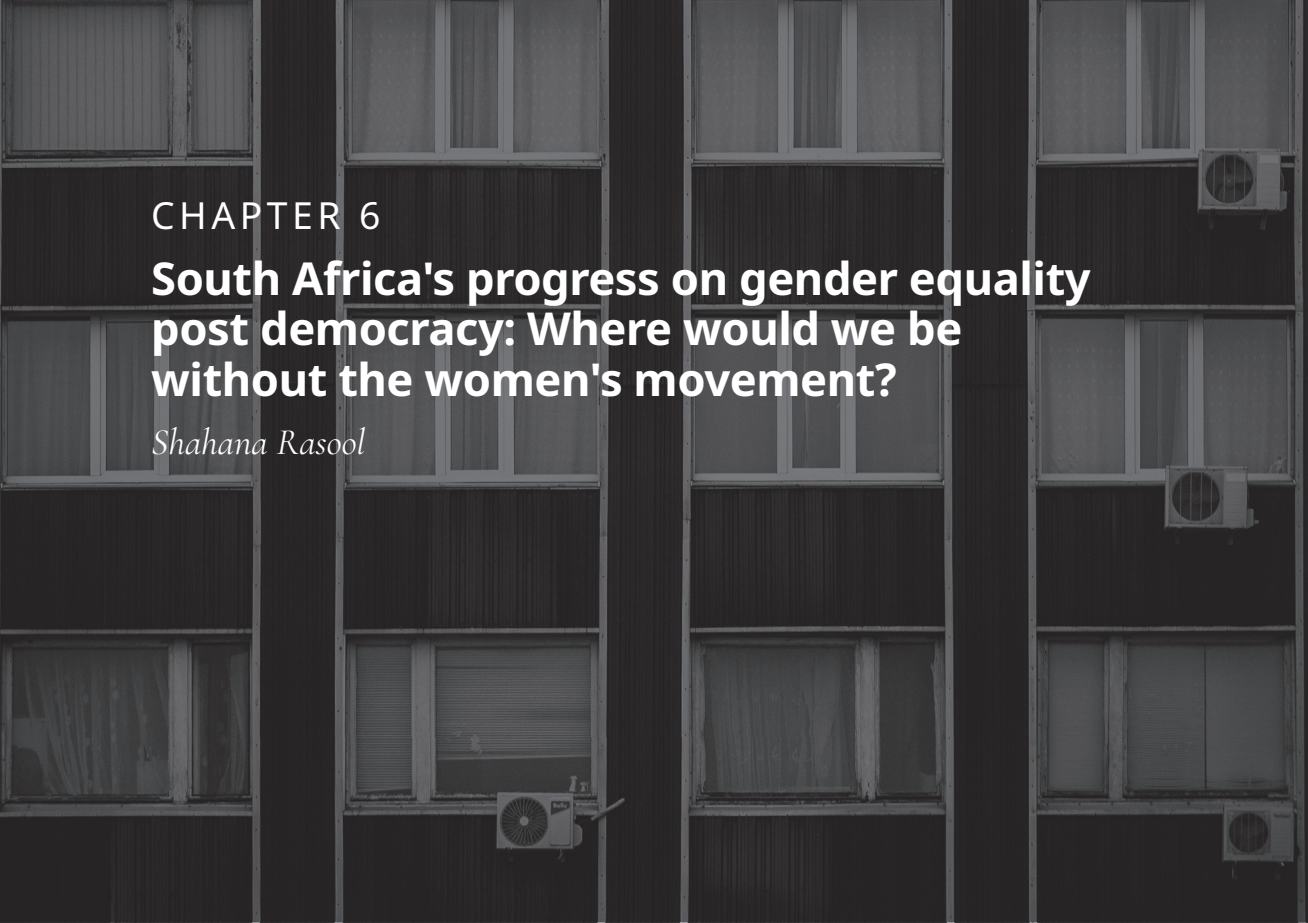




CHAPTER 6

South Africa's progress on gender equality post democracy: Where would we be without the women's movement?

Shahana Rasool

Introduction

South Africa's (SA) democracy in 1994 was a beacon of hope worldwide and a symbol of a more just society. Various official gender gains have been enabled post apartheid through the constitution, along with other policy measures, which have facilitated the establishment of women's policy institutions (WPIs). For instance, the Commission for Gender Equality (CGE), the Office on the Status of Women (OSW), and more NGOs specialising in gender issues (e.g. Tshwaranang Legal Advocacy Centre). The establishment of quotas in South Africa has increased descriptive representation (DR), which refers to an individual "standing for" their group (Weldon, 2002, p. 1154). As Musetsho et al. (2021) highlight, women sometimes head Houses of Parliament. For instance, South Africa appointed its first female president of the Supreme Court of Appeal (Justice Mandisa Maya); and about 35% of permanent judges are women, and women make up about 42% of the cabinet. Women also constitute 57% of both Houses of Parliament. Hence, tremendous strides have been made post apartheid in the march towards achieving official gender equality (OGE), which

in this chapter refers to the implementation of progressive laws and policies, the establishment of women's policy institutes, and the increase in descriptive representation (i.e. the growing presence of women in many spheres). Nevertheless, it is unclear if these changes have led to transformative gender equality (TGE), which refers to the dismantling of oppressive social, political, religious and cultural norms and practices that underpin gender inequality (GI).

