

**DRAFT ONLY.
DO NOT CITE WITHOUT PERMISSION.**

*No Presence without Power: Deliberation and Women's
Representation in South Africa¹*

Prepared for delivery at the 2008 Annual Meeting of the Midwest
Political Science Association, April 3-6, 2008.
Copyright by the Midwest Political Science Association
and Denise Walsh

Denise M. Walsh
232 Cabell Hall
P.O. Box 400787
University of Virginia
Charlottesville, VA 22904
434-982-2131
denise@virginia.edu

Introduction

¹ This paper draws on the author's doctoral dissertation, *Just Debate: Culture and Gender Justice in the New South Africa*, New School University, 2006. The University of Virginia, The Department of Political Science at the University of Witwatersrand, and the Transregional Center for Democratic Studies in Cape Town provided field research support.

Over the past fifteen years women's inclusion in legislatures has been advocated not only by feminists, but also international and regional organizations, local and international women's movements and powerful liberal nations intent on exporting democracy. The Third Wave of democratization that began in the early 1990s helped spark this trend as activists and scholars insisted upon a strong linkage between the democratic principle of political equality and women's descriptive representation (Htun 2004, 444-45).² As Joni Lovenduski notes, "claims for representation are part of the process of claiming membership of a polity; hence the debates they generate illuminate the way political actors understand democracy" (2005, 3). Nearly all advocates of democracy now assume that every citizen, regardless of social location, should have the opportunity to participate in politics. Thus citizenship is increasingly conceptualized as active. Citizens are to do more than vote, they should also organize in civil society to discover, express and debate their interests, and all citizens should have the opportunity to serve in the legislature.

This appeal to democracy and active citizenship was accompanied by a strong belief among feminists that women's presence would produce positive political outcomes for women, particularly if their numbers reached the critical mass of 30% (Dahlerup 2006; Childs and Krook 2006).³ As the popularity of these claims spread, women's inclusion in politics became a bright spot on the

² The politics of presence and descriptive representation are used in this paper interchangeably to refer to the practice of putting aside positions for women in legislatures. Legislators do more than advocate for constituent interests. Representation also includes mediation among legislators, between legislators and their constituents, and representatives are also important actors in articulating and aggregating constituent interests (Williams as cited in Dovi 2002, 731).

³ By feminists, I mean those committed to ending women's subordination.

otherwise increasingly contentious international women's rights agenda (Krook 2005; International IDEA).

Over 100 countries have adopted quotas with the intent of increasing women's descriptive representation. Quotas are the mechanism of choice because if designed properly, they are dramatically effective (Baldez 2006, Krook 2006, Nanivadekar 2006).⁴ Their appeal extends to powerful strongmen and single-party dominated states, hegemonic liberal democracies, as well as social democrats and feminists. Strongmen and highly centralized political parties may be amenable to advancing women's representation via quotas because the results are dramatically visible to international observers and domestic partisans, and often can be achieved with minimum costs. Hegemonic liberal democracies have also promoted quotas as a way to project the modernity, liberalism and legitimacy of new regimes they have created via invasion. Hence countries with 25% or more women in their legislatures include not only the social democratic states of Northern Europe, but also Rwanda, Peru, Uganda, Afghanistan and Iraq (Inter-Parliamentary Union 2007).⁵

The impact of women's presence, however, is contested. While strong normative and practical arguments have been made in favor of women's descriptive representation, disagreement persists over their symbolic impact, their effects on democratic practices and the extent to which women legislators act for women (substantive representation). Although the potential for women's

⁴ Most quotas are adopted at the party level and require that a specific percentage of candidates will be women. In proportional representation systems the ranking of women candidates on party lists may also be addressed: zipper or zebra lists alternate women and men candidates. Party quotas may be legislated, voluntary or informal. Quotas may also reserve seats in the legislature for women.

⁵ The U.K., France, Canada and the US all have less than 25% (Inter-Parliamentary Union 2007).

presence to improve the image of women as serious political actors is regarded as substantial, evidence suggests that when the electoral process for getting women into office is not perceived as fair and candidates lack critical skills, disregard for women representatives abounds. More troubling, recent studies of women's descriptive representation indicate that women's increasing presence can have negative consequences for democracy, including the silencing of other subaltern groups and the undermining of women's organizations in civil society (Longman 2006, Blondet 2002, Goetz and Hassim 2003; Disney 2005).

Disagreement over the effects of women's presence on public policy is also contentious and dominates the women and politics literature. Activists and many scholars have long argued that increasing the number of women in politics will improve women's substantive representation. At the same time, scholars have been aware that women's interests are diverse. As Melissa Williams insists, "it would be absurd to claim that a representative, simply because she is a woman, therefore represents the interests or perspectives of women generally..." (as cited in Dovi 2002, 30-31). Some critics have argued that the politics of presence has been unduly emphasized and that other ways to secure women's rights may be more efficient and predictable (Htun 2003, Waylen 2007, Dahlerup 2006, Lovenduski 2005). In fact, a scholarly consensus is now emerging that a linear relationship between women's presence and legislation advancing women's rights may not exist (Krook and Childs 2006, Dahlerup 2006).

The perverse effects associated with women's descriptive representation and its weak relationship to legislative outcomes raises new questions and

concerns about women's descriptive representation. What is the value of the politics of presence? If it is valuable, how might its negative impact be limited? The literature indicates that women's descriptive representation has *the potential* to not only promote women's active citizenship, but to enhance women's image and democratic practices while advancing a core set of women's rights. I argue that this potential is most likely to be fulfilled if a diverse array of women have power and influence in deliberative governing and citizen bodies at all political levels. I cannot fully test this claim here. Instead I take three steps toward doing so. First, I explain the logic for this hypothesis by analyzing some of the recent women and politics literature. I then turn to feminist public sphere theory, which links agency in the public sphere to democratic justice, to develop a framework for analyzing women's deliberative agency in political bodies. I then apply that model to South Africa. The conclusion offers some preliminary findings on the relationship between women's agency in deliberative bodies and the rewards of descriptive representation.

Women's Descriptive Representation

While most women and politics scholars agree that descriptive representation can increase women's opportunities to be active political citizens, they hold conflicted views about the symbolic value of women's descriptive representation, as well as its impact on democracy and women's substantive representation. While none have argued it should be abandoned in principle, those who argue women's presence is not positively associated with substantive

representation and who have found it can have perverse effects on democracy have produced sobering critiques. In this first section of the paper, I examine a range of arguments about the symbolic, democratic and substantive benefits of women's descriptive representation. While a few claims are simply unrealistic, I find that the political context of women's presence accounts for most differences over symbolic benefits and effects on democracy. The story is more complicated for women's substantive representation. I unravel competing claims by categorizing them according to how analysts conceptualize and measure the effects of women's presence on the legislation. That enables me to explain what we now know about the limits and potential of women's substantive representation.

Because gender is a process that operates through structures, institutions and individuals to create, sustain and reproduce unequal relations of power, women and men have different experiences, interests and needs. Feminists who argue in favor of women's descriptive representation do so not because they believe that women are innately different from men, but because gender ensures women and men are different in ways that are politically relevant, and they believe that women's presence in politics can redress those differences.

The symbolic power of women's presence in politics has not always been carefully analyzed but its potential is recognized. Advocates claim the politics of presence helps to establish gender as a relevant category of analysis, confirming that women's absence from governing bodies is not natural (Htun 2005; Krook 2006; Mansbridge 2005, 624). Indeed, women's presence in politics is believed

to challenge essentialist notions about women's nature while publicizing their role as actors "capable of ruling" (Phillips 1995; Mansbridge 2005, 625; Goodin as cited in Phillips 1995, 79; Nanivadekar 2006). Thus women's descriptive representation may offer psychological and emotional inspiration for individual women while signifying women's political equality *as women*.

However, women's descriptive representation makes sex the primary axis of difference and masks inequalities among women. While it is true that the politics of presence can intensify the association of women with femininity, advocates argue that if the structural conditions underpinning gender are made explicit, essentialism can be avoided (Mansbridge 2005). The discursive political context is thus crucial. The politics of presence also directs feminist efforts toward advancing elite women into positions of power (634). This realization has led theorists to consider ways to include subaltern women in political forums. Innovations include careful attention to minority women when filling quotas, the creation of new democratic institutions such as "citizen assemblies" and an insistence on stronger links between representatives and their most disadvantaged sub-groups (Dovi 2002, Mansbridge 2005, 634). The first two suggestions offer minority women the opportunity to reap some symbolic rewards instead of being erased from view, but only the first offers comparable rewards. The problems raised by intersectionality are thus serious and remain under theorized (see Hawkesworth 2003 for an important exception). The model I present below addresses this issue.

