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## THE WOMEN'S STRUGGLE FOR EQUALITY DURING SOUTH AFRICA'S TRANSITION TO DEMOCRACY

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### Introduction

The 1993 Interim Constitution of the Republic of South Africa, with a justiciable Charter of Fundamental Rights, heralded a significant moment in South Africa's transition to democracy. In particular it shifts the parameters within which women are able to claim their rights as equal citizens in an ostensibly 'non-racial and non-sexist' society. The inclusion of 'women' as a category along with race in the preamble and in the Constitution itself was the result of challenges made by women's organisations to the Constitutional negotiating process over the previous two years. This paper is intended to chart that process, and to critically examine its successes and failures, as well as to suggest how far real equality can be achieved in South Africa in the future. The paper begins with an evaluation of the nature of women's political organisation in the past, and the issues and demands which formed the basis of women's political involvement in order to provide the context within which post-1990 initiatives occurred.

The dramatic release in 1989 and 1990 of political prisoners serving life-sentences for their participation in actions aimed at bringing down the apartheid regime unfolded the process of negotiating South Africa's transition to a democracy. A Women's National Coalition was formed in April 1992 comprised of four regional coalitions and approximately 60 national organisations. Its objective was to ensure equality for women in the new constitutional dispensation which was in the process of being negotiated by the country's political parties and political liberation movements.

The coalition emerged out of an initiative of the African National Congress Women's League (ANCWL) in September 1991. Even before the unbanning of the ANC in February 1990, women in the ANCWL had been concerned to place women's position and status on the political agenda for national liberation. In January 1990 the Malibongwe Conference held in Amsterdam had brought internal women activists and exiles together, along with women from other

countries to evaluate and debate the 'woman question' in a future South Africa. The theme of the conference was 'Women united for a unitary, non-racial, democratic South Africa'.<sup>1</sup> The subsequent programme of action gave the notion of a struggle for 'non-sexism' greater prominence, and recognised that national liberation did 'not automatically guarantee the emancipation of women' (Malibongwe Conference, 1990). Resolutions singled out problems faced by women in the rural areas, in the work-place, and the 'double shift'. Patriarchy, in combination with racial oppression and class exploitation, was seen as the principal cause of these problems. Thus women needed to organise themselves within trade unions, in civic and youth movements to wage a struggle for emancipation. Leila Patel, a member of the Federation of Transvaal Women (FEDTRAW), said in her opening address, 'The struggle must be waged simultaneously at all three levels. The question of the emancipation of women is therefore integral to our national democratic struggle'. The perspective outlined in her address suggests a much more self-conscious understanding that in order to emancipate women, a starting point had to be the material conditions within which women lived their lives: 'The point of departure is to start with women's needs and their level of understanding of their reality and to move at their pace'.

The ANCWL was relaunched in August 1990 in Durban, an event criticised for the pre-eminence given to male comrades, and questioning the movement's commitment to women's emancipation. This contrasted rather uneasily with the ANC National Executive Committee's statement on May 2, 1990 about the ANC's commitment to full equality between men and women (ANC, 1990). Within the ANC a small but politically astute group of feminist women had in 1987 forced the movement to acknowledge the fact of gender oppression. Oliver Tambo's now famous statement gave this commitment a high profile.<sup>2</sup> Frene Ginwala saw the May 2nd statement as a further means to 'help push open doors' (*Agenda*, 1990:18). Discussion between the ANC and government during 1990 and 1991 progressed beyond 'talks about talks' to agreement about formal negotiations. In this process women felt sidelined, and it was feared that, as in other transitional situations, women themselves and the particular problems faced by women in society would be ignored. Women in the ANC then felt that an independent women's voice was needed to ensure that women's issues were addressed in the negotiations process. They decided to work through the ANCWL and the newly established Emancipation Commission.

In September 1991, the ANCWL called together women's organisations across the political and ideological spectrum to raise concerns about the neglect of women's issues amongst the country's leaders. There was a need to establish a

broad-based women's lobby which spanned the social, political, and ideological divides to ensure that this neglect was not entrenched in a new political dispensation. In particular, the ANCWL wanted the Constitution to reflect a commitment to equality between men and women. The meeting, attended by representatives from political parties and a wide range of women's organisations established a broad principled agreement on this objective, as well as the general acceptance that women experienced subordination in society. They agreed that a coalition, rather than a new organisation, was the best means of achieving this end.