In the first part of this chapter, I will provide historical context for the gender struggles that, to some extent, contributed to the current state of descriptive representation, women's policy institutions, and shifts in gender policy. Second, I outline both the gains in gender and the ongoing challenges as they manifest in various social issues. The types of vulnerabilities women experience remain, ranging and including, though not limited to, employment, land, pay and education inequality; higher poverty levels; sexual and reproductive health inequalities (which are particularly marked in the sphere of HIV and AIDS); the triple burden of care; as well as a range of types of gender-based violence (GBV) (Farrior, 2009). Women's experiences of vulnerability often interact with race, age, class, etc., which highlights the need for an intersectional lens in understanding gender in South Africa, since it allows one to explore intersecting patterns between different structures of power and how people are simultaneously positioned – and position themselves – in multiple categories, such as gender, class, and race/ethnicity (Amelina & Bargłowski, 2018).

In this chapter, I argue that whilst policies, women's policy institutions, and quotas have been created to advance official gender equality, extensive shifts are still required in the systemic processes, structures, and procedures, as well as the underlying socio-cultural attitudes and practices of society, if transformative gender equality is to be attained. Whilst we have made progress in terms of descriptive representation in SA, this has not always or necessarily led to substantive representation. Substantive representation refers to an "... individual ... having opinions or behaviour favourable to the minority community or women" (Weldon, 2002, p. 1154). On many levels, inequality in SA – both race and gender – remains deeply embedded in the structures and practices of South African society, which cannot be addressed through only descriptive representation, women's policy institutions, and policy-based changes. There is also a need to incorporate an intersectional lens in accounting for the ways in which gender intersects with other social issues in order to address the complexities that arise from multiple oppressions. Intersectionality refers to the intersection between multiple forms of discrimination faced by individuals based on their identity and/or characteristics, such as race, class,

gender, ethnicity, and sexuality (Crenshaw, 1991; South African Human Rights Commission, 2017; Phoenix, 2011). Hence, transformative gender equality requires changes in systems, processes, practices, and attitudes that entrench inequality, and these changes have been limited. Moreover, I emphasise the fundamental importance of the women's movement in driving shifts in gender inequality in South Africa.

History of women's struggles in South Africa

This section provides a brief historical overview of the women's movement and its contribution to addressing gender inequality in South Africa. It is important to note that the racial history of South Africa and the oppressive state apparatus limited the extent to which policies could be developed to support the needs and interests of women, including whites. However, the combination of gender and race oppression created greater handicaps for black women than for white women, which reinforces the importance of an intersectionality lens in understanding gender inequality.

Women's gender gains did not emerge without struggle during and post apartheid. The struggle for women's issues is to be recognised as an internal struggle within the anti-apartheid movement and an external struggle with the state, as represented by the widely touted women's march on 9 August 1956 (Wells, 1993). Despite the 1956 Women's March in South Africa, where women protested against the apartheid regime's attempts to oppress women and limit their movements through the introduction of pass laws for women, women continued to face systemic racial and gender-based oppression for decades thereafter. It was around the 1980s that broader gender issues began to be articulated more widely in their own right in the anti-apartheid struggle (Hendricks, 1996). Hendricks (1996) suggests that this change became more viable with the international spread of feminism, the weakening of the state, and the concomitant strengthening of civil society.

The increasing strength of the liberation movement created space for potentially more divisive issues, such as feminist concerns, to be discussed. Anti-apartheid organisations were forced to recognise women's grievances about the increasing levels of destitution they endured as they became more organised and outspoken about their needs (Hendricks, 1996). Women in the ANC demanded a 30% quota representation on the executive in 1990, which was initially declined. Women persisted until this quota was achieved (Hendricks, 1996). Hendricks (1996, p. 20) argues that eventually, the movement accepted this to co-opt

women, and they “... only induced changes sufficient to maintain the support of the women but which would not directly threaten the old boys’ network, which is very much entrenched within the organisation.” Women’s organisations had to challenge the treatment of women’s issues as appendages to the anti-apartheid struggle, which led to debates about the idea of a “non-sexist democratic South Africa” in the development of the ANC’s constitutional principles (Nzimande, 1995, p. 65). These earlier battles fought by women led to their 25% representation on the ANC’s candidate list for the National Assembly (Hendricks, 1996).

