Krook 2008: 735). It is often the case that one or two women may make much more of a difference through their concerted efforts to influence policy in favour of women. It is a shift from what women do to what specific actors do.

While countries may have increased descriptive representation and reached critical mass the jury is still out on substantive representation, leading to the question – do women who are elected through a quota system on the grounds that they are women make a difference regarding policy influence and agenda setting on women’s issues? If the reason for electing more women is merely descriptive then we do not need to bother with these questions. If, however, the aim of electing more women is to influence policy making on women’s issues in order to enhance substantive equality there
needs to be a relationship between formal and substantive equality – ie that an increase in the number of women leads to better outcomes regarding equality for all women.

It is for their contribution to substantive equality that quotas can be considered a form of affirmative action for women who have historically been excluded from self representation in governments. In South Africa white women got the vote in 1930 and black women only in 1994. The apartheid government, like most authoritarian governments, was never really concerned with gender issues and there were always very few women in parliament. When the ANC came to power, women demanded to be included in the negotiation process and the ANC Women’s League (ANCWL) demanded a 30 per cent quota for women. While the demand failed at first, a 30 per cent quota was included for the 1994 election. After the 1994 election there were 111 (27.7 per cent) women members of the South African parliament out of 400. The number steadily increased to 131 (32.75 per cent) women after the 2004 election (Gouws 2004), and 45 per cent women after the 2009 election (48 per cent for the ANC).

The question remains – do women in the South African parliament contribute to substantive equality? In other words, do they contribute to put women’s issues on the agenda, and do they influence policy making in favour of women constituencies? Do they make a difference for the women they represent, or create what Hassim (2005:336) calls a virtuous circle through which women’s participation is rewarded with shifts in resources toward women’s needs, leading to greater participation by women?

In this article I argue that there are specific reasons why quotas, whether they have reached critical mass or nearly parity (as in the case of South Africa) may not have the policy influence that observers expect on the assumption that ‘women will be virtuous’ and will govern in the interest of women. I argue that this assumption is wrong in cases where women have to contend with strong one party dominance and accountability to political leaders due to the PR closed list party system as in the case of South Africa. Women develop political self-interest, form consequent alliances and will not endanger their political careers (just like men) by pursuing gender interests when it will endanger their standing in, and relations with, men in the party.
What we can learn from comparative studies

It becomes clear from comparative literature on quotas that institutional measures (such as quotas) once introduced soon generate a logic of their own (Franceschet and Krook 2006:12). A comparative study of Western Europe and Latin American shows that different political trajectories and developments lead to the adoption of quotas as a way of promoting women’s representation but may also have different outcomes for women’s agency.

Counting among the important features of political systems conducive to quotas are the strength of women’s policy machineries (state feminism) and their role in agenda setting and acceptance of international treaties such as the Convention for the Elimination of Discrimination against Women (CEDAW). Most discussion around quotas took place within political parties, not in the state (Franceschet and Krook 2006: 3). In Europe women’s mobilisation through women’s organisations and policy machineries was decisive, while the enforcement of international treaties and transnational networking led to quotas in Latin America. Pressure came from women after a process of transnational learning took place. In Western Europe women inside and outside political parties lobbied political elites with sustained women’s mobilisation from below. Moreover women’s policy agencies were dependent on key political allies – state and party leaders (who may withdraw support when it becomes uncomfortable). Franceschet and Krook also point out that there is significant variation across parties when it comes to party quotas and that it is unlikely that smaller parties will adopt them until bigger ones do (Franceschet and Krook 2006:10).

Franceschet and Krook (2006:12) point out the danger of the institutionalisation of politics which lead to the demobilisation and fragmentation of women’s movements – often a consequence of getting many women into government through a quota system. On the other hand institutionalisation opens door for networking among women. As they show in both Europe and Latin America, the link between descriptive and substantive representation depends on contextual factors such as the nature of the executive – legislative relations, possibilities for cross-partisan organising among women and pressure from grassroots women’s organisations. In centralised parties party leaders prefer candidates with low levels of autonomy in order to create loyalty and the goodwill of male leaders can make policy changes appear more quickly, but they are more fragile. In both regions the most effective state feminism and gender quota strategies are those that work together in networks of mutual policy support. They show that broad
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groups of actors such as women’s movements, party and state actors and international organisations are involved in both regions (Franceschet and Krook 2006:18-20).