The positive symbolic value of women's representation may also be undermined when achieved by quotas. Liberals often object to quotas because they undermine the principles of "merit, individual worth, and fair competition..." (Mansbridge 2006, 629). Quotas imply beneficiaries lack skills and experience to win the position on their own. Indeed, some women candidates may not be qualified, producing tokenism or "fronting" (Nanivadekar 2006, Ahikire 2003). Even those who are qualified may be suspected of being tokens, undermining their effectiveness (Goetz and Hassim 2003, Ahikire 2003, Tamale 1999, Nanivadekar 2006). To maximize women's symbolic presence, women representatives need skills, mentoring and technical support. The justifications for quotas must be thoroughly explained and be popularly regarded as legitimate. How quotas are implemented also matters. When imposed from the top down by external powers or offered as a gift to women by benevolent leaders, women's legitimacy and independence are severely compromised (Kandiyoti 2008, Goetz and Hassim 2003, Blondet 2002). Thus institutional support, popular discourse and seats that are earned are critical for positive symbolic effects.

Context is again crucial when considering the impact of women's descriptive representation on democracy. Advocates argue that descriptive representation is good for democracy in part because it is likely to increase women's interest and engagement in politics. Greater representation provides women with political role models that encourage them to associate women with politics, and thus may lead women to be more engaged constituents or to enter politics themselves (Reingold 1992; Phillips 1995, 63; Nanivadekar 2006). Even

women who do not conform to conventional political norms may consider running for office, particularly if quotas are in place (Krook 2006, 112). The women who do run and are elected will gain political skills, experience, and expansive social networks, preparing them for greater leadership roles in the state. Thus women's descriptive representation is believed to increase women's active citizenship at multiple levels.

Unfortunately, these gains in participation often are won at a price. Women's presence in politics is frequently justified in ways that reinforce gender stereotypes. By virtue of their past exclusion from governing bodies, women are regarded as the perfect outsiders to restore popular faith in politics (Baldez 2006, 105; Baldez 2002). As mothers and caretakers of the nation, women are trusted to advance the interests of citizens instead of pursuing corrupt backroom deals for their personal gain. As noted above, advocates of descriptive representation hope women candidates can avoid this essentialist trap by emphasizing that their caretaking skills, perceived honesty and past exclusion all stem from the same structural inequalities. While this anti-essentialist rhetoric is not prevalent, it does exist (for one example, see Hassim 2005).

Women's presence in politics may also deepen democratic practices by altering political traditions. Parliamentary culture assumes politicians are available for meetings when children are let out of school, that confrontational debating tactics are desirable, and that social networks established over card games and at the local pub should be valued and protected. Women's presence can erode these exclusionary norms, making parliament more open and

accessible. In some countries women's descriptive representation has been associated with changes in legislative culture (Britton 2006, Paxton and Hughes 2007). However, even women legislators who are interested in transforming and transcending institutional norms may find that their ability to do so is constrained, as their professional success requires they tolerate exclusionary standards and do their best to assimilate (Paxton and Hughes 2007, Childs 2002, Britton 2002). The changes made to legislative culture have thus been relatively minor and short-lived.

Even if political culture remains largely unchanged, advocates argue that once elected, women legislators can articulate and discover their interests, bringing new ideas to parliament (Phillips 158). Yet women politicians are accountable neither to women as a group nor to feminists, but to their party or electoral constituency. They are elite women who become increasingly professionalized as they remain in the legislature. As a result, some analysts have found that the concerns and interests of women representatives often diverge from the majority of women, and that women's organizing in civil society is not only a more inclusive space for interest articulation but is crucial for advancing those interests (Hassim 2005, Britton 2006, Weldon 2002a). At best, the claim about new ideas must be moderated.

Women's presence in politics may nevertheless enhance democratic legitimacy. Jane Mansbridge argues that descriptive representation is likely to increase women's attachment to the state as policies on women's issues will be trusted when advocated by politicians who can "speak with authenticity and be

believed” (Mansbridge 1999 and 2005). Even more significant, women’s descriptive representation can build the trust of all subaltern groups by demonstrating that past exclusions will be righted (Phillips 1995; Nanevadekar 2006). Women’s greater presence in legislatures can also visibly demonstrate the commitment of political elites to “the people,” enhancing their legitimacy (Nanevadekar 2006; Hassim 2005). The regime’s international legitimacy is also likely to increase as women’s presence signifies a commitment to and compliance with global norms.

These positive effects are counteracted if women gain their positions through external pressure, sympathetic elites and backroom deals. When women gain entry to legislatures through crusading liberal nations at the point of a gun, their presence does little to enhance the domestic legitimacy of the new regime, although it may lend international credibility to elite invaders, shoring up their support back home. When instituted from above by domestic elites, quotas provide opportunities for centralized parties and strongmen to handpick candidates who have no independent political base, intensifying party patronage and paternalism (Longman 2006, Goetz and Hassim 2003, Tripp 2006, Blondet 2002). If women owe their positions to patronage, they do not become representatives but loyal cadres (Hassim unpublished, 10; Blondet 2002, Goetz and Hassim 2003). When granted from the top down, quotas are an adroit form of political patronage and imperial marketing that can be profoundly anti-democratic. In these contexts, women are used by invading liberal democracies,

political parties, movements and strongmen to provide a veneer of democratic legitimacy.

Women's presence can even be used to intensify injustice and undermine the future potential for women's rights. In Rwanda and Uganda, women have been targeted as preferred political patrons in an effort to counter legitimate ethnic demands that are rooted in extreme class inequalities (Longman 2006, Goetz and Hassim 2003). In Peru, women's political advancement was used by President Fujimori to decapitate local women's organizations that were growing in strength, binding their leaders to his increasingly authoritarian rule (Blondet 2002). These cases remind us that not only are all women not feminists, they are not all democrats either.

The effects of women's dependency on and association with increasingly authoritarian rulers or foreign invaders may have significantly negative consequences for women's rights, even if formal legal rights are passed. Those rights are unlikely to be implemented when imposed by states with limited capacity facing popular resistance. Furthermore, women's symbolic presence and women's rights may be delegitimized by their association with illegitimate states, inviting a backlash in the near future (Kandiyoti 2008). While a number of analysts have assumed that women's descriptive representation is an avenue to political power (Nanivadeker 2006, Galligan and Tremblay 2005, Mansbridge 2005, 622; Phillips 1995), these cases make it clear that women may be elected but lack power. As a result, both democracy and equality are eroded.

While context is thus crucial for explaining divergent claims and evidence on women's descriptive representation, it cannot fully explain the discrepancy in the literature over women's substantive representation. The primary reason for supporting women's descriptive representation has been the belief that women will make a difference in policy-making, advancing women's rights (Phillips 1995, Dahlerup 2006, Childs and Krook 2006, Grey 2006, Mansbridge 2005). Mansbridge argues this outcome is likely as women care about, will respond to and can communicate about issues affecting them better than men (Mansbridge 2005, 624). Because of their different experiences, women representatives may also think more "innovatively" about women's issues (Mansbridge 1999; 2006, 622).

However, case studies of women's substantive representation offer contradictory evidence. Much of the confusion is the result of conceptual inconsistency over how the effects of women in politics are defined and which actions are being measured. Although substantive representation refers to women legislators who promote women's interests and preferences, this is not what most women and politics scholars mean when they use the term. The vast majority assume women's substantive representation includes policies that challenge women's subordination and excludes all policies that increase it (for one exception see Lovenduski 2005, 8). Thus women's interests are conflated with feminism.

Although most women and politics scholars assume a feminist cast to women's substantive representation, they do not agree on its content or

boundaries. As Drude Dahlerup has pointed out, a wide-array of terms, from “gender issues” (Sanbonmatsu 2002) to “women-friendly policies” (Beckwith and Cowell-Meyers 2003) to “feminizing politics” (Lovenduski 2005) are used, and signify a variety of meanings (Dahlerup 2006, 517). Because analysts do not agree on how to define their dependent variable and rarely define it precisely, scholarly findings are not comparable. (Not surprisingly, women representatives also disagree about how to define women’s substantive representation and how they might best go about doing it [(Hawkesworth 2003]).