South African women fought actively to have their voices heard and represented in the new democracy. The Convention for a Democratic SA (CODESA) “negotiations and multi-party talks became a new site of gender struggles, and women demanded that a gender advisory committee be formed in CODESA” (Nzimande, 1995, p. 65). This demand was realised through successful lobbying by the Women’s National Coalition (WNC). In 1992, women from diverse political, racial, ideological, and class backgrounds amalgamated into the WNC to represent a cross-section of interests and develop a Women’s Charter. The coalition necessitated a minimalist, lowest-common-denominator approach. Nevertheless, the WNC ensured the representation of women’s voices and lobbied for “at least one of the representatives of each political party at CODESA to be a woman; the establishment of a sub-council on the Status of Women, and the incorporation of a gendered perspective in all other working groups of CODESA” (Hendricks, 1996, p. 14). Hence, after the 1994 elections, there was an unprecedented number of women in parliament (25%). President Ramaphosa’s 2019 cabinet comprised 50% women ministers (Kahla, 2019). Additionally a 30% quota system for women in party lists ensures women’s representation in key positions within the South African government. Hence, the struggles of women both within anti-apartheid organisations during apartheid, as well as during the transition to democracy, were critical for official gender equality (OGE).

Women continue to battle for equality beyond OGE, that is transformative gender equality (TGE). This is evidenced by the various protest actions by women across the country to raise gender issues that plague South Africa, particularly the high levels of GBV against women. On 1 March 2018, as part of the #TotalShutdown march to the Union Buildings to present a memorandum to the president, women refused to hand over the memorandum to any other person; insisting that it was high time the issues of GBV in South Africa be given the due attention and response by the president himself (Njilo, 2018). These women’s decision to wait for the president to receive their memorandum

indicated a clear resurgence in the women's movement as a response to frustration with the slow and ineffective progress on transformative gender equality in SA. It also reflects the anger at the criminal justice system's poor handling of GBV-related cases and their perpetrators, and the resulting lack of justice for victims/survivors. This call to action by the women influenced the president's decision to organise a summit. Through the Emergency Action Plan the president committed to addressing GBV and appointing 50% women to his cabinet. Whilst these actions were welcome, they were still responsive rather than proactive or preventative, and it remains unclear whether they are adequate to achieve transformative gender equality, as these actions do not challenge the status quo of underlying practices and attitudes that entrench gender inequality. This question has been pertinent since mid-2018. On 13 September 2019, through the #SandtonShutdown movement, South African women marched to Sandton to call on businesses to take action against gender inequality and finance its dismantling, both in the workplace and society more broadly, as well as to demand justice and action against perpetrators of GBV (Pijoo, 2019). Women in SA persist in calling the state and other bodies to action and address gender inequality, especially the high levels of GBV.

Social issues

The question remains: is descriptive representation, which is the presence of individual women in positions of power, women's policy institutions, as well as policy and legislative changes, adequate to address the many and varied vulnerabilities that women are exposed to? Are there other measures that need to be taken to address inequalities that are embedded in the structures and systems of social organisation? This section examines some of the social issues that highlight women's vulnerabilities in SA, discussing both gender gains and challenges. Not many statistics are available for the apartheid era; hence, comparisons are not always possible, but gender inequality is evident in the currently available data.

Employment, income and land ownership

It has been observed that various policy and legislative initiatives have led to an increase in women's descriptive representation in the workplace and access to employment post apartheid (Hills, 2015). In 2017, women's descriptive representation in the workplace was 45% (StatsSA, 2018), and by 2011, their average income had increased. However, women still earn 50% less than their

male counterparts (Jansen van Rensburg, 2021). Although descriptive representation has increased in the workforce, there is a need to interrogate the nature, quality and conditions.

Women remain overrepresented in poorly paid, insecure labour (StatsSA, 2018). First, women are overrepresented in semi-formal and low-paying positions such as housekeepers, cleaners, vendors, and domestic workers (Commission for Gender Equality [CGE], 2017), which are often unregulated and, therefore, open to exploitation. Second, they are overrepresented in low-level formal positions such as tellers, clerks, and secretaries, which are low-paying even though they are more likely to be unionised (CGE, 2017). Third, women are overrepresented in poorly paid care-related professions, such as nursing, social work, and teaching, compared to well-paid ones, including doctors and surgeons (Magar et al., 2017). Lastly, women are more likely than men to work in the informal sector. In the second quarter of 2018, 47.6% of women, compared to 30.6% of men, were engaged in informal trade (StatsSA, 2018). Overall, women tend to be employed in low-paying, non-unionised, informal and poorly paid sectors.

Conversely, women are underrepresented in mid-paying and top-level managerial positions (Commission for Employment Equity [CEE], 2015). Despite women constituting 51% of the population (StatsSA, 2018), they remain underrepresented in managerial positions since only 32% of managers in SA were women in 2018 (StatsSA, 2018). Men still hold many top-level managerial positions in both the government (60.7%) and the private sector (68.5%) (CEE, 2015). Women hold only 20.7% of top managerial positions in the private sector and 30.8% in the government sector (CEE, 2015). StatsSA (2018) has further established that gender inequality in the private sector persists, with low numbers of female directors and executive managers in private companies.