Hassim (2009) talks about the ‘perverse consequences’ that result from the use of quotas in the African context. She argues that, in countries with one dominant party, accepting a quota policy is costless because it has little impact on an election outcome. According to her this is the case in South Africa, Rwanda and Uganda. While proportional list electoral systems may have the progressive effect of bypassing customary and cultural objections to women’s election, it cultivates accountability to party leaders, who in the last instance assure which candidates’ names get onto the list and in which position on the list, with the consequence of exacerbated party paternalism and accountability toward party leaders rather than women as a constituency (Hassim 2009:463).

Hassim (2009:466) refers to the misuse of a progressive stance on gender in post-conflict societies by countries that are at its core still authoritarian. In the case of Uganda, where women participate in reserved seats set aside for women in a separate election they are not viewed as the ‘real’ representatives of the voters, and often ignored when voters have problems. Very often women’s representation is used to legitimise men’s power and to ensure support for the male political elites (Hassim 2009:468-9). Sharing in party patronage by some women turns women against each other.

If this is the case with descriptive representation, what happens with substantive representation? Hassim (2009:476) argues that the results are mixed. In post-colonial situations women’s autonomy is less valued because women’s struggles were merged with other struggles such as struggles against colonialism and class oppression (or racial oppression as was the case in South Africa). As she rightly points out ‘[Q]uota proponents tend to neglect these “thicker” understandings of participation as an activity that encompasses collective mobilisation, through associational vehicles over which women have control’ [emphasis in original]. In Africa quotas seems to produce an increasingly elite based body of representatives and as Hassim (2009:482) points out quotas is a deceptively easy strategy where a transformative demand for women’s representation is turned into a simple mechanism which is often devoid of political transformation and constituency formation.

In the South African context, women who have entered parliament on the ANC list have not been effective in defending a feminist platform for gender
issues and their accountability is toward party leaders rather than a constituency of women. On the contrary, they find it a challenge to find a platform from which they can separate women’s issues from party issues (this is why some scholars argue that we should make a distinction between ‘women’s quotas’ and ‘feminist quotas’).

**A framework for analysis**

Mona Lena Krook developed a very useful framework for analysis by taking into consideration possible combinations of variables that need to be present in a state to make quotas successful. This she does by looking at global patterns of women’s representation and specific features that certain countries have in common. Her research focuses on cross-national variation that includes institutional, social, economic and cultural variables combined with strategic incentives, as well as national, international and transnational actors (Krook 2007:368).

The rapid appearance of gender quotas globally indicates that candidate gender quotas have spread as a new solution to the problem of women’s under-representation in parliament. At the same time the variety of actors and motivations for reform suggests that multiple combinations and processes may achieve similar pressures for and against change in different countries and regions of the world (Krook 2007:385). Her framework includes (1) actors who can campaign for candidate gender quotas such as civil society actors (women’s organisations and non-governmental organisations), state actors such as national gender machineries and international and transnational actors (international organisations and transnational networks); (2) motivations in campaigns for quotas (principled stands, empty gestures as a view by male elites that it is an easy but harmless strategy to include women), promotion of other political ends – (handpicking compliant women); international pressure (international treaties), transnational learning (a direct application of lessons learnt in the transnational arena) (Krook 2007:376-8); (3) the political context of quota implementation that include formal system rules (such as using courts to implement quotas), formal and informal party-level selection practices (the electoral system and in the case of PR list systems, the position of women’s names on the list (eg the zipper – every second name is that of a woman) and whether there are sanctions for non-compliance). In a broader political context the level of social and economic development is important as well as the dominance of cultural norms that may have an impact on women’s agency
to make quotas work. And lastly (4) normative institutions such as the formal and informal principles that define the moral bases of politics, setting forth the values by which the goals of politics are reached. The implementation of gender quotas are affected by these to the extent that they support or reject the legitimacy of positive action in candidate selection processes (Krook 2007:385).

There are certain common motivations for quotas for women such as mobilisation by women themselves to increase their participation, political elites recognising the strategic advantage of having quotas (even if this is only an empty gesture), quotas reinforcing existing or emerging notions of equality and representation, and the desire to meet international norms spread through transnational sharing (Krook 2007:370-4). Different combinations of structural features, actor repertoires and agency, women’s organisational involvement and inter/transnational involvement leads to different outcomes for the success of quotas.