Nevertheless, despite the wide array of terms and meanings, two schools of thought are evident in the women and politics literature.⁶ As illustrated in Table 1 below, the inclusionary approach focuses on two types of interests. The transformative approach, on the other hand, attends to one.⁷ I have labeled these two types of interests women’s gender interests and feminist interests. Women’s gender interests are of special concern to women because of gendered processes. They include issues such as childrearing, health care and education. Feminist interests refer to issues that are believed to directly challenge women’s subordination, such as the right to divorce, abortion and pay equity.⁸ Women’s issues and feminist issues do overlap occasionally (violence against women and quotas are two prominent examples), but are conceptually distinct.

⁶ These schools and the categories that follow are ideal-types and should not be mistaken for binaries. A range of positions exist in the literature, offering a spectrum of positions.

⁷ These labels are adapted from Hassim 2005.

⁸ Note that feminist issues include practical interests where they intersect with strategic interests (Molyneux 2001).

Table 1. Approaches to Women's Substantive Representation

	Issue Type	Outcome Measured
Inclusionary	Women's gender issues	Views of women representatives
	Feminist issues	Policy-making activities and voting record
Transformative	Feminist issues	Policy passed by the legislature

Once these conceptual disagreements are clarified and categorized, a third problem arises. Inclusionary feminists not only report positive findings more often because of their broader definition of interests, but also because they measure substantive outcomes differently and more generously than transformative feminists. Inclusionary feminists assess a wide-array of legislative views and actions, from individual opinions of legislators to the sponsorship of bills and changes in parliamentary culture. Transformative feminists, on the other hand, tend to focus on the passage of feminist legislation and state implementation (for the latter, see Waylen 2007, Goetz and Hassim 2003, Weldon 2002b). Given these discrepancies between the two approaches it is no wonder that claims about women's substantive representation offer contradictory results.

Thus empirical studies by inclusionary feminists confirm women representatives attend to women's gender issues more than men. They have found that women legislators introduce and sponsor more bills on issues such as elder care, reproductive rights and violence against women, and have voted for them more frequently than men (Little, Dunn and Deen 2001; Wangnerud 2000; Schwindt-Bayer 2006; Carroll and Jenkins 2001; Welch 2001; Swers 2002; Childs 2002; Nanivadekar 2006). These analysts argue that legislative activism

on women's gender issues increases the gender consciousness of *all* women representatives, who become more likely to vote for women's gender issues, even if they have to cross party lines to do so (Krook 2006; Childs 2002; Swers 1998; Grey 2002). In US state legislatures, women were also found to be better at getting bills on women's gender issues passed (Thomas 1991). By these accounts, women's descriptive representation means more women will introduce, sponsor, vote for and be leaders on bills addressing women's gender interests.

Critics of descriptive representation agree that when women enter the legislature, they tend to pass legislation on a limited set of issues that address feminist concerns, such as violence against women, but none have found a linear relationship between the number of women representatives and the passage of feminist legislation. Instead, they have found that women's voting patterns and presence in the state do not explain variations in outcomes on feminist legislation or its implementation (Htun and Powers 2005, Htun and Jones 2002; Waylen 2007, Weldon 2002a). This has led critics to investigate a range of possible variables to explain feminist outcomes, including the increasing professionalization of women representatives, issue framing, issue-networks and the role of feminist leaders in civil society (Waylen 2007, Htun 2003, Goetz and Hassim 2003; Britton 2006, Weldon 2002a). A consensus is forming that powerful sympathetic leaders and mobilized feminist leaders with strong linkages to organizations in civil society are far more important than women legislators.

The evidence thus suggests that women's descriptive representation is likely to secure only a handful of legislation challenging women's subordination

and that it may or may not be implemented. Activists, feminist scholars *and* inclusionary scholars had hoped for more. Given these limits to women's substantive representation and the perverse effects associated with women's descriptive representation, what is the value of women's presence?

No Presence without Power

Under optimal conditions, women's descriptive representation can produce some positive symbolic effects, enhance democracy and advance a select core of women's rights. It can also offer women greater opportunities to become active citizens. However, the evidence suggests that these potential gains are threatened when women in politics lack power and influence. To reap the full rewards of descriptive representation and to exercise active political citizenship, women not only need access to positions of power, they need agency once they get there.⁹

While women's presence plus agency in national legislatures is critical, the scope of analysis must be expanded beyond that locale. Under the most equitable of conditions only a few elite women will ever become national representatives. Deliberating bodies at regional and local levels, as well as government sponsored citizen forums, provide additional venues for a larger number and more diverse range of women to become active citizens and extends the potential rewards of descriptive representation. Both citizen forums and

⁹ Of course power and influence in deliberative bodies cannot guarantee that the actions of individual women will always have a positive impact on women's public image, democratic procedures, or active citizenship.

governing bodies exercise political power, the first admittedly less so, by making recommendations on issues of common concern to policy makers, the second by making binding decisions on those issues. Ideally, in both venues citizens and elected representatives are engaged in a dynamic process of agenda setting, articulating and aggregating interests. Diverse women's presence and power in both are thus critical but rarely realized.

While women's low numbers in assemblies and citizen bodies has received attention by scholars and activists, Mary Hawkesworth notes that mainstream scholarship on legislatures has largely ignored how institutional bias limits the agency of minority members (2003, 530). Feminist scholars, however, have analyzed how institutions create, maintain and reproduce gender inequities (Duerst-Lahti and Kelly 1995, Steinberg 1992, Cockburn 1991). Several have investigated women's leadership styles, their access to committee positions, participation in parliamentary debate and parliamentary culture to assess women's legislative effectiveness, exposing sexism (Britton 2006, Simon Rosenthal 2000, Kathlene 1995, Norton 1995). Anne Marie Goetz has identified a range of factors that shape the ability of women legislators to advance feminist legislation, some of which are relevant here, such as the extent of party support and its institutionalization, women's organizing within the legislature, and type of quota system. Most notably, Hawkesworth has assessed how "racing and gendering" in the US Congress disempower women of color (2003). Hawkesworth's study pinpoints several deliberative tactics that marginalize these women, including "silencing, stereotyping and enforced invisibility" (546). These analysts provide

important tools and insights about women's deliberative agency in political bodies, but none offer a comprehensive framework for justifying and assessing deliberative agency. Public sphere analysts do just that.

Public sphere feminists argue that deliberation in liberal democracies is too limited in content, participants and space, and as a result favors hegemonic elites. To counter this deliberative thinness, they advocate open and inclusive debate so that everyone might discover and express her interests, be heard and challenge the status quo. Feminist public sphere theorists insist that the subaltern participate in public life so that debate is not restricted to "gentlemen who already share basic understandings" (Young 2000, 79). To avoid this outcome, a multiplicity of social groups must be able to communicate a wide range of interests. The more open and inclusive the debate, the more participants have political power and influence. Their agency thickens deliberative content, enhancing democracy.

Drawing on the insights of public sphere feminists, I suggest three general guidelines for evaluating women's power and influence in deliberative bodies. First, the diversity of women who have *access* to positions in deliberative bodies at all political levels must be assessed. While presence is not sufficient, access for a wide range of women is clearly an essential first step. If deliberative bodies are missing a large portion of any population in any sector or ranking, then this is an indicator that they are not fully open and inclusive. As discussed above, that access is best achieved through processes that sustain the legitimacy of women's descriptive representation.

While the principle of access is widely recognized, it should not be an exclusive or primary focus; instead, analysts also should be attentive to *voice*. Voice indicates the ability of those present to communicate interests in a variety of styles, to have the incentive to speak (such as a demonstrated capacity by elites to seriously listen to claims), and to speak about a wide-range of issues. Access without voice suggests the worst kind of tokenism -- woman as audience, not participant. Together, access and voice establish not only presence, but a wide-ranging discursive agenda. They ensure that a variety of women can introduce marginalized and repressed ideas, speak “innovatively” and raise questions about conventional norms and practices.

Of course, some forms of subordination may be so deeply rooted that they will not appear inequitable. Moreover, because the subordination of some creates advantages for others, exposure is rarely sufficient to end inequities. So in addition to access and voice, women in deliberative bodies must be able to directly challenge standards and procedures, such as committee structures or voting rules. Not only should women have the power to contest the status quo, sometimes their challenges should succeed. Access, voice and the capacity of contestation provide a theoretical framework for situating the tools of feminist institutional analysis noted above, as well as previous work in the field on women in politics. The next section of the paper uses this framework to evaluate women’s agency in deliberative bodies in South Africa.