In companies listed on the Johannesburg Stock Exchange (JSE), only 4.5% of chief executive officers (CEOs) and 19.3% of executive managers are women, with 73 companies not having a woman on their boards of directors (Department of Women, Children and People with Disabilities, RSA, 2013). According to StatsSA (2018), women comprised just 32% of judges in the Supreme Court of Appeal, 24% as heads of public enterprises, 30% as ambassadors, and 31% as advocates. Hence, women continue to be underrepresented in various spheres of leadership and top-paying positions. This is particularly exacerbated when considering race. Within the government, white women constitute 15.3% of top managerial employees; in the private sector, they comprise 21.8% of top managers (Stats SA, 2016a). Although black women form part of the majority racial group in SA, they are minimally represented in high-paying managerial positions.

Further, there is race and gender inequality in South African land ownership. Women as individuals own only 13% (4,871,013 ha) of total farms and agricultural holdings, as compared to 72% (26,202,689 ha) owned by men (Department of Rural Development and Land Reform [DRDLR], RSA, 2017). Similarly, the audit revealed that black Africans, as individual landowners, own only 4% (1,314,873 ha) of farms and agricultural holdings, compared to whites, who own 72% of the total 37,031,283 ha (DRDLR, 2017).

Whilst women's representation in employment has increased, the nature and quality of employment are deeply gendered. Further, they still have limited land ownership and earn lower salaries. Inequality in SA has both a race and gender dimension, and these intersect to increase inequalities for black women. This is further demonstrated in educational inequality, where schooling systems frequently reinforce occupational segregation, placing women in lower-paid and less valued jobs (Jansen van Rensburg, 2021).

Education

Education inequality is another area in which descriptive aspects have received attention in post-apartheid SA since there is currently a minimal difference in the enrolment rates in early childhood development (ECD) and primary and secondary school between girls and boys, as compared to under apartheid (Jansen van Rensburg, 2021). Similarly, the Department of Planning, Monitoring and Evaluation (Mkwananzi & Nathane-Taulela, 2024) notes that a positive trend towards gender parity in higher education institutions has been observed since 1994. Nevertheless, disparities within specific fields, such as science, engineering, and technology, remain. Although this is changing with the introduction of various interventions, such as the Women in Science Programme (DPME) (Jansen van Rensburg, 2021). Education is nevertheless a domain in which there is both a race and a gender dimension since there are still slightly more women than men without education in SA, and there is greater disparity among race groups, with black people being more likely to have no education or to drop out of school than other race groups. In many respects, education is an area where significant strides have been made in achieving official gender equality. However, there has not been sufficient transformative gender equality, as girls still face discriminatory experiences every day.

Although there is evidence of increasing literacy levels and access to education among women (Jansen van Rensburg, 2021), black women are more likely to have no education and to have dropped out after Grade 7 than other women. StatsSA (2016b) indicated that 8,000 white women, as compared to 1,023,000 black

women, reported not having any form of education. Similarly, StatsSA (2016b) highlighted that many more black women, over 1 million (1,023,000) over 20 years of age, said that they had no education compared to 528,000 black men. For women aged above 15 years, black females had the highest (17%) prevalence of not proceeding with their schooling beyond Grade 7, whilst this was below 2% for white women (StatsSA, 2016b).

Within the schooling system, girls have higher drop-out rates than boys. For the 7 to 15-year age cohort, most of the 22% of school dropouts for the 2015 academic year were girls (StatsSA, 2016b). StatsSA (2016b) further indicated that gender-related reasons were provided by 9.4% of students dropping out of school, which included care duties as a result of marriage and pregnancy. In 2016, 18.1% of female students dropped out due to unintended pregnancies and familial responsibilities, in comparison with just 0.4% of male students (StatsSA, 2017b). Panday et al. (2009) confirmed that approximately one-quarter of teenage girls reported unplanned pregnancies. The high incidence of unplanned teenage pregnancy undermines progress towards gender parity in education, increasing the vulnerability of young girls and women and limiting their chances of achieving improved quality of life (Jansen van Rensburg, 2021). The implication is that girls must either pause or permanently abandon their studies in order to manage the physiological, physical and financial demands of pregnancy (Panday et al., 2009). Further, boys are not held accountable for their roles in pregnancy, which reflects gender norm stereotypes and the patriarchal expectation that women are solely responsible for care (Jansen van Rensburg, 2021). These types of policy approaches ignore the socio-cultural conditions that may have led to teenage pregnancies, including rape, limited control of sexual and reproductive health, and socio-cultural norms of male entitlement to women's bodies. Unplanned pregnancy nevertheless remains an obstacle to the education and overall life chances of the girl child, and the systemic socio-cultural issues that underlie this phenomenon need to be tackled (Jansen van Rensburg, 2021). Similarly, in looking at HIV and AIDS statistics, young women are the most vulnerable.

HIV and AIDS

Various health issues disproportionately affect women. Desjarlais et al. (1995) suggest that social determinants are an important contributor to women's mental health challenges; this is also evident when looking at HIV and AIDS. Three areas intersect when looking at HIV and AIDS in relation to gender, age, and race. Young women seem particularly vulnerable to HIV infection and

living with AIDS than boys. Further, black women are more vulnerable to infection than black men, white women and white men.