The launch of the Women's National Coalition (WNC) in April 1992, after widespread consultations and preparations, was an historic moment. It saw women from different class backgrounds, race groups, political parties, from different kinds of women's organisations including the Church, welfare and the health sectors, rub shoulders with one another. They found much to agree upon in the search for common experiences, although their commonalities were based upon a recognition of the diversity of culture, race and class. It is to these differences to which we must look to understand the incredible achievement of the WNC. That National Party women and the ANCWL sat together and debated the need for a coalition of women's interests was short of a miracle.

The experience of segregation and apartheid had created great gulfs between women from different race, class and ethnic backgrounds. Even working class women from different race groups had little in common in a society which had been predicated on racial identity. The migrant labour system and influx control, the labour preference system and job segregation by race and sex had created a differentiated labour market and a social system entirely geared to maintain it.<sup>3</sup> Social movements had arisen early in the century to confront the inhumanity and injustices of the whole system. The circumstances of the emergence of these movements varied, and were dictated by the specific problems of the times. Whilst one can call the Industrial and Commercial Union of the 1920s a social movement, the issues it focused upon were different from those of the social movement unionism of the 1970s and 1980s. Strategies and tactics differed.

In the 1950s and 1980s significant women's organisations emerged dedicated to ending apartheid and oppression. The 1950s Federation of South African Women was linked to the Congress Movement, which, though its affiliates comprised racially exclusive members, the objectives were to create a non-racial society. In the 1980s, the organisations which emerged were themselves explicitly non-racial. In both periods, these were not feminist movements in the sense that their concerns were merely the ending of women's subordination. Their objective was to mobilise women for the general struggle against apartheid, whilst also

introducing a women's perspective into that struggle. Their strategies included public and militant protest. There existed also a host of women's organisations, like the Housewives League (Women's Institutes), the National Council of Women, and welfare organisations whose concerns were more limited to promoting domesticity, or improving the legal and social position of women. They eschewed, and opposed, public displays of protest.

During the 1950s, popular struggles took on what one might call a 'mass' perspective, in that for the first time the African National Congress (ANC) systematically, through its Programme of Action, attempted to draw in support from the labouring classes.<sup>4</sup> The organisations which had emerged to oppose segregation and racism had formed along racially exclusive lines, reflecting the ghettoisation of people's lives. Indian, Coloured, African and White<sup>5</sup> opponents of government policies of racial segregation and white privilege formed their own organisations, although they increasingly acted in concert on specific issues. Women were equal and very active participants in the organisational struggles of these years.

The National Party government, still entrenching its power in the country's state apparatuses during the 1950s, was well in control by the end of the decade. In the 1960s, repressive control was forcefully applied to steer South Africa on its path to preserving white domination. Apartheid policies gradually imposed more systematic controls over the residence and movement of black people. Freedom of association and of political organisation were severely curtailed as the National Party's stranglehold intensified. The ANC and other oppositional organisations were banned and driven underground in the early-1960s. In 1983 Tom Lodge suggested that the political tranquility of the 1960s was a consequence of increased police vigilance combined with the silencing of a radical press and official regulation of peoples's lives (Lodge, 1983:chapter 13). Broederbond visionaries spearheaded their apartheid planning in every aspect of life, justifying it with their 'separate but equal' ideology.

The political costs of establishing the administration and controls of the apartheid system became more evident in the 1970s, as mass strikes and popular struggles began to occur. Colonialism had in large measure given way to independence throughout the colonial world. The 1973 strikes heralded a new phase in the organisation of an independent trade union movement. And after the 1976 Soweto uprisings by schoolchildren there emerged a stronger impetus for internal oppositional social movements to organise against apartheid. Trade unions grew in support and in organisational discipline. Student movements with strong links to the unions emerged. In the townships, civic movements confronted the structures set up by government to govern life in urban areas. The

ANC in exile found itself swamped with young men and women seeking to join its ranks. By the end of the decade South Africa's rulers faced more organised popular resistance than ever before. This was compounded by the fact that the ANC in exile had, during the 1970s and 1980s, established itself as a government in exile, with a sophisticated international support network. A strong international lobby was established which supported boycotts of South African produce and the imposition of an arms embargo. Government intransigence and repression of what appeared to be legitimate demands of the oppressed were to make South Africa a pariah in the international order.