Women in Politics in South Africa

While few democratic transitions have been associated with an immediate increase in women's descriptive representation, South Africa was an exception. Women gained access early on, during the negotiations debating the interim constitution for the new regime. After the transition to democracy in 1994 the country became a world leader in women's descriptive representation, with numbers in the national parliament reaching 30% as the result of a voluntary party quota by the celebrated African National Congress (ANC). A strong cadre of talented, diverse women activists entered parliament. In South Africa women representatives were thus likely to have had some agency.

The ANC embraced non-sexism along with non-racism in 1990 and after the first non-racial elections made women's descriptive representation in all deliberating political bodies a national goal. Although women's advances in municipal and rural areas were far less dramatic than in parliament, a diverse array of women nevertheless won seats in local councils and on citizen advisory committees across the country as the transition progressed. However, it is unlikely that women's agency advanced in a positive trajectory throughout this period. Scholarship on women and democratic transitions has established that as politics returns to normal and political consolidation begins, women's movements, organizations and politicians are sidelined. We should thus expect South African women's political agency to vary over time. South Africa is thus an excellent case for examining women's agency and its relationship to the benefits of descriptive representation.

My analysis begins with women's access, voice and capacity for contestation in national assemblies, and then considers municipal and rural areas.¹⁰ Although no one study can be both comprehensive across deliberative bodies and within each of them during a fifteen year period of tumultuous transformations, the discussion below aims to demonstrate how agency can be assessed at multiple levels and for a diverse range of women.¹¹

National Assemblies

On February 2, 1990 the political landscape in South Africa was radically transformed when F.W. de Klerk announced the unbanning of liberation movements and the release of political prisoners. In 1991 the first multi-party constitutional talks, known as the Convention for a Democratic South Africa (CODESA), brought the government and opposition parties into formal negotiations. As the negotiations progressed they quickly became the center of political decision-making in the country. Significantly, during each round of negotiations women increased their access and eventually expressed their interests, challenging the status quo.

While the unbanning of political parties signaled a dramatic opening of the political arena, official transition negotiations were highly secretive and closed to many. Out of 400 delegates, only twenty-three were women (Albertyn 1994, 54

¹⁰ Because the apartheid regime mapped race onto geographic locations, wealthy white women were located in urban areas and poor black women comprised the majority in all rural areas. Regime breakdown, transition and consolidation refer to the series of political changes that occur during a transition to democracy. In pacted transitions to democracy, regime breakdown is accompanied by negotiations. The transition is the period when elections are held and new democratic institutions are integrated into the state. Consolidation signals democratic political stability, as elections and democratic institutions are accepted as the norm.

¹¹ **METHODS FOOTNOTE HERE.**

n.61). The absence of female delegates became a catalyst for action, as women in the ANC and a number of women's organizations turned the demand for women negotiators into a battle cry, uniting across racial, class and political differences. They held meetings, formed a variety of coalitions and organized a highly successful letter-writing campaign demanding access.¹² Leading newspapers and national television publicized women's challenges and gender became a central issue of national debate; a test case of the inclusiveness and legitimacy of the ANC and the new South African nation.¹³ In response to women's demands, negotiators approved a Gender Advisory Committee (GAC) in April 1992, just prior to the second plenary session of CODESA in May, providing women with an official institutional body to advise negotiators, but it had no political clout. In the end, CODESA folded in May 1992, before GAC even had a chance to submit its findings.

In March 1993, negotiators convened a year later for the Multi-Party Negotiating Process (MPNP) and ignored the leading recommendation of GAC, which was to include women in the negotiations. This time, however, women's organizations were prepared and acted quickly. The ANC Women's League spearheaded the creation of an autonomous women's organization, the Women's National Coalition (WNC), in April 1992. The Coalition was a politically and racially diverse umbrella organization of seventy plus women's groups representing over two million women. The aim of the WNC was to shape the

¹²Black Sash letter to The Management Council, CODESA, March 9, 1992; Lawyers for Human Rights Press Release, fax from The Women's Lobby to Sheila J. Meintjes, December 31, 1991 and letter to Professor Meintjes from The Women's Legal Status Committee, October 23, 1991.

¹³For example, see "ANC Women Prove Mettle," *Star*, 1 May 1991; "Durban Groups in Favour of Women's Alliance," *Daily News*, 31 October 1991.

founding principles of the new nation and to mobilize women across the country. Women within the ANC demanded access to the MPNP, proposing that each party at the talks be required to include one woman in its delegation and that GAC be established as a Technical Committee. The WNC and women from across the political spectrum backed this demand, but it was ridiculed by the male-dominated forum and labeled “reverse discrimination,” a decidedly odd accusation given the ANC’s embrace of affirmative action for blacks, which obviously meant black men.¹⁴

In response, the ANC Women’s League announced a ‘Seize the Day’ demonstration and vowed women would not vote in the 1994 elections unless adequately represented.¹⁵ Press coverage of the renewed dispute over women’s access to the negotiations and an open letter by the Women’s National Coalition kept the debate in the news. A cross-party alliance of women then posted a series of demands to the negotiators, including the threat to publicize the minutes from the meeting on women’s descriptive representation. On March 30, 1993 the Multi-Party Negotiating Council agreed to a quota for women, and delegations were expanded to include one woman negotiator with full voting rights and one woman advisor. The exclusionary boundaries of the talks had been successfully challenged by the broad-based Women’s National Coalition and the activism of key women leaders, particularly those in the ANC.

Although more women now had access to the talks, limits to their agency remained. The climate toward women initially was quite hostile: some parties

¹⁴ Pippa Green, “Who’s on Our Side?” *Cosmopolitan*, June 1993 and *Weekly Mail*, 26 March 1993.

¹⁵ *New Nation*, 2-8 April 1993.

deliberately appointed female delegates with little experience; others rotated women through the process, minimizing their ability to master the issues and responsibilities of the position in an attempt to discredit them. A number of women were intimidated by the newness of the experience and the palpable antagonism, and were hesitant to speak. Furthermore, the influential Technical Committees required a level of legal expertise that few women delegates possessed. Despite the quota, men still excluded women from high-level meetings. Formal access was not enough.

If women delegates were going to effectively voice their concerns at the talks, it was evident that they required assistance. The Women's National Coalition provided support. As the transition negotiations moved forward, the Coalition became increasingly involved in monitoring the talks, publicizing issues of importance to women and providing a counterpublic for women representatives to articulate their interests and plan cross party action. By spring 1993 women delegates were working across political parties, actively expressing their common interests.¹⁶

As debate conditions expanded and women became more effective in voicing their demands, their ability to successfully challenge the status quo increased. As the negotiations proceeded, ANC women demanded the interim constitution end customary law and commit to gender equality for all South Africans. Those demands directly challenged the chiefs, who ruled approximately 17 million South Africans. Deploying the tool of cultural legitimacy while banking on their ability to deliver the votes of their subjects, the chiefs countered, demanding that

¹⁶ Democratic Party MP Sheila Camerer, interviewed by the author, Johannesburg, 30 July 2003.

a subsection be added to the Bill of Rights preserving customary law. This created the unprecedented possibility that customary law and gender equality would both be recognized in a Bill of Rights.

Many women activists, scholars and delegates were determined to contest chiefly power and secure legal equality for all South African women. They presented a series of submissions to the Technical Committees demanding that equality trump tradition. A protest against customary law backed by the Women's National Coalition was held outside the negotiating chambers, and in the Negotiating Council a series of dramatically acrimonious debates occurred, including a biting denouncement of customary law by ANC delegate Stella Sigcau, a direct descendent of a prominent king of the AmaMpondo tribe.¹⁷ As negotiations continued, the chiefs refused compromise. Supremely confident they infuriated other negotiators and "overplayed their hand."¹⁸ Women negotiators triumphed as the Bill of Rights explicitly recognized gender equality but not customary law. Access, voice and the capacity for contestation enabled women to challenge established power holders and shape the foundational principles of the new polity, gaining the constitutional guarantee of equality.

In 1994 the celebrated first South African non-racial elections were held. A gender quota voluntarily adopted by the ANC leadership as a result of women's backroom lobbying during the 1994 elections. Because the quota was intended to signal the inclusiveness of the new regime and was taken by a powerful, disciplined political movement that had a celebrated history of dynamic women in

¹⁷ Women's National Coalition (hereafter referred to as WNC), 9th Report.