By looking at patterns globally we see that successful quotas are normally included in a list PR system, combined with a zipper system. Left leaning parties are more successful in achieving change through quotas because of a commitment to equality. Success is also enhanced where male politicians support the quota and do not only pay lip service to the idea of a quota and where the political norms are supportive of women. Success is more prevalent where women’s movements are involved in mobilising women and where national gender machineries support the introduction of a quota and support women once they are in parliament. Where transnational learning has taken place, women seem to get support from international organisations in order to keep the pressure on governments to take the quota seriously.

**Applying Krook’s framework to South Africa**

Krook (2007: 379) argues that the impact of quotas depends on the political context as well as the institutional framework in which they are introduced and the balance of actors for and against implementation. The voluntary party quota of the ANC has been introduced during a transitional phase where there was a window of opportunity to put women’s issues on the political agenda, yet the political context has changed dramatically during the last seventeen years. Even though the quota has gone up from 30 per cent to 50 per cent, there is consensus among gender scholars that there was more discernable policy influence by women in government during the first five
years of democracy than there is currently with more women in government. Krook’s framework may contribute to understand why this is the case.

Women in South Africa had to fight for gender justice for a long time and there is a well-documented history of women’s organisations fighting for gender justice alongside their fight for racial equality (Albertyn et al 2002). The quota for women was introduced during the transition stage from apartheid to democracy as women fought for inclusion in government. Transition politics usually open a window of opportunity for women to introduce women’s issues to the political agenda (Waylen 2007:128). The Women’s National Coalition (WNC), an umbrella body of more than 100 women’s organisations across race and party lines, demanded gender inclusion from its foundation in 1992 but it was the ANCWL that demanded a 30 per cent quota for women during the first election. When this idea was introduced during the ANC National Conference before the election it was resisted by men but women kept the issue alive and won a 30 per cent quota for the 1994 election. Some women felt strongly that male political leaders were merely paying lip service to the idea. This could be deduced from the fact that most women’s names were not very high on the list. The zipper system was only introduced properly in the 2004 election.

The struggles for women’s participation was supported by feminist academics who during this time demanded an integrated set of structures in the state or a National Gender Machinery (NGM) that would champion women’s equality in the state together with the women who would be elected. Feminist academics made submissions to government about the design and functions of the NGM. It was therefore a combination of civil society organisations, the ANCWL and feminist scholars that contributed to getting women’s representation as well as the NGM in place.

The first five years of democratic change for women in South Africa has been driven by critical actors in government rather than critical mass, as these women passed women-friendly legislation (Murray and O’Sullivan 2005) and put women’s issues on the agenda while at the same time under the leadership of Nelson Mandela changing the patriarchal culture of parliament. Yet, getting so many competent women into parliament depleted the women’s movement of strategic leadership. Women’s organisations had to decide whether to join the ANCWL or to fragment. Since 1994 the fragmentation and demobilisation of the WNC has occurred and has been replaced by sectoral organising (eg around violence against women, poverty, etc).
The next ten years under the leadership of Thabo Mbeki could be viewed as more challenging for women’s equality even though he appointed nearly 50 per cent women ministers and premiers – he picked compliant women as part of his Africanist legitimation strategy. It became clear from the track record of the National Gender Machinery that most of the relevant structures were dysfunctional because of the selection of women, on grounds of party loyalty rather than gender expertise, to positions in the machinery. In 2010 the government was thinking of finally disbanding the Commission on Gender Equality (Mail and Guardian April 9-15, 2010) for failure to meet its mandate. These conditions have placed a greater responsibility on civil society (in the form of non-governmental organisations) to step in and fight for women’s equality. In this regard the Gender Advocacy Programme (GAP) has been the torch bearer for the 50/50 campaign, holding workshops and consciousness-raising meetings and keeping the pressure on about the 50/50 campaign. For women in parliament committed to gender equality the presidency of Jacob Zuma is even more challenging because of the juxtaposition of universal human rights as protected by the constitution and culture, tradition and custom as expressed by Zuma, as a leader with a seemingly traditional mentality.