South Africa had a long tradition of opposition to colonialism, both amongst African chiefdoms and kingdoms, but also, ironically, amongst different Afrikaner communities. The Boer war had been fought to prevent Britain from imposing its control over independent Boer Republics, which were also the homeland of several chiefdoms, and, perhaps more significantly, the geographical location of the largest gold deposits in the world. After 1910, African people left out of the political negotiations were both bitterly disappointed and angry. The South African National Native Congress, which had formed in 1912 with the unification of regional African political organisations, was one of the most vociferous in opposing the political exclusion of the African and other peoples. They petitioned the monarchy in England, and sent a delegation to argue their case. Participants were all men. Women were excluded from the political activities of these organisations. Women's concerns were considered to be in the realm of the 'private' whilst public matters were the concern of men. Referring to one of the earliest militant protests of women in Bloemfontein in 1913, a study by Julia Wells shows, however, how in protecting these interests, women were 'strikingly brave, bold-political', their militancy surpassing that of men (Wells, 1993:1). In 1913 African women in Bloemfontein protested against their being forced to carry passes. The unity and sanctity of family life became symbolised in the icon of African women as the 'mothers of the nation'. Women's self-sacrifice was to give courage and devotion to the men whose responsibility was to take a public stand in the cause of political inclusivity. A few years later, Afrikaner women were also prompted to protest as 'volks-moeders' in a huge demonstration at the Union Buildings, when one of the heroes of the Boer war, General Christiaan de Wet was imprisoned for treasonous activities at the outbreak of the First World War (Brink, 1990:280).

## Brief History of Women's Struggles in South Africa: issues and organisation

White women in South Africa began organising politically for the franchise as early as 1894 with the Franchise Department of the Women's Christian Temperance Union (WCTU), and more systematically with the formation of the Women's Enfranchisement Association of the Union (WEAU) in 1911 (Walker, 1979). Its members, all white, never questioned the racial exclusiveness of the franchise, and indeed accepted the differential qualifications which existed between the northern provinces and the Cape Province (Walker, 1990b:314). These gave the vote on the basis of education and property, excluding women and all but a tiny minority of Coloured and African men in the Cape. There was little support for the women's franchise, despite the fact that the WEAU's politics provided further support for white domination.

Afrikaner women had kept out of the franchise debate, and the National Party had been viciferously opposed to it. However, in 1923, afraid that the issue might leave them behind, leading Nationalist women endorsed the inauguration of the Women's National Party (Walker, 1990b:333). Their position was captured in the words of Mrs EG Malan, quoted in Cheryl Walker's study, 'With regard to women's suffrage, they must ensure that if they get it the best men come to the head of affairs. Nationalist women must be organised. They must know on election day for whom they must vote' (Walker, 1990b:333).<sup>6</sup> The campaign for the vote for women then became tied to excluding black women. '*Die vrou wil nie saam met die kaffer stem nie*', announced the Transvaal region of the Women's National Party (Walker, 1990b:335). The final acquisition of the vote for women in May 1930 constituted a paternal triumph, as well as a racist one, for it was a nail in the coffin of the African vote in the Cape, and of course it excluded all black women.

The 1913 women's protests against passes in Bloemfontein was one of the earliest campaigns led by politically organised urban-based black women. Passes limited and regulated the independence of African and Coloured women. Women complained about the abuse they were subjected to by police and municipal officials (Wells, 1993:chapter 2). They had organised a petition signed by over 5,000 women from all over the Orange Free State to the Minister of Finance (who also held the portfolio of Native Affairs) about the indignities they suffered as a result of the pass laws. A deputation of six women visited Cape Town in April 1912 to press the issue. National ministers were sympathetic, but at the local level there was a singular determination to implement pass regulations. Matters came to a head in May the following year when considerable numbers of women were

arrested for contravening the pass laws. This provoked on-going passive resistance from women all over the Orange Free State. They formed an organisation called the Orange Free State Native and Coloured Women's Association which gathered support from the African People's Organisation (a mainly Coloured organisation based in the Western Cape) as well as the SANNC. The issue continued to simmer for several years, though the First World War saw a moratorium on protests by Africans in support of the war effort. It exploded again in 1919, and was linked to issues of wages and the cost of living.

The militant opposition of the women of Bloemfontein had provided a forewarning of how deeply resented were the pass laws. Indeed, it was their actions which determined that women should be excluded from the restrictions imposed on male migrants and workers in the Native (Urban Areas) Act in 1923. Women's militancy was to dog any attempts by municipal authorities to enforce passes on women. Indeed, any threat posed to their ability to maintain family life often led women into passionate and militant political action. Their capacity to mobilise has given African women in South Africa an aura of power and mystique. Paradoxically, women are also conceived as the most exploited and oppressed members of society.