¹⁸ Democratic Party MP Sheila Camerer, interviewed by the author, Johannesburg, 30 July 2003.

its ranks (including its military wing), and inspired other leading South African parties to promote women in their ranks as well. As a result, one hundred and eleven women won seats in the new South African parliament.¹⁹

As parliamentary practices and rules were in flux during this period, challenges to the political system were possible, but women had to battle to be more than present. Responding to media inquiries about the impact of women in parliament, men MPs patronizingly commented on “women’s ‘refreshing’ presence, their colourful outfits, [and] the unaccustomed sound of high heels clicking along corridors,” as notable changes on the parliamentary scene. Often, women were treated as disruptive or irrelevant; many found their participation was trivialized or rejected by men. Women were also excluded from informal decision-making processes and lacked alternative forums. As ANC MP Pregs Govender noted: “The reality is that a lot of decisions affecting society as a whole get made over whiskies in the pub by members of the old boys’ club... Women lack the same networks and don’t operate like that.”²⁰

Parliamentary debate styles intimidated some female MPs. A number found it difficult to win the respect of their peers. As *The Cape Times* reported: “Jennifer Ferguson, ANC MP, still smarting after her ‘poems to music’ were declared inappropriate to Parliament while all around her ‘fighting games’ were being played out, suggested that women’s broad goal ought to be to correct the imbalances in society.”²¹ Worse, many female MPs were under-skilled and ill

¹⁹ See Table 1 in Appendix A for the number of women MPs elected in 1994, 1999 and 2004. Unfortunately, no statistics on women in parliament according to race are available. The vast majority of women in parliament are members of the ANC and thus are women of color.

²⁰ Davis, “Women MPs Report Progress,” p. 20.

²¹ “Women Stake Their Claim to a Fairer Place in New South Africa,” *The Cape Times*, 10 March 1995, p. 1.

prepared for the formal culture of parliamentary work. Mahau Phekoe of the Women's National Coalition noted, "At the last budget speech, three women commented on the budget. One read a speech written in English. She struggled with what she had to say...Comments were made on her bad delivery. The other two had done no research. This discredited these women" (Meer 1998, 163). Public humiliation dismissing women's efforts while ignoring the barriers they faced may explain women's declining rates of participation in parliamentary debate from 1994 to 1995, and the imbalance between women's relatively large numbers and the infrequency with which they asked questions from the floor.²²

During their first year in parliament, sexual harassment was also a serious problem that denied women equal respect. Although female MPs reported some improvements in male MPs' treatment after one year -- "you don't find people expressing themselves in overtly sexist ways," and insisted that women were capable of handling sexual remarks, sexism remained a persistent problem.²³ If women were often treated as embodied and sexual, at other times they were made invisible. In 1995 Speaker of the House Frene Ginwala was referred to as Mr. Speaker thirty-four times in one speech, effectively denying women's presence in the halls of power (Geisler 2000, 618). Collegiality, an essential ingredient for effective representation, was denied women MPs; instead, they were targeted for humiliation.

Despite these challenges, occasionally women were able to speak out, challenge the status quo, and win change. Women MPs publicly denounced the

²² "Women Want More Change," *Parliamentary Whip*.

²³ Davis, "Women MPs Report Progress," and also see B. Spratt, "Two Years Down the Track Parliament's New Women are Finding Their Feet and Their Voices," *Sunday Independent*, 31 March 1996.

informal parliamentary culture that required them “to be an honorary man to make it,” exposing men’s informal privileges (Thenjiwe Mtintso as quoted in Geisler 2000, 617). Institutional problems included a lack of women’s toilets and on-site childcare, minimal research and administrative backup, a lack of legal training and support, meetings lasting into the late hours of the night encroaching on women’s family responsibilities, and geographic separation from family members.²⁴

Women united to commandeer men’s bathrooms and they obtained a crèche.

Their efforts were denounced by men MPs as divisive, an obvious tactic to dismiss and discredit women’s claims.²⁵

Indeed, political differences among female MPs emerged quickly, and a cross-party Parliamentary Women’s Group had trouble agreeing on issues beyond making parliament more women friendly (Hassim 1999). Talented feminist women leaders in the ANC nevertheless persisted. After the 1994 election, women in the ANC demanded that additional women be appointed as cabinet members. They also advocated changes in the local electoral system to enhance women’s descriptive representation. Although local elections remained a contentious issue, more women were appointed to the cabinet.²⁶ ANC women also won approval of state gender machinery and gender committees. A Women’s Budget was initiated, the Commission on Gender Equality and Office on the Status

²⁴ Gaye Davis, “Women MPs Report Progress...of a Kind,” 1995, p. 2; *Sash* (May 1995), p. 17-20; “Women Want More Change,” *Parliamentary Whip*, 4 April 1996, p. 2; “From Standing Committee to Empty Desk: A Case Study in Breaking Barriers,” *Democracy in Action*, 15 July 1996, p. 7-8; “Where Have All the Women Gone?” *Agenda* 24 (1995), p. 22.

²⁵ “Race, Class Easier Issues Than Gender,” *The Star*.

²⁶ After the 1994 election women held 15 percent of Cabinet Ministry positions and 56 percent of Deputy Ministers were women. Women were not restricted to ‘soft’ ministries such as welfare and housing; their had positions in Finance and Trade and Industry (Hassim 1999, 206-07). Unlike the Cabinet, women’s committee membership reflected typical gender patterns. Women numerically dominated in some committees, such as the Welfare, Health and Communications and there were few in committees like Public Accounts, Land Affairs or Mineral and Energy (206-207).

of Women were established, and most significantly, the Ad-Hoc Joint Standing Committee on the Improvement of the Quality of Life and Status of Women (JSQLSW) was founded.²⁷ Strong ANC feminist leaders thus took on the status quo to win institutional changes and cabinet-level positions that should have been a catalyst for future gains.

The positive trajectory of the early, liberal moment was not, however, sustained. As the ANC moved to consolidate its political power it subtly reversed its position on women's political advancement, and on open and inclusive public debate. Instead, party discipline increased and independent feminist activists were undermined. That shift was not readily visible to outsiders. Indeed, South Africa was the sole nation that had both a female speaker and female deputy speaker in 1999. The number of women in parliament continued to increase. Women's presence in government was becoming routine even if it was not embraced. As ANC deputy secretary general Thenjiwe Mtintso described it, the question for the period of early consolidation was whether women would be able to move "beyond the politics of presence, to the politics of participation and transformation."²⁸

Despite early signs that parliamentary culture would be transformed by women's presence, five years after the surge in female MPs parliament restrooms still bore handwritten "ladies" signs, underscoring their tentative presence, marking them as outsiders (Ross 2001, 8, 10). The ANC did not reward women's increasing experience with promotion. Few committee chairpersons were female, women were more often placed on 'soft' issue committees, and male MPs still

²⁷ For a discussion of the Women's Budget see Budlender 1996.

²⁸ Colleen Lowe Morna, "Link Between Women's Plight and Vote," *The Sunday Independent*, 20 December 1998.

were visibly surprised when women requested a turn to speak (Budlender et al 1999, 84-85).²⁹ Although women were dramatically present in Parliament, many were marginalized as legislators.

More ominous, while talented women legislators had experience by the second election cycle in 1999, new women with fewer skills who were more dependent on party elites were deliberately slated on the ANC party lists.³⁰ New ANC women MPs from rural areas certainly advertised the principle of diversity and inclusiveness, but with less formal education and experience they found parliament particularly challenging. The Women's Development Fund reported that rural female MPs "found that their age, gender and marital status" were used to undermine their effectiveness in Parliament, making them party tokens.³¹ Pregs Govender explained how parliamentary procedures contributed to the problem: "The institutions themselves need further transformation in order to ensure that those who are newly in power, for example rural women, are not disempowered by the pomp, ceremony, legalese or patronage of the hierarchical Westminster system, which was previously also repressive and secretive."³² Moreover, most were too indebted to the party and socialized to be subordinate to men to insert new claims or make demands, as the ANC well knew. As a result, not only did rural women lack voice and the capacity for contestation, women leaders

²⁹ Also see Susan Segar, "Still Largely a Male Domain," *The Natal Witness*, 15 July 1998, p. 8; Andile Noganta and Vusi Mona, "Loading the Dice in this Man's Game," *City Press*, 25 April 1999, p. 17.

³⁰ After the national elections in 1999, 4 out of 25 Cabinet Ministers were women, seven out of thirteen Deputy Ministers were women, and nine women were chairs of committees (Budlender et al 1999, 30).