Feminist leaders, many who have been influenced by liberalism, wanted increased representation for women, especially because women’s participation during the armed liberation struggle were subordinate to a struggle against racial domination. But women were also exposed to transnational learning during the Nairobi and Beijing UN conferences for women in which many South African women’s activists were involved and also because of the acceptance of CEDAW, the Southern African Development Community Declaration on Gender and Development and the Gender Protocol of the African Union.

The transitional context opened the door for a new electoral system and while there was a big debate about the type of electoral system, it became clear that a proportional closed list system would be the best system for South Africa because of its fairness, inclusivity and simplicity. But this system also gave political leaders who put the final list together a lot of power. It therefore creates accountability to political leaders rather than the voters. This situation limits women’s agency toward women as a constituency.

In the broader context, nearly 40 per cent of the population suffers from chronic poverty and women are disempowered through poverty, very high rates of gender-based violence and infection with the HI virus. These
conditions make it imperative that women’s conditions be put on the political agenda. There is a certain urgency in the present political context to get not only women’s practical gender issues (short-term changes, eg provision of water and electricity) onto the agenda but also women’s strategic gender issues (long-term changes, eg the eradication of poverty).

When women fought for the inclusion in the transitional arrangements they did so on a principled stand of gender equality. They were committed feminist activists who realised that if women were not included in the transitional process, the window of opportunity would close to the detriment of women. Yet one of the first obstacles to overcome was the power of traditional leaders who rule under customary law without regard for women’s equality. While it was negotiated that customary law would be subject to the Constitution and that new laws such as the Recognition of Customary Marriages Act (1998) would give women the status of adult majority, women’s lives under customary law continue to be lives of disempowerment in general. When traditional leaders demanded to be included in the negotiation process as the Council of Traditional Leaders (CONTRALESA), women countered by asking for an autonomous body to represent their interests and got the Commission on Gender Equality to be included in Chapter 9 of the Constitution.

The contradictions of constitutional premises and customary law is starkly spelled out in the private life of South Africa’s third President, Jacob Zuma who has four wives under customary law (The Mercury October 5, 2011) and has fathered 20 children, some out of wedlock. Polygamy reinforces patriarchal practices that undermine women’s autonomy and empowerment, but more so blind adherence to traditional practices introduces patriarchal discourses into the sphere of government in South Africa that is supposed to be framed by equality and a liberal rights discourse.

While the analyses, above, explain the conditions in which a quota was accepted it still does not explain why policy influence has waned with an increase in the number of women MPs to nearly 50 per cent. Krook (2007:377) argues that the motivations of elites are very important. Sometimes political leaders may make empty gestures toward quotas because they know the acceptance is costless, or, in other cases they may use the acceptance of quotas to make other political gains such as consolidating power over political representatives and rivals. Relatively little is, however, written about women’s agency once they become members of legislature through quotas in one party dominant, elite-driven states. It is assumed that women
will be able to exercise agency just like male representatives, only bound by party discipline. While party discipline applies to all political representatives, agency is not exercised in a vacuum and is related to political struggles and faction infighting in the party that has adopted the quota.

These political struggles may lead to a rational choice calculation around political self-interest and political survival that can apply equally to men and women. Only those women who are really committed to gender issues will pursue them to their own possible detriment. Self-interest refers here to the choices made by a politician that will contribute to her maintaining her position in the legislature and promote her political survival, while gender/women’s interests refer to issues that are related to the promotion of gender equality and putting women’s issues on the parliamentary agenda. In the next section I will analyse agency in relation to women who enter the South African parliament through the ANC’s quota.

**Agency and the ANC Women’s League (ANCWL)**

While literature often makes reference to party auxiliaries and dismisses them as ineffectual or in Africa as ‘first wives’ clubs’, their members have access to political power. However, I want to show that the agency of women MPs becomes constrained, because of the disproportional influence of the ANCWL, in combination with political factors that have emerged at a specific political moment in South Africa.

The ANCWL is often considered in the context of women’s organisations and its ability to mobilise women but analysed in a limited way in relation to the success of women in the South African parliament, many of whom are members of the ANCWL. The successes and policy failures of ANC women MPs, who got there through the ANC’s party lists, can therefore not be disconnected from the successes and failures of the ANCWL. The ANCWL can put forward names of members as candidates for the party lists. Women who are not members of the ANCWL have to compete directly with men at branch level to get onto the lists. It may be easier to become candidates through the ANCWL. Estimates of the membership of women MPs of the ANCWL vary from 20-60 per cent, but it could be argued that those women MPs who are members of the ANCWL have a disproportional influence in government because the ANCWL MPs are often consulted about who should serve on parliamentary committees and act as chairs.