Under customary law women were denied adult status, and were subject to male control. The migrant labour system had given women in rural areas greater responsibility for ensuring the maintenance of subsistence production and for the upbringing and welfare of children. This placed a much greater burden on women. Yet women in rural areas were in many ways more disadvantaged than their counterparts in urban areas. They were directly affected by the authority of chiefs and customary law. As minors in law, women could not own or inherit land or moveable property nor could they gain credit. Their access to means of subsistence depended upon their subservience to a chief and attachment to a male relative or spouse. Also significant was that whilst motherhood gave women great responsibilities, it did not provide women with rights over their children. Instead, custody and guardianship over children rested, in theory, solely with men. In practice, however, women found multiple ways of asserting their independence, and of protecting themselves within the parameters of tradition and custom. Educated women in particular were able to escape the worst aspects of male control.

It was three decades before any government attempted again to impose passes on women. During the 1950s, the National Party government began to implement its plans to more systematically canalise African labour and control who could live in the urban areas. More an ideology than a grand plan, apartheid developed piece-meal (Posel, 1991). Plans to impose passes on women were again mooted

as part of a strategy to limit African urbanisation. And when the National Party government did so in 1952 with the Abolition of Passes and Coordination of Documents Act, they once more unleashed the ire of women.

In 1952 women from trade unions and various political organisations discussed the need for a new women's organisation to address women's grievances and their rights. These discussions resulted in the formation of the Federation of South African Women (FSAW) in 1953. Membership of the FSAW was based on organisational rather than individual membership (Walker, 1982:chapter 11). Its objectives were to improve the conditions under which women lived in South Africa. The opening Conference in 1954 drafted the Women's Charter which established the principle of full equality with men and challenged gender stereotypes. Cheryl Walker in her important study of the history of women's resistance in South Africa suggests that the aims of the new organisation were 'far more sweeping in its proposals than any put forward by other contemporary women's organisations' (Walker, 1982:159). The delegates were quite explicit that their task was not merely to mobilise women for the programmes of the Congress organisations. They 'wanted to expand the scope of women's work within the national liberation movement' (Walker, 1982:159). Twenty years before women's lib, the organisers persuaded men to do the catering at the conference, a factor noted by the newspapers which reported on it!

The Defiance Campaign had forced the government to shelve plans in the early-1950s to enforce passes for women, but in 1954 and 1956 these were again on the agenda. This time the state was more determined that it should limit further urbanisation, and that it should do so by halting the influx of women. For the state, it was imperative that women's mobility be contained and that they carry passes. So from the moment of its inception, the FSAW directed its energies almost entirely to anti-pass campaigns. Its organisational capacity was constantly threatened by coercive state action against its leaders, many of whom were banned. Another difficulty was the relationship between the Federation and its affiliates. The ANCWL was somewhat wary of the FSAW, and had insisted on organisational rather than individual membership. However, the mid-1950s proved to be decisive in terms of resistance politics in general. The Congress of the People held at Kliptown in June 1955 provided an opportunity for the FSAW to participate equally with other organisations in drawing up the Freedom Charter. This ensured that issues of concern to women were reflected in the Charter. These revolved around living conditions, but extended to education, health facilities as well as emphasising the issue of equality with men in social, political, legal, and economic matters.

The government also moved to disenfranchise the African and Coloured voters in the Cape. To do so they increased the numbers of senate members. A group of women then formed an organisation called the Defence of the Constitution League in 1955. Comprised of a small group of white liberals, membership remained small and middle class. Few black women were induced to join. However, as its emphasis became more and more focused on human rights issues, a number of black women were drawn in as employees to assist in the work of advice. Advice Offices served an important support function for people facing the consequences of apartheid laws and repression. The Black Sash, as it came to be called, closely monitored the consequences of legislation, and held periodic public, silent and individual protests. Its members wore the distinctive black sash associated with the name of the organisation, they held placards identifying the cause of protest. During the 1980s, the Black Sash also turned its attention to assisting communities under threat of removal when it formed the Transvaal Rural Action Committee (TRAC). In 1985 TRAC joined up with similar organisations from other regions to form the National Land Committee. During the late-1980s and early-1990s women's issues became an issue in the organisation as a new generation of younger women informed by feminist concerns became active members. The Black Sash, through its field workers in TRAC, in particular Mam'Lydia Kompe, became a moving force in assisting the establishment of the Rural Women's Movement. Though small in numbers, the RWM has been important in giving voice to the problems and needs of rural black women. It has called for a review of customary law and practices, and in particular has advocated the right of women to inheritance and to land ownership.