³¹ Martina Della Togria, "South African Women at Political Crossroads," *The Sunday Independent*, 1 November 1998, p. 2.

³² "Women's Voices are Being Heard in the Process of SA Law-Making for First Time," *Cape Argus*, 8 August 1997, p. 20.

attempting to rally them around common interests were stymied. The influx of women that the ANC slated for parliament at the end of the decade thus eroded women's agency.

While gender institutions that had been approved during the transition were operational during the consolidation period, few were able to advance women's voice or capacity for contestation. In 1997 a Women's Empowerment Unit (WEU) was established to provide knowledge and skills, and to improve the effectiveness of the women's caucuses in all the parliaments. The Parliamentary Women's Group (PWG), a multi-party women's caucus, was charged with making the parliaments more gender-sensitive and to assist the WEU with skills training. To ensure the integration of women in all areas of government and to oversee governmental gender-sensitivity, the Office on the Status of Women (OSW) in the President's Office was launched in 1996. The Ad-hoc Joint Standing Committee on Improvement of the Quality of Life and the Status of Women (JSQSW) also began to monitor the government's adherence to the Beijing Platform for Action and the Convention for Elimination of all forms of Discrimination Against Women (CEDAW).

However, the WEU, PWG and OSW were woefully under-funded, lacked more than tacit ANC support, and were assigned broad mandates that extended far beyond their capacities. Despite similar obstacles, the Commission on Gender Equality (CGE) and the JSQSW and were more successful. Although the CGE struggled to fulfill its mission, in part because the ANC blatantly undermined its autonomy, it audited discrimination in government legislation, held over fifty

workshops across the country, produced a gender plan of action, lobbied national parties to address sexism, made submissions to parliament and the South African Law Commission, and worked with non-governmental organizations on numerous projects.³³ Under Pregs Govender's skillful leadership the JSQSW promoted the Women's Budget, created additional avenues for women's participation in government decision-making and worked with ANC leaders to secure an impressive list of legislative reform, including legalized abortion, violence against women and customary marriage reform. All were passed with the enthusiasm of ANC elites before 1999. After the 1999 elections, however, legislative victories were slim as ANC support diminished. The Women's Budget was soon defunct and Govender would eventually resign her seat out of frustration with ANC leadership. Thus women's successes were most dramatic during the breakdown and transition to democracy, but stagnated during consolidation.

Additional Deliberative Bodies

Unfortunately, women in assemblies at the local municipal and rural levels did not fare nearly as well as their national counterparts. As the apartheid regime deteriorated, new governing principles promoting democratic, non-racial municipalities were developed, but women's participation was not a serious concern. As a result, the National Council on Local Government as well as the Provincial Committees on Local Government were both composed entirely of

³³Thabisile Radebe, "Empowering Women," *Sowetan*, 28 December 2000, p. 8; Claire Keeton, "Document Puts Gender Back on the Agenda," *Sowetan*, 17 August 2000, p. 11; Itumeleng Masege, "Rule By Men, For Men, is Not Democracy," *The Sunday Independent*, 2 August 1998, p. 7; Seroke and Ntombela-Nzimande, "Hard Climb to Equality," *Sowetan*, 13 April 1999, p. 8.

men. A variety of forums and local women's groups outside these deliberative bodies raised the issue of improving women's access, but with little success. The ANC Women's League backed efforts to get women appointed to the Transitional Local and Metropolitan Councils. A few proponents of women's participation also advocated capacity building, childcare, and more controversially -- quotas, but with little success. By 1993 a Local Government Negotiating Forum was established mirroring the national negotiations taking place at CODESA, but women's access remained miniscule, at less than 1 percent. Civic leaders publicly deplored the low numbers, but little changed.³⁴

The newly elected ANC government in 1994 brought a few improvements in women's access. The first democratic local elections held in 1995 placed women in 19.4 percent of councillor positions and 14.4 percent of all executive committee positions (Coetzee and Naidoo 2002, 179 and Baden et al 1998, 20-21). However, women were frequently placed in ceremonial positions.³⁵ While women's numbers in local government relative to other OECD countries were high, the contrast between the national and local levels became a point of contention.

National organizations and political figures intensely criticized the local electoral procedures that limited women's access. Analysts noted that civic organizations uniformly put men forward candidates as transitional local government councillors. Women in the National Assembly thus advocated a 50 percent quota for local government.³⁶ Their efforts demonstrated that the local

³⁴ Kerry Cullinan, "Forum Lays the Basis for Local Democracy," *Reconstruct*, 1 June 1993, p. 10.

³⁵ See A. Karras, "Real Gender Equality Essential," *The Star*, 28 August 1996 and Aspasi Karras, "Real Gender Equality Essential," *The Star*, 28 August 1996, p. 16.

³⁶ "Customary Tradition and Equality," *Constitutional Talk* 8, 9-29 June 1995, p. 2.

electoral rules of the game were subject to dispute and that women's advocates at the *national* level had the power to advocate change. Women at the local level were dependent upon them for action.³⁷

Women who were present in local government reported a series of obstacles to their agency, including a lack of institutional support and experience, poor infrastructure and sexism. As Jeanie Noel, an ANC councillor from Durban explained, "Most of us women councillors are first-timers as we've never governed before. We went into this with many insecurities and fears about how technical local government structures and processes were."³⁸ In 1994 ANC MPL Mary-Agnus Lehola from the North West province echoed these sentiments, arguing that her position made her less confident, as she lacked information and the means to do her job: "I feel disempowered. I am no longer as good an administrator as I was before I came to parliament."³⁹ A lack of coordination between women in the national parliament and women at the local level added to the confusion: lessons learned and resources were not shared; energies were wasted (Albertyn 1996).

Poverty and blatant sexism compounded these problems. Many women councillors lived in dangerous areas, making travel to and from meetings difficult, particularly in the evenings.⁴⁰ Women reported sexism was pervasive across political parties. Councillor Noel complained that "the IFP men...will not even

³⁷The challenges made on behalf of women were positively reflected in the White Paper on Local Government of 1997 and the Municipal Structures Act of 1998 that evenly divided seats between ward and proportional representation and encouraged a party list quota of 50 percent for women.

³⁸Gil Harper, "A Councillor's Vision," *Agenda* 26 (1995), p. 25.

³⁹Tsholofelo Songo, "Women in Parliament: A Double-Edged Sword," *Provincial Whip* 28 November 1996.

⁴⁰"High Risk for Council Women," *The Argus*, 9 August 1995.

listen when a woman stands up to speak. Black men, no matter what party they represent, do not take us seriously. White men feel women should be kept in their place.”⁴¹ Councillor and MEC of the Greater Pretoria Metropolitan Council Alice Coetzee reported the following conversation at one meeting: “So what do you really do?” An elderly male councillor asked me as we sat waiting for a Council meeting to start. Seeing my non-plussed expression, he added helpfully, ‘I mean, are you a housewife?’”⁴² The pervasiveness of insulting stereotypes across racial groups and political parties combined with structural and institutional barriers meant women had trouble speaking and being heard as equals.

Democratic consolidation did not bring improvements. Indeed, efforts to change the electoral rules to increase women’s numerical presence in 2000 failed.⁴³ Women councillors continued to report a lack of institutional support and sexism that hindered their agency.⁴⁴ According to Pheko-Mothupi, “Most women have a problem with understanding how local government works. Many do not understand the English language or the ‘jargon’ of local government.”⁴⁵ Gawa Samuels, a councillor in the Oostenberg Municipality in the Western Cape added, “Despite the fact that women are better negotiators and better ‘grassroots’ people, men vote for men and more often than not, women vote for men in council meetings.”⁴⁶ Both women and men continued to discount women’s contributions.

⁴¹ Harper, “A Councillor’s Vision,” p. 27.

⁴² From Standing Committee to Empty Desk: A Case Study in Breaking Barriers,” *Democracy in Action*, 15 July 1996, p. 7-8

⁴³The Municipal Structures Act of 1998 encouraged and permitted party lists to promote women candidates but did not mandate quotas (Flick 2000).

⁴⁴See “From the Margins to the Centre: Women in Local Government as Change Agents,” Proceedings of a Seminary Hosted by the Gender Advocacy Programme (GAP), June 24-25, 1999, p. 13 and 41-43.

⁴⁵ *Ibid.*, p. 43.

⁴⁶ As quoted by Rosalee Telela, “Advancing Women in Power,” *Agenda* 45 (2000), p. 41.