The ANCWL was re-launched after the liberation struggle inside South Africa. But there was significant difference of opinion between the members
of the ANCWL in exile and women who belonged to the gender structures that were affiliated to the United Democratic Front (UDF) who spearheaded the struggle in South Africa. In exile ANC women founded the Women’s Section of the ANC that had even less autonomy than the Women’s League (Geisler 2000:609).

The ANCWL of the exile generation did not know how to mobilise grassroots to the same extent as the UDF, did not understand the broad coalition that was already built around the Women’s National Coalition to fight for the inclusion of women in the transitional negotiation process. Some of them still campaigned on the ‘motherist platform’ (that being a mother was a sufficient source of power), while other gender structures campaigned on women’s issues. As a gender activist remarked ‘I was personally disappointed by the lack of vision of the ANCWL… It was because of their role in exile. They were doing soft support work….The ANCWL put too much emphasis on petty issues, on personalities. They were antagonistic to strong women inside’ (in Hassim 2006:119). After the 1991 National Conference the ANCWL positioned itself as having more feminist perspectives on women’s liberation, yet this position was ambiguous at the leadership level since older women were still inclined to take the ‘motherist’ position, while a younger generation were aiming at including feminist goals.

At the time of its re-launching in South Africa the ANCWL was involved in two important issues – its relationship with the gender structures of the UDF and the position of the ANCWL within the ANC (Hassim 2006:121). From the perspective of the male-dominated ANC there was no need for separate representation for women but branches should include women amongst their representatives. The Women’s League, however, felt that the main aim of the ANCWL was women’s emancipation and that women should come with mandates from their branches. They also argued that women (who belonged to the ANC) should not automatically become members of the ANCWL, but that they had to apply for membership (Hassim 2006:121).

This point of view was to differentiate the ANCWL as merely a party auxiliary from an organisation that would fight for women’s liberation. Acting on the demands of the ANCWL, the National Executive Committee of the ANC allowed it to be re-launched as a separate organisation that would be able to determine its own goals in relation to women’s emancipation, but within the overarching policies of the ANC. But membership of the ANCWL was not open to all women (inside and outside the ANC) – women had to be
members of the ANC and other organisations could not be affiliated to it (such as had been the case with the UDF structures). It still left the ANCWL with a dilemma as to how to mobilise women of progressive women’s organisations in order to have a mandate from most women in South Africa.

The extent of the autonomy of the ANCWL from the ANC was clearly demonstrated with a demand for a 30 per cent quota for women on the National Executive. At the 40th National Conference of the ANC, women put their demand forward but were asked by the Constitutional Committee of the ANC to drop it. An acrimonious debate ensued because the women would not budge, with the result that the debate was deadlocked at the end of the day. The next day the ANCWL apologised for disrupting the conference and was berated by male delegates. The women’s demand did not succeed (Hassim 2006:126-7). It became clear that the ANCWL functioned like a party auxiliary. Hassim points out that the adoption of gender policies by branch and provincial structures were erratic or mostly ignored.

While the ANCWL resisted the election of Winnie-Madikizela Mandela as president (in order not to assume the position of the Women’s League as a wife’s club) she was finally elected in 1993 and re-elected in 1997. With her authoritarian leadership style, populist inclinations and her perceived complicity in the murder of Stompie Sepei, who was murdered by the Winnie Mandela soccer team that also acted as her body guard, because he was thought to be an informer for the Apartheid government, the Women’s League had to forego their stance on progressive feminist issues and became ‘moribund and ineffectual’ and ‘very much a thing of the past’ (Geisler 2000:613, 616).