During the 1980s, as youth and civic movements grew in numbers, so the need for an organisation to articulate the needs of women emerged. Non-racial regional women's organisations sprang up from 1981. The United Women's Organisation (UWO) in the Western Cape was one of the first of a new generation of organisations to espouse and practice a systematic non-racial and cross-class perspective.<sup>7</sup> A number of its members were former FSAW and ANCWL members, like Dorothy Nyembe and Mildred Lesia, the latter had cut her political teeth in the trade unions and the ANC, and Amy Thornton, a white activist in the 1950s. But the driving force in the organisation were younger women, who drew inspiration from the past traditions of the FSAW, but who were very conscious of the different political conditions pertaining in the 1980s. For instance, the issue of membership was clear, it was to be on an individual basis, which would allow for all progressive women to join. However, there was also an understanding of the difficulties such a broad-based membership could have. Thus a principle of

the organisation was that members should not belong to other women's organisations. This structure did not affect union membership or membership of civic structures, but it posed dilemmas for women who belonged to the Black Sash for instance.

The branch structure of the UWO was the subject of considerable debate. There was concern that residential area branch organisation would simply reproduce the separation imposed by the group areas act. This was overcome by the inclusive Council structure, to which the executive was accountable. Each branch became an arena for the empowerment of women: there they built confidence and learned about conducting meetings, taking minutes, engaging in discussion and establishing their own area programmes based on their specific needs and interests. Each member had the opportunity to chair meetings and take responsibility for minutes and organising meetings. Every member had the opportunity to represent her branch at the fortnightly Council meetings. Thus branch initiatives were balanced with the issues raised in the executive, and the regional programmes which emerged from the Council discussions and decisions. The UWO built a close-knit, efficient and effective organisation by the time the United Democratic Front (UDF) emerged in 1983, and was able to take up issues and act upon them quickly. Meetings were frequent and well attended. The objectives of the UWO were to mobilise women in the struggle against apartheid, and to bring women's interests to bear on the wider movement.

With the establishment of the UDF the organisation was faced with a dilemma: it had built up a strong leadership cadre, but it was not so strong that it could do without them. Yet it was imperative that its leadership be part of the UDF leadership core. Indeed the departure of leaders like Cheryl Carolus to the UDF, and the involvement of women in UDF branch structures, did in fact weaken the effectiveness of the UWO. An Organising Group was set up to try and counter these problems. But it became very difficult for women to attend branch meetings of both. In the later-1980s, as both resistance and repression intensified, members of the UWO and other UDF affiliated organisations were increasingly detained for long periods.

Women's organisations in the other provinces took somewhat longer to establish themselves, and neither the Natal Organisation of Women (NOW) nor the Federation of Transvaal Women (FEDTRAW) achieved the effective organisational strength of the UWO. This was partly a reflection of the different political conditions pertaining in the different regions, and partly to do with the strength of other organisations, like civics and youth organisations, which attracted the support of politically motivated women.<sup>8</sup> It reflected, too, a limited concern and understanding of gender relations and the subordination of women

in the anti-apartheid struggle. The debate about the relationship between nationalism and gender oppression was not part of the discourse during the 1980s. Where the issue was raised at all, discussion did not go beyond the divisive effects which such a problematic might introduce into opposition politics. This was only to become an issue in the 1990s, once a feminist perspective began to be articulated by women within the ANC itself.

### **Women's Response to Political Change: nationalism and transformation**

The unbanning of the liberation movements transformed the whole texture of politics in South Africa. Instead of clandestine meetings, covert membership, and armed struggle, the ANC, PAC and other political organisations were able to enunciate their political principles and recruit members openly. An area of tension did arise in respect of what would happen to the UDF and its affiliate organisations. What was the relationship of the ANC, still a movement rather than a political party, to the internal movements? This dilemma also faced the women's organisations around the country. One key dilemma related to the need for women's organisations to remain autonomous. One of the lessons learned from Mozambique and Zimbabwe was how the incorporation of women's organisations in the state had demobilised women's initiatives. Would dissolving into the ANCWL fetter that independence? The re-launch of the ANCWL as an autonomous organisation aligned with the ANC seemed to put these concerns to rest, for the regional organisations did in fact dissolve and join the League.