StatsSA (2018) established that HIV prevalence for black/African people was higher than for other groups (12.5 % for men and 30.6 % for women), with black African women being the most vulnerable. The comparative prevalence rates were much lower for both whites and Indians, at 4.7% for white men and slightly higher at 5.8% for white women. Further, the HIV prevalence rates were higher for women than men among almost all the age groups in SA in 2012 (Shisana et al., 2014, p. xxiv), except for the category of older men (between the ages of 50-54 and those over 60), which were marginally higher than that of women in the older categories. In 2017-2018, these rates were still high, with approximately one-fifth of women between the ages of 15 and 49 living with HIV (StatsSA, 2018). The prevalence rate among adolescent girls was 8 times higher, and the incidence rates were four times higher (2.5% vs. 0.6%) than among boys between the ages of 15-24. Unfortunately, young girls between 15 and 24 account for almost a quarter (24.1%) of all new HIV infections (Shisana et al., 2014, p. xxvi, pp. xxix-xxx). Young women between the ages of 15 and 24 seem to be particularly vulnerable to HIV infection compared to their male counterparts, possibly because of the limited control they have over their sexuality and because they tend to have intimate partner relationships with older men. As indicated above, older men have higher rates of infection than older women and may infect younger girls with whom they are in relationships.

It is reported that a third of adolescent girls between the ages of 15 and 19 have had an intimate relationship with someone more than five years their senior, compared to only 4.1% of boys in the same age group (Shisana et al., 2014, p. xxxi). Engaging in sexual and intimate relationships with older men decreases the possibility of adolescent girls being able to negotiate condom use and hence escalates their risk of contracting an STI and becoming pregnant. The growing phenomenon of intergenerational and transactional sex is fuelled by the historical systemic financial discrimination women have experienced as they use transactional sex as one avenue for accessing scarce resources (Shisana et al., 2014). As a result, young women are vulnerable to poorer development outcomes throughout their entire lives (Kirby et al., 2007), which increases their vulnerability to GBV.

The intersectionality of various issues mentioned throughout this chapter, such as GBV, social isolation, poverty, and GI, predisposes women to limited access to education and income, thereby increasing their dependence on men and raising the likelihood of mental morbidity (Desjarlais et al., 1995) and

HIV/ AIDS. However, reducing women's poverty has decreased their HIV risk since women feel less pressure to engage in intergenerational and transactional sex to improve their financial and social status, as is evidenced by the intervention of the social grant system in South Africa (Cluver et al., 2013). Despite the small amount of money women get for their children from the child grant, this has enabled them to use the cash to generate other income (Patel & Hochfeld, 2011). Hence, increasing women's access to income has positive knock-on effects for other issues, such as preventing intergenerational and transactional sex and decreasing their exposure to violence and HIV.

Within heterosexual relationships, gender inequality continues to prevail, with men controlling decision-making around the use of condoms and other safe sex methods (Jobson, 2010). This underscores the need for gender to be at the forefront of HIV discussions. In dealing with issues around transactional and intergenerational sex, older men and young women need to be actively engaged to minimise the vulnerability of girls. Jobson (2010) further highlights how men's reluctance to engage in conversation around HIV and to seek help compounds the risks for the spread of HIV. The importance of involving both men and women in challenging the spread of HIV is demonstrated by the statistics around men's sexual behaviour. In South Africa, men reported significantly higher percentages (20.1) of having more than one sexual partner in the previous year compared to women (4.6%). Hence, for the attainment of transformative gender equality, the inclusion of both men and women in sexual and reproductive health interventions is necessary to address the underlying socio-cultural issues that reinforce patriarchy.

The feminisation of the HIV pandemic arises from women's "greater biological susceptibility to infection ... their relative lack of sociocultural power, which constrains the ability of, especially young women, to negotiate safe sex" (Jones et al., 2010, p. 114). Undoubtedly, the underlying structural and institutional barriers women face when accessing resources also need to be considered if transformative gender equality is to be achieved, as this has profound effects on women's overall vulnerability to various social considerations. Thus, the effects of HIV intersect with women's other vulnerabilities, such as GBV, unemployment, and poverty, to which women are disproportionately exposed in SA.

Poverty and female-headed households

During apartheid, female-headed households (FHHs) were the poorest. Although there have been improvements post democracy, FHHs remain the poorest, with 56% of these households falling into the lower quintile in terms of per capita

expenditure for the 2014/15 financial year (Department of Justice and Constitutional Development [DJCD], 2017). The severity of poverty among women is higher in all age groups compared to men (StatsSA, 2017c, p. 55), which is exacerbated when considering race, as 91.5% of black Africans are considered poor (StatsSA, 2017c, p. 56). This is impacted by limited opportunities for women to access employment and disproportionate pay rates. In post-apartheid SA, amongst black African communities, women continue to experience lower rates of employment relative to men (Leibbrandt et al., 2010), and FHHs, when compared to other types of households, experience higher levels of poverty (Gelb, 2003), with men earning close to double the earnings recorded for women (DJCD, RSA, 2017). Government social grants constitute 14% of the income of the majority of FHHs as compared to 5.8% for male-headed households (Stats SA, 2015). In addition, FHH earn an average income of ZAR14,871 from imputed rent on an owned dwelling compared to almost double that of male-headed households, which earn an average of ZAR23,047 (StatsSA, 2015). Hence, inequality in income and employment has contributed to the financial and time poverty of FHHs. Time poverty is exacerbated for FHHs due to the triple burden of care.