Thus women's access, voice and capacity for contestation remained stagnant after the initial influx of women into local government.

In rural areas, some promising developments in select communities occurred early in the transition, but they too failed to generate additional advances.⁴⁷

Traditional village meetings led by hereditary chiefs and their headmen continued to be the mainstay of African rural life in the 1990s. As the sanctioned heads of an extended family network, senior males dominated the community meeting, or *kgotla*. A woman from Moutse described women's experience in these decision-making bodies: "*kgotla* meetings are attended by men only. They once held a meeting at the *kgotla* for all residents. We attended, they asked our views, one woman asked to speak – they said 'sit down, woman [sic] don't speak in these occasions.'"⁴⁸ Customarily, when invited to attend a meeting to give evidence or appeal a decision, a woman was to kneel in front of the men and was permitted to speak only when spoken to. But by the early 1990s, community-wide meetings were becoming more common in select areas and women could sometimes participate.

A few women achieved access to community meetings by being elected as advisors to chiefs. Informally, their ability to speak out and challenge the system was attenuated, as most were on committees that were tasked with development issues, presenting specific information to decision making-bodies as opposed to being members of those bodies (Oellermann [1996?], 13). However, some

⁴⁷ Variation in labor systems and access to land in rural areas across the country was substantial. Commercial farm conditions were quite distinct from rural areas in the former homelands, and opportunities for income varied among them. Nevertheless, female economic dependence and lack of political participation were the norm in all rural areas (Small 1994; Meer 1997).

⁴⁸ *Ibid.*, p. 8.

positive changes occurred when non-governmental organizations intervened. With critical organizational assistance from the Transvaal Action Committee (TRAC), several communities allowed women access to the *kgotla* during the land removal crises of the 1980s. Once the threat passed, women were able to maintain their presence, but not without resistance. When men objected to their inclusion, some women challenged their detractors:

In community meetings nowadays in Mogopa the women are extremely vocal. They often heckle speakers if they do not agree, or break into song to drown an unpopular speaker. Old men try to reassert their power: “*in our tradition women are never seen in meetings*”. The women challenge such assertions, boldly saying that the traditions are outdated; they have participated in the struggle and have earned their right to have a voice (14; italics in original).

In Mogopa, women not only gained access, they also became effective speakers voicing their opinions, challenging male resistance. While women’s access and agency was not widespread, their experiences with TRAC demonstrated that change during crisis was possible. The breakdown of the old regime thus signaled tremendous promise for women in the rural areas.

Unfortunately this potential was not fulfilled. Limited to a handful of rural areas, organizations like TRAC not only failed to expand, they lost momentum as their most dynamic leaders moved into national politics. Without their avid support, rural women made few advances. One woman in Melmoth explained the dilemma presented by new local government institutions this way: “If I stand for a position in my area’s local government, I’ll be seen as opposing the structures that are in existence at the moment and thus the entire society. There is just no culture

of women participating in the political life in our societies.”⁴⁹ When women did gain a seat at a meeting, they rarely spoke or took action of any kind.⁵⁰ Rural women “described women councillors as submissive or afraid to disagree with or question men.”⁵¹ In the Southern Cape, researchers found that women “are given ‘subservient’ activities like catering during functions while men are involved in public debates.”⁵² One researcher who did a study of water committees in a rural area reported, “Women said they didn’t feel they had the right to speak. They said they were shy. Many women seemed to be frightened that if they spoke up other women would complain that they were trying to attract male attention or were being bossy.”⁵³ Most rural residents regarded government positions and political participation as exclusively male terrain.

South African women’s access, voice and capacity for contestation during the transition to democracy varied tremendously by region: elite women benefited most while poor black women in rural areas secured few advances. Nevertheless, some positive change was evident throughout the country. The overall pattern was thus one of improvement during the early 1990s, with dramatic advances at the national level through the 1990s, followed by stagnation. How was this variation in women’s political agency related to outcomes associated with women’s descriptive representation?

Conclusion

⁴⁹ Ntoimb’futhi Zondo, “Rural Women Pessimistic,” *Agenda* 26 (1995), p. 24.

⁵⁰ Pinky Kunene, “Exploring Traditional Leadership,” *Agenda* 26 (1995), p. 38.

⁵¹ *Ibid.*, p. 19.

⁵² Constance N. Yose, “The Social Implications of CPAs,” *GRP Bulletin* 5 (2000).

⁵³ Clare Hansmann as quoted by Kate Skinner, “Making Sure Water Works,” *Sowetan*, 30 July 1998, p. 2.

Advocates of women's descriptive representation have argued that it can improve women's political image, deepen democracy and advance a core set of women's rights. Critics, however, suggest that context is crucial for these benefits to be secured. I have argued that a critical contextual variable linking women's descriptive representation to positive outcomes is women's agency in deliberative bodies at all levels. To develop this claim, I proposed a framework for evaluating women's agency and then applied it to democratizing South Africa. Women's agency in South Africa was neither constant across time nor geographic levels. Clearly, elite women during a democratic transition are likely to have the most agency, and in South Africa that agency reached its height in the period immediately following the first non-racial elections. What were the results for women's political image, democracy and women's rights?

Most impressively, the South African case demonstrates that when talented feminist leaders are in the legislature and not only have agency but the support of the dominant political leadership, significant advances on women's rights are likely. Dynamic women leaders of all political persuasions were also able to expand the content of public debate during this liberal moment, and public opinion surveys indicate that women MPs had legitimacy as political leaders, particularly those women associated with the ANC. Unfortunately, the average South African woman's interest in politics did not rise with women's parliamentary agency, suggesting that changes in the national level are

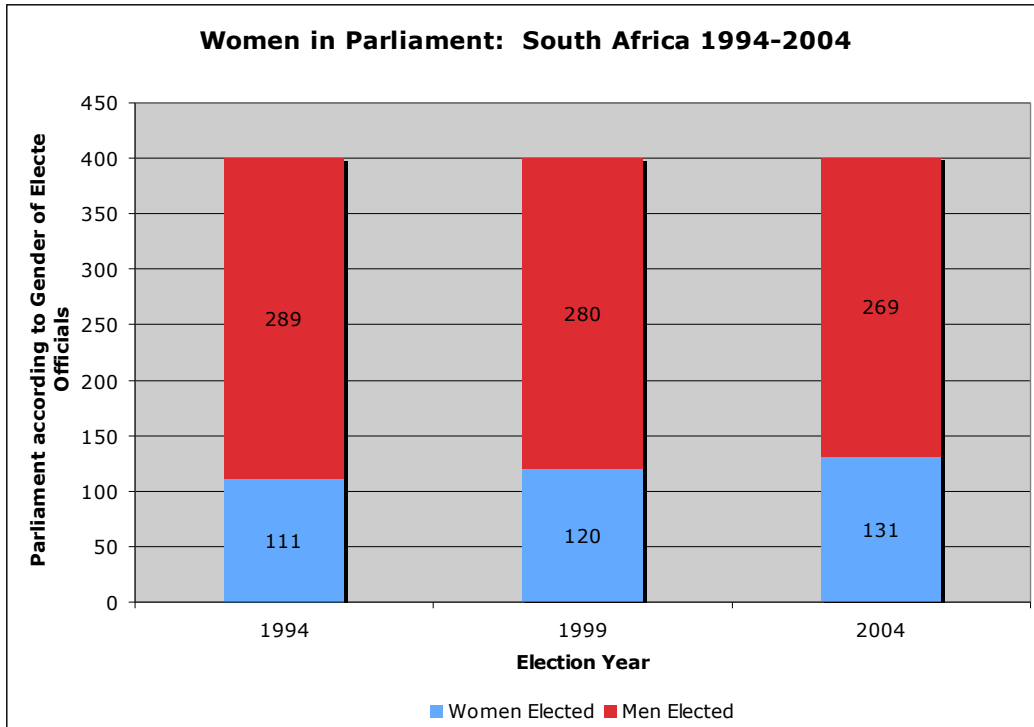
insufficient to galvanize large numbers of women to change their orientation toward politics.⁵⁴

More seriously, as women's agency declined, positive legislation stalled. African National Congress (ANC) elites, like dominant parties and populist leaders elsewhere, used women's descriptive representation as a political tool to enhance their power, advancing and contracting women's agency as it suited them. Although women's substantial presence in parliament initially established a more inclusive form of democratic politics, the ANC later used the party quota and disciplinary tactics to erode women's agency and the breadth of democratic debate. Quite recently, women's rights have been seriously threatened by new legislation. These trends suggest that women's agency is an important variable for advancing the best descriptive representation can offer.