In subsequent years Thabo’s Mbeki’s presidency led to divisions among members of the ANC and also the ANCWL for various reasons, but the most important one was his denialist stance on HIV/Aids, preventing a greater roll out of anti-retrovirals to people living with HIV/Aids. Members of parliament who criticised him on this issue and others were dealt with harshly and ‘redeployed’ to other positions. It should therefore not come as a surprise that women MPs get caught up in the factionalism of the ANC, a party that became wracked with factionalism after Jacob Zuma took over power in 2007, through unseating Mbeki first as president of the ANC and then as president of South Africa.
Forming strategic alliances

While strong party discipline may cause MPs to toe the party line, it is more so that strong party discipline hampers the ANCWL. As the Mbeki/Zuma fault line ran right through the ANC, women are also caught up in the factional split. There are women who have a strong allegiance to Thabo Mbeki because of an exile history but also because he championed women’s representation and appointed large numbers of women to his cabinet (albeit as a legitimation strategy to bolster his own position within the ANC), and others who supported Zuma. We cannot therefore argue that women members of parliament, especially those who are members of the ANCWL, will all take a decisive stand on gender issues when such a stand may go against strategic alliances in parliament or in the ANCWL.

I will demonstrate the issue of strategic alliances with two public incidents (to the extent that both events can be called public spectacles) of great gender interest. Such was their impact that they led to greater discussion of gender issues, greater public participation by women’s organisations and greater gender ‘fall out’. In the first case – the rape trial of Jacob Zuma – before he became the President of South Africa, women in parliament and the ANCWL were silent in public in response to an issue involving gender-based violence – considered by many gender scholars as the number one problem undermining gender equality in South Africa. The second case is that of Caster Semenya, a South African athlete who caused a world-wide storm because she was accused of not being a woman after she won a gold medal in the 800m in a world athletics championship in Berlin in 2009, an event organised by the International Association of Athletics Federations. Given that she was suspected in the media of being intersex, a condition that has to be established through lengthy and invasive tests, the ANCWL accused the organisation of being racist, of harassing a black South Africa woman, expressing outrage. They put up a visible public appearance at OR Tambo International Airport to support Semenya after her return from Berlin. The ANCWL (that would have included support from women MPs) clearly was of the opinion that this was a gender and race issue that needed to be addressed decisively.

For activists the first case was a gender issue in no uncertain terms. In 2006 Zuma was accused, by an HIV positive activist and daughter of a friend of his who died in exile, of raping her. The secondary victimisation in court of the woman who accused the future president Zuma of rape left them reeling. She was brutalised by a populist backlash against her; outside the
court many women (and men) wearing T-shirts with the slogan ‘hundred percent Zulu boy’ (a reference to the virility of Zulu men), were dancing and burning her photo to chants of ‘burn the bitch’, while Zuma arrived daily singing a liberation song ‘bring me my machine gun’. Demonstrations outside the court also included traditional healers attempting to assure Zuma’s acquittal and traditional leaders came to the court, sitting in the front row, wearing only traditional skins (or loincloths). In court the accuser’s sexual history was interrogated (not that of Zuma) and she was finally stigmatised as a ‘serial rape accuser’ because she alleged that she was also raped in an ANC camp during exile. Zuma was acquitted for lack of evidence and she had to leave the country on account of death threats. Robins (2008:417) points out that supporters of Zuma were specifically upset about quotas for women.

By this time it had become clear that Zuma had developed presidential ambitions and that he would challenge Mbeki for the presidency of the ANC. If he would become the president of the ANC, it would have serious political implications for all party auxiliaries, including the ANCWL. Self-interest spoke loudly when the ANCWL felt obliged to endorse Zuma’s candidacy for president of the ANC by a small majority regardless of the negative impact of his rape trial on women’s issues and a national outcry by women’s organisations.

The second case was also a gender case because of the plight of intersex people, although one that vibrant intersex organisations (such as the Intersex Society of South Africa (ISOSA)) find difficult to put on the agenda. It was therefore a far more complex gender case than the rape case. The case was, however, not taken up by the ANCWL as one of discrimination against intersex people but as a case of gender and global racism against a black woman. They called it a ‘vicious attack on the dignity of Caster Semenya and all women athletes because they suggest that women can only perform to a certain level and that those who exceed this level should be men’ [www.digitaljournal.com/article/278205] (downloaded 12 May 2010]. While this angle to the case has merit at first sight, it actually endangered Semenya’s situation rather than improved it because the rules regarding intersex people participating in rules-based races are quite clear. It became apparent rather fast that this was not a case of racism but one of ambiguous sex identity.