Whilst efforts have been made to address the difficulties faced by FHHs through targeted programmes such as in Msunduzi Municipality (Goebel & Dodson, 2011), it is only through the achievement of transformative gender equality, that is increasing women's access to productive resources such as land, micro-finance, and housing, that the poverty of FHHs can be alleviated. However, there is still contention between constitutional rights and the right to freedom of culture, as evident in the issue faced by black women regarding access to communal land in rural areas (Jansen van Rensburg, 2021). Bob (2013) has indicated that traditional and cultural practices increase women's vulnerability in terms of livelihoods, assets and decision-making in rural areas, especially if they are not heads of households or married to a household head. Overarching issues of oppressive gender dynamics are crucial to addressing women's poverty, particularly those related to care.

Care

Social attitudes that associate women with care duties (Jefferis & Theron, 2018) are critical in determining the attainability of transformative gender equality. Women's care responsibilities complicate their ability to negotiate entry into the job market, keep them poor and perpetuate the triple burden of care (DJCD, 2017). The triple burden of care refers to the multiple roles of caregiving that women must employ both at home and in the community, whilst

simultaneously engaging in paid employment. Women continue to be the primary caregivers in families, often as mothers, sisters, aunts, or grandmothers, where they are responsible for the bulk of unpaid work. This is particularly evident in South Africa, where 55.2% of women are involved in non-market activities (StatsSA, 2018). Many women (27.8%) rated homemaking as the reason for their inactivity (QLFS, 2017, Q1).

If women are not caring for children, the sick and the elderly in their familial unpaid role, they are doing so as poorly paid domestic workers. In SA, women dominate the domestic worker market, with men only making up 3.0% of domestic workers (StatsSA, 2018). Moreover, the vast majority of domestic workers are black women (Cock, 2011), which again highlights the intersection of race and gender. Similarly, with respect to community care, women are more likely than men to be employed in the informal sector, and, social and personal services sectors. Approximately a third of women were employed in this sector compared to 9.6% of men (StatsSA, 2018). Hence, women are more likely to be involved in both unpaid and paid care than men. These conditions are exacerbated for women in FHHs, who often have less support with caregiving. Often, FHHs assume responsibility for the emotional, physical and financial care duties not only for their own families but for other families where there is a death of the male head or AIDS-related illnesses (Steinberg et al., 2002).

Balancing paid work and caregiving often results in women having fewer hours for paid work, which negatively impacts their career progression (Budlender & Lund). Moreover, mental health outcomes for women balancing dual roles are poorer because of increased stress, which can be a precursor for burnout (Moultrie & Kleintjes, 2006). By providing childcare support, interventions by the government, such as ECD facilities, are useful because services outside the household allow women the opportunity to participate in employment opportunities (Jansen van Rensburg, 2021). However, these facilities are still primarily staffed by poorly paid women. Moreover, there are also differences in access to ECD facilities depending on where women live in the country, with limited ECD facilities available in rural areas. Hence, the increased vulnerability women face in all the social issues discussed in this chapter intersects and is exacerbated by the triple burden of care.

Gender-based violence

The prevalence of many forms of gender-based violence (GBV) is high in SA. StatsSA (2017a) indicated that women are more than twice as likely as men to be victims of sexual offences, with 250 women as compared to 120 out of every

100,000 men being victims of sexual offences. StatsSA (2017a) estimates that 68.5% of sexual offence victims were women. StatsSA (2016b) estimated that of women aged 18 and over, 21% had experienced intimate partner violence. Rates of femicide are similarly high in SA, with a woman being killed every 3 hours in the country (Wilkinson & Goodwin, 2025). These figures are extremely high in a context where reporting rates are low. These low reporting rates are linked to GBV victims' hostile reporting experiences (SAHRC, 2017) because of discriminatory gender attitudes and rape myths.

In the workplace, women in salaried employment are more likely than men to experience sexual harassment (Ramsaroop & Parumasur, 2007). Sexual harassment complaints comprised the bulk of the Public Service Commission's (2017) records of discrimination, indicating an increase from 22% in 2014/15 to 24.5% in 2016-2017 (CCMA, 2017). Women were the majority of victims in these reports. Additionally, the Commission for Conciliation, Mediation and Arbitration (CCMA) reported that, for the 2016-17 financial year, sexual harassment was among the top five violations based on the cases brought before the commission. Sexual harassment and racism had the highest number of complaints for unfair dismissals in 2016-2017, which again highlights the intersection of race and gender in SA. GBV remains one of the serious challenges women face, and it has led to the resurgence of the women's movement in SA.