⁵⁴ Research on the psychological and emotional benefits of women's increased representation in South Africa remains to be done.

Appendix A

Table 1.



Bibliography (Incomplete)

Ahikire 2003
Cathi Albertyn, 1994.

- , 1996. "Gender Equality in the Provinces: The Question of Structures," *Agenda* 31 (1996): 6-17.
- Baldez 2002
- Baldez 2004
- Baldez 2006
- Beckwith and Cowell-Meyers 2003
- Blondet, Cecillia. 2002. "'The Devil's Deal': Women's Political Participation and Authoritarianism in Peru." In Maxine Molyneux and Shahra Razavi, eds. *Gender Justice, Development, and Rights*. New York: Oxford University Press.
- Britton, Hannah. 2002. "The Incomplete Revolution: South Africa's Women's Struggle for Parliamentary Transformation." *International Feminist Journal of Politics* 4(1): 43-71.
- , 2006. *Women in the South African Parliament: From Resistance to Governance*. Urbana, IL: University of Illinois Press.
- Budlender 1996.
- Budlender 1999.
- Carroll, Susan. 2001. "Representing Women: Women State Legislators as Agents of Policy-Related Change." In Susan Carroll, ed. *The Impact of Women in Public Office*. Bloomington: Indiana University Press.
- Carroll and Jenkins 2001
- Childs, Sarah, 2002. "Hitting the Target: Are Labour Women MPs 'Acting for Women?'" *Parliamentary Affairs* 55: 143-53.
- Childs, Sarah and Mona Lena Krook. 2006. "Should Feminists Give Up on Critical Mass? A Contingent Yes." *Politics & Gender* 2 (4): 522-530.
- Cockburn, Cynthia. 1991. *In the Way of Women: Men's Resistance to Sex Equality in Organizations*. Ithaca, NY: ILR Press.
- Dahelrup, Drude. 2006. "The Story of the Theory of Critical Mass." *Politics & Gender* 2(4): 511-521.
- Disney, Jennifer. 2005.
- Duerst-Lahti, Georgia and Rita Mae Kelly, eds. 1995. *Gender Power, Leadership, and Governance*. Ann Arbor, MI: The University of Michigan Press.
- Dovi, Suzanne. 2002. "Preferable Descriptive Representatives: Will Just Any Woman, Black, or Latino Do?" *American Political Science Review* 96 (4): 729-743.
- Flick, Glenda. "The Importance of Equality to the Sphere of Local Government." *Agenda* 45 (2000): 33-35.
- Galligan, Yvonne and Manon Tremblay, eds. *Sharing Power: Women, Parliament, Democracy*. Hants, England: Ashgate Publishing Limited.
- Geisler, Gisela.
- Goetz, Anne Marie and Shireen Hassim, eds. 2003. *No Shortcuts to Power: African Women in Politics and Policy Making*. London and New York: Zed Books.
- Grey, Sandra. 2002. "Does Size Matter? Critical mass and New Zealand's Women MPs." *Parliamentary Affairs* 55: 19-29.
- , 2006. "Numbers and Beyond: The Relevance of Critical Mass in Gender

- Research.” *Politics & Gender* 2(4): 492-501.
- Gil Harper, “A Councillor’s Vision,” *Agenda* 26 (1995), p. 25.
- Hassim, Shireen. 2005. *Women’s Organizations and Democracy in South Africa: Contesting Authority*. Madison, WI: University of Wisconsin Press.
- 2006. “Paradoxes of Representation: The Impact of Quotas for Women on Democratisation.” Paper prepared for the Yale Conference on Representation and Popular Rule, New Haven, Connecticut. October 27-28.
- 1999.
- Hawkesworth, Mary. 2003. “Congressional Enactments of Race-Gender: Toward a Theory of Raced-Gendered Institutions.” *American Political Science Review*. 97 (4): 529-550.
- Htun, Mala. 2003. *Sex and the State*. Cambridge: Cambridge University Press.
- 2004. “Is Gender like Ethnicity? The Political Representation of Identity Groups.” *Perspectives on Politics* 2 (3): 439-458.
- 2005. *Politics & Gender*
- Htun and Jones. 2002. “Engendering the Right to Participate in Decision-Making; Electoral Quotas and Women’s Leadership in Latin America.” In Nikki Craske and Maxine Molyneux, eds. *Gender and the Politics of Rights and Democracy in Latin America*. New York: Palgrave.
- Htun and Powers 2005
- International IDEA
- Inter-Parliamentary Union. 2007. “Women in National Parliaments.” December 31. Accessed March 15, 2008. <http://www.ipu.org/wmn-e/classif.htm>
- Little, Thomas H., Dana Dunn, and Rebecca E. Deen. 2001. “A View from the Top: Gender Differences in Legislative Priorities Among State Legislative Leaders.” *Women and Politics* 22: 29-49.
- Kandiyoti, Deniz. 2008.
- Kathlene, Lyn. 1995. “Position Power versus Gender Power: Who Holds the Floor?” In Georgia Duerst-Lahti and Rita Mae Kelly eds. *Gender Power, Leadership, and Governance*. Ann Arbor, MI: The University of Michigan Press.
- Krook, Mona Lena. 2005.
- 2006. “Reforming Representation: The Diffusion of Candidate Gender Quotas Worldwide.” *Politics & Gender* 2 (3): 303-328.
- Little, Dunn and Deen 2001
- Longman 2006
- Lovenduski, Joni, ed. 2005. *State Feminism and Political Representation*. London: Cambridge University Press.
- Mansbridge, Jane. 1999
- 2005. “Quota Problems: Combating the Dangers of Essentialism.” *Politics & Gender*. 1(4): 622-637.
- Mansbridge 2005
- Molyneux, Maxine.
- Nanevadekar 2006

- Nanivadekar 2006
- Norton, Noelle. 1995. "Women, It's Not Enough to Be Elected: Committee Position Makes a Difference." In Georgia Duerst-Lahti and Rita Mae Kelly eds. *Gender Power, Leadership, and Governance*. Ann Arbor, MI: The University of Michigan Press.
- Paxton, Pamela and Melanie M. Hughes. *Women, Politics, and Power: A Global Perspective*. Los Angeles: Pine Forge Press, 2007
- Phillips, Anne. 1995. *The Politics of Presence: The Political Representation of Gender, Ethnicity, and Race*. New York: Oxford University Press.
- Reingold, Beth. 1992. "Concepts of Representation Among Female and male State Legislators." *Legislative Studies Quarterly* 14 (4): 509-37.
- Sanbonmatsu, Kira. 2002. *Democrats, Republicans and the Politics of Women's Place*. Ann Arbor: MI: University of Michigan.
- Schwindt-Bayer, Leslie A. 2006. "Still Supermadres? Gender and the Policy Priorities of Latin American Legislators." *American Journal of Political Science* 50: 570-85.
- Simon Rosenthal 2000
- Steinberg 1992,
- Swers, Michele L. 1998. "Are Women More Likely to Vote for Women's Issue Bills Than Their Male Colleagues?" *Legislative Studies Quarterly* 23: 435-48.
- Swers, Michele L. 2002. *The Difference Women Make: The Policy Impact of Women in Congress*. Chicago: University of Chicago Press.
- Tamale 1999
- Thomas, Sue. 1991. "The Impact of Women on State legislative Priorities." *The Journal of Politics* 53: 958-76.
- Tripp 2006
- Walsh 2006
- Wangnerud, Lena. 2000. "Testing the Politics of Presence: Women's Representation in the Swedish Riksdag." *Scandinavian Political Studies* 23: 67-91.
- Waylen, Georgina. 2007. *Engendering Transitions: Women's Mobilization, Institutions, and Gender Outcomes*. London: Oxford University Press.
- Welch, Susan. 2001. "The Impact of Women in State Legislatures: Numerical and Organizational Strength." In Susan Carroll, ed. *The Impact of Women in Public Office*. Bloomington: Indiana University Press.
- Weldon, Laurel. 2002a. "Beyond Bodies: Institutional Sources of Representation for Women in Democratic Policymaking." *The Journal of Politics* 64(4): 1153-1174.
- 2002b. *Protest, Policy, and the Problem of Violence Against Women: A Cross-National Comparison*. Pittsburgh, PA: University of Pittsburgh Press.