As Antjie Schuhmann (2009) points out the support Semenya received was to reinforce her gender as ‘female’ – to endorse her as a ‘real’ woman,
not as an intersex person. Yet, gay women or (ambiguous) women like Semenya are often the targets of hate crimes or curative rapes (and executions in South Africa) – the very victims of homophobia. This is, however, not the angle that the ANCWL took with the case which was rather to confirm her womanhood and celebrate diversity integrated into the nation building project. As Schuhmann puts it ‘[W]ith Caster we see the intersection of gender and nationalism at its best’. Yet, as the complexity of the case became apparent and as time went by, the ANCWL’s support for Semenya started to wane.

The zeal with which the ANCWL engaged the Semenya case at first stands in stark contrast to its attitude during the Zuma rape trial. As the possible future president of South Africa, many women of the ANCWL could not risk antagonising Zuma and thereby stand to damage their vested political career interests and political survival despite the rape trial. Others may have supported him in his traditional views about women’s sexuality as explained during his court case (Zuma argued that leaving an aroused woman unsatisfied is akin to raping her). On the other hand the ANC was united around the Semenya case; the ANCWL stand to gain political mileage by supporting her.

**Conclusion**
The analysis above illustrates the possibility that women who are members of women’s party auxiliaries are also self-interested political actors who are influenced by their relationships with (male) political leaders and vested interests in factions within parties. Self-interest seems to trump gender interests (unless women are critical actors who are motivated by a feminist consciousness). The same fault lines that ran through the Mbeki/Zuma split in the ANC also ran through the ANCWL to the detriment of women. The ANCWL has the power to keep certain women’s issues off the agenda in the face of greater power struggles between men.

It confirms what Krook argues that agency is stronger at certain political moments than others. Under Mbeki, those women who supported him could exercise more agency but they were also limited by the spaces for discussion that Mbeki allowed. Under the Zuma presidency, agency is even more limited because of the way in which Zuma wields power through populism, culture and custom. The ANC Youth League’s president being able to say in a public statement that ‘the woman who accused Zuma of rape had a good time otherwise she would have asked for taxi money and gone home’ without
public reprimand (from the president or the ANCWL), although eventually forced to apologise, has created the space for ‘the politics of banality’ where the public discourse is presently shamefully misogynist (Gouws 2009). It was an organisation of men who fight for women’s rights, called ‘Sonke Gender Justice’ that took the Youth League President to court on a case of hate speech against women. They won the case yet the ANCWL has been silent in public on the matter. If the ANCWL cannot take a public stand where it matters to women on issues so fundamentally important to gender equality, why would they do so in government where power relations among different factions are played out in the glare of the opposition’s spotlight? Studying how these alliances among women play themselves out in government to prevent or enhance policy influence requires further research. Only if we begin to understand that women belonging to party auxiliaries are not exempt from forming political alliances with other women and men can we start to understand why quotas do not make the difference that we expect.

While Schwindt-Bayer and Mishler (2005) show that descriptive representation increases policy influence in democratic states the same may not be the case in developing countries where women have to cope with one party dominance, where closed list electoral systems foster accountability to political leaders, and women’s party auxiliaries exert significant influence.

Notes
2. It was impossible to get the statistics for how many ANC women in parliament are also members of the ANCWL. I contacted Luthuli House (ANC headquarters), the ANCWL and the Gender Caucus in parliament, none of which was able to supply a figure.
3. South Africa has one of the highest rape rates in the world, if not the highest. The One-in-Nine-Campaign argues that only one in nine rapes in South Africa are reported.
4. White women were accused of racism because they did not turn up at the airport to welcome Semenya back (see www.news24.com/SouthAfrica/Politics/ANC-hijacked-Semenya-return-20090826, downloaded May 12, 2010).
5. Whether Caster Semenya’s community may have accepted that she is a woman and not an intersex person is not the issue here, since I am interested in how the case unfolded in the public sphere.
6. For news coverage of the Caster Semenya case see eg Mail and Guardian, August 21-27 and August 28–September 3, 2010. Semenya was actually tested in South Africa.
Africa but the incompetence of the Head of Athletics South Africa (ASA), Leonard Chuene, who did not declare her test results, led to her humiliation on the world athletics stage.

References


www.digitaljournal.com/article/278205 (downloaded May 12, 2010).