Discussion

The statistics and evidence on various social issues above – poverty unemployment, access to land, HIV and AIDS, and GBV – point to the extent to which gender inequality persists in SA 25 years post democracy. Many of the formal interventions aimed at addressing gender inequality and some development programmes do not appear to have had a profound impact on transformative gender equality (TGE). Furthermore, the coincidence of gender and race in SA, as well as the intersection of various social issues discussed throughout reveal the importance of understanding women's vulnerabilities through the lens of intersectionality. Hence, whilst there have been various shifts towards official gender equality (OGE), the situation is complex. Therefore, it is imperative that we, as a society, explore why the shifts are slow and what more needs to be done to create deeper and more effective change.

Weldon (2002) argues that individual representatives of historically marginalised groups, like women, alone cannot adequately or effectively

represent those groups' interests, whether through descriptive representation or substantive representation. Moreover, while women have attained some levels of descriptive representation in South Africa, this has not always translated into substantive representation. Not all women in positions of power in South Africa are necessarily eager to represent the voices of women or raise issues that promote women's rights. Even those who do cannot always represent the diversity of women's interests. Weldon (2002) argues that one person cannot represent the views of an entire group, because no individual can capture the group's internal diversity. Even if a woman has experienced the worst situation, she still cannot speak for all women. For example, middle-class and working-class women have conflicting interests regarding the issue of wages for childcare. The former would benefit from lower wages for childcare, while the latter would benefit from higher wages for childcare. In South Africa, for example, childcare is a contentious issue, given the prevalence of domestic work. Only through the support of domestic workers can many working, middle- and upper-class women enter the workplace and take on leadership positions. These domestic workers are, by and large, poor black women. Hence, women in leadership positions are unlikely to promote better wages and unionisation of domestic workers, as this would broadly impact the possibilities of descriptive representation.

Thus, the rights of poor, non-unionised domestic workers remain largely neglected. The presence of women in key positions is, therefore, a complex issue. While individual women in positions of power have been key to supporting major initiatives from grassroots women and even initiating particular policy proposals, Mtintso (1999) argues that the assumption that women can freely participate once they enter parliament or other spaces of power is mistaken. Sometimes, those women who do raise women's issues are marginalised or dissuaded by broader organisational imperatives. For example, the tension between party allegiance/compliance and gender advocacy was evident in the Khwezi case. The ANC Women's League chose to support its president, Jacob Zuma, instead of a fellow woman who was raped, thereby negating solidarity among women and rather entrenching the patriarchal status quo (Tlhabi, 2017). Studies by Ballington and Karam (1998) and Mtintso (1999) indicate that women in most parliaments worldwide face obstacles such as patriarchal culture and attitudes, a lack of skills and resources, political and institutional constraints, and a lack of support. This is also true for women in other spaces, such as the corporate and academic spheres. To counteract these effects, the presence of a strong autonomous women's movement can be vital to sustaining women who attain powerful positions. We

have recently seen in SA how the re-emergence of the grassroots women's movement has led to at least some movement on GBV issues.

Additionally, it is essential to have the necessary infrastructure to implement and sustain women's gains. As Mtintso (1999) argues, democracy and the presence of women seem to be viewed as automatically translating into changed power relations between women and men. The risk is that women become absorbed into entrenched institutional values and structural operating systems and not change either power relations or the definitions of power and its exercise in parliament. The presence of a democratic state and descriptive representation is often not enough. We have seen in South Africa that the Chapter 9 institutions (Maseng, 2014), as well as the women's policy institutions that were established post apartheid to address gender issues in South Africa, are struggling to fulfil their roles effectively. While we have a few women's policy institutions in SA, their success in monitoring, developing and implementing gender-sensitive policies is constrained by their limited political power, status and access to resources. It seems they have few resources, and their real power is limited. When first set up, the Committee on the Improvement of the Quality of Life and Status of Women was an ad hoc committee with no budget. When it was established as a full committee, they and the CGE had a lower budget when compared to other equivalent agencies (Gasa, 2007). The most recent budget report indicates that the CGE received ZAR79 million to fulfil its mandate, whereas the Human Rights Commission (HRC) received ZAR290 million for the same period (Memela, 2018).

The extent to which these bodies are independent also remains in question. Limited independence hampers their ability to represent the interests of diverse South African women effectively. As stated by the CGE itself, 'South Africa needs an independent CGE.' The problems relating to the allocation of resources, the CGE bashing, and the debates in the press have more than ever exposed the resistance to change from some quarters. In this regard, consultation, advocacy and lobbying by grassroots women and their organisations become critical if women's issues are to remain on the public agenda and get due attention and resources. Additionally, non-government organisations (NGOs) that were historically critical to addressing gender inequality seem to have been silenced, co-opted or are surviving under duress. Further, the financial dependency of NGOs on the government, which have historically been powerful lobbying tools of the state for gender inequality, has compromised the women's movement's ability to transform gender relations in SA. Weldon's (2002) study suggests that for the women's movement

to achieve policy gains, it needs to be autonomous, as autonomous women's movements can enhance the accountability of government bureaucrats in ways that non-autonomous movements cannot. If the women's movement is entirely contained in the state or supported financially by the state, its ability to criticise the government may be curtailed (Weldon, 2002, p. 1161).

Fortunately, the resurgence of grassroots women's movements is changing the landscape in South Africa. The current women's movement in South Africa has emerged from the grassroots and is declaring “#notinmyname”, asking “#AmiNext,” and refusing to accept the ineffective response to gender inequality in SA, as represented by the #TotalShutdown marches. Hence, the current emergence of an autonomous women's movement, co-existing with women's policy institutions that can develop policies within a framework that at least partially reflects women's perspectives and has the political power and resources to function, is necessary for gender-sensitive policy development and transformative gender equality. There is a need in South Africa for more formal women's policy institutions to be supplemented with mechanisms for formal consultation with grassroots women's organisations so that the policy bodies can reflect women's needs and issues. These mechanisms should ensure constant communication between government bodies and the broader women's movement. Weldon's (1994) study indicated a reciprocal relationship between autonomous women's movements and women's policy agencies, where strong, autonomous women's movements improve the institutional capabilities of government in addressing women's issues. This magnifies women's voices inside government. Conversely, women's policy agencies can strengthen women's movements and women's policy machinery can assist women's movement activists in publicly articulating women's perspectives by providing financial support for research and funding to service providers. Hence, continual external pressure from autonomous women's movements guarantees the political will to address the problems raised by women's policy institutions. Vos (1999) concurs and suggests that the women's lobby needs to be strengthened and needs its own constituencies, as these give women leaders real power.

The presence of a strong, independent women's movement in South Africa facilitated the development of women's policy institutions and more appropriate policies to deal with GBV soon after apartheid. However, with the emergence of a new democracy, some grassroots women's movements faded into the background, assuming that democratic processes, women's policy institutions and greater descriptive representation would enable gender equality. However, it is unclear whether concomitant institutional, administrative and attitudinal

changes throughout government, business and civil society occurred to enable gender equality. While some individual women were essential in getting policies passed or instrumental in motivating the establishment of women's policy institutions, their presence alone has not been sufficient. In South Africa, it is evident that descriptive representation, women's policy institutions and policies have not been sufficient to promote and create significant shifts in socio-cultural attitudes, norms and practices that sustain gender inequality. It is clear from the recent actions of the emergent women's movement that a grassroots, autonomous women's movement is needed to force the government and other institutions to prioritise gender issues.

Ultimately, it is essential to recognise that addressing gender inequality is a complex and challenging task. It requires challenging entrenched norms, values, beliefs and attitudes that are deeply embedded in society. The combination of descriptive representation and substantive representation, along with a strong women's movement and women's policy institutions that consult with grassroots women, is therefore necessary to develop, improve, and sustain women's initiatives and respond to changes in women's needs and interests.

Conclusions

South Africa has undergone an historical transition of political power, with descriptive representation being substantially altered and concomitant changes in racial and gender policies. The question remains as to whether the presence of women in leadership positions, women's policy institutions and policies in a democratic, post-apartheid SA has been sufficient in maintaining the initial momentum of transformation by continuing to achieve transformative gender equality. One wonders if the changes in descriptive representation and policy would have happened if women had not formed the WNC and demanded these rights, and if women had not organised the #TotalShutdown and other activities in 2018, President Ramaphosa would have called for a GBV summit that produced the Emergency Action Plan and his appointment of 50% women to his cabinet. Although descriptive representation in and of itself does not guarantee transformative gender equality, it seems to be a necessary pre-condition for creating the space for women to participate in leadership positions from which they have historically been excluded. However, these women are not representative of all women, and some groups may still be excluded and disenfranchised, such as poorer or rural women. Further, whilst official gender equality can be an efficient way of addressing overt gender discrimination, it is often limited in the

face of more covert and subtle forms of gender discrimination. In a context such as SA, where apartheid had significant disruptive effects on the lives of oppressed racial and gender groups, official gender equality may not be enough to achieve transformative gender equality.

Regardless of formal interventions to break patriarchal social practices, the social belief systems which produce patriarchal practices suffer very little damage and may continue to exist below the surface and reproduce other equally harmful practices. Hence, despite current-day achievements in terms of official gender equality in the form of women's policy institutions, laws, and descriptive representation, it is necessary to find other ways to ensure transformative gender equality and address socio-cultural norms and attitudes that perpetuate gender inequality that are embedded in the systems and processes of social institutions. In some ways, descriptive representation alone can deepen inequality if it just reproduces the triple burden of care or gives some elite women more power but disenfranchises poor and vulnerable women. To challenge the status quo, care issues need to be unpacked as they seem to represent weak transformative gender equality, and changes in socio-cultural norms.

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