For the ANCWL, a major issue was that of translating the commitment of the ANC to women's emancipation into a reality reflected in leadership positions and treating women as equals. Frene Ginwala, a senior member of the ANC in exile, deputy head of the ANC's Emancipation Commission and head of the ANC Research Department before she was elected to Parliament in 1994 and made Speaker of the House of Assembly, also a strong feminist, suggested that there was a growing understanding within the ANC of 'gender oppression' as a structural condition. To transform this, radical change is required.<sup>9</sup> Ginwala's hand is widely believed to have drafted the May 2 NEC statement on the 'Emancipation of women in South Africa'. This took the movement's commitment beyond its previous position of simply mobilising women for the struggle against apartheid. In the past, although women's oppression was recognised in agreement about women's triple oppression - class, race, and sex - dealing with the latter was to wait until the first two had been solved by the dissolution of apartheid. This last perspective is reflected, for instance, in the

pages of the *African Communist*, mouthpiece of the South African Communist Party, which argued that women's oppression was a 'subordinate, less antagonistic contradiction' than that of race or class oppression (Clara, 1989:118). However, the 1990 Statement committed the ANC to including women's oppression as an integral part of the struggle for liberation. That a fundamental restructuring was in order was reflected in the commitment to tackling 'the material base, the legal system, the political and other institutions and the ideological and cultural underpinning of gender oppression now and in the future'. It acknowledged that affirmative action would have to rectify 'patterns of discrimination'.

Whilst this statement reflected the sophisticated understanding of leadership in the ANC, there was little discussion of the statement in the newly established branches of the movement. Thus at the ANC July 1991 Conference, the ANCWL pushed for a quota system in the NEC. Although the majority of the 2,000 delegates did not support the proposal for a quota, the debate was conducted with intensity. The process which resolved the quota debate was lengthy and emotional. Not a single member of the NEC spoke in favour of the quota, and the ANCWL had underestimated the conservatism of the broad membership of the ANC, including many women who also voted against the quota (Horn, 1991:37). Mary Turok quotes Nelson Mandela after the Conference: 'I can say with all confidence after that debate, and after the women had demonstrated their intensity of feeling on this issue, the ANC will never be the same' (Turok, 1991:9). The ANCWL conference in Kimberley in 1991 was more sober in its understanding of how great was their task to conscientise and educate people about the oppression of women. The conference elected Baleka Kgositsile to the key post of Secretary General. She recognised that women's liberation was 'not an automatic thing, but it has to be fought for by women' (Daniels, 1991:35). For some time the League had been debating the issue of drawing up a Women's Charter. But, crucially, the League also argued that it should reflect the demands of all South African women: 'it is an issue for all South African women, not just ANC women, although the League will have to spearhead the campaign', said Baleka Kgositsile (Daniels, 1991:35). In September the League called the first meeting to propose an alliance of women's organisations to launch a 'Charter campaign'.

### **The Women's National Coalition and the Charter Campaign**

On September 27, 1991 the first of a great number of conferences, workshops, seminars and consultations was held with 30 women's organisations to discuss the aim of drawing up a Women's Charter of equality. At this meeting the

delegates found common interests and concerns on a number of key areas. They agreed on the fact of gender oppression and that in diverse ways it affects all women in South Africa. They agreed, too, that fundamental changes must eliminate not only racism, but sexism also. Frene Ginwala's opening address pin-pointed the objectives of the Coalition: 'Women will have to make sure that the constitution goes beyond a ritualistic commitment to equality and actually lays the basis for effective gender equality'. When the WNC was launched at a Conference in April 1992, it had 60 national organisations and four regional coalitions affiliated to it. By February 1994, when it presented the 'Women's Charter for Effective Equality' to a Women's Convention, 90 national organisations and 14 regional coalitions were members.

The WNC approached the matter of diversity with sensitivity. Whilst recognising that women shared subordination and oppression, their experiences in every-day life differed according to their material circumstances. Middle class women and working class women, black and white, Christian, Hindu, Islamic women saw and experienced life very differently. This recognition of difference was what in fact made possible the coalition of women across such a broad ideological and political range. It moved away from the essentialism which had dogged feminist initiatives elsewhere in the world.

But there were problems in coming to agreement about the structure of the Coalition and its relationship to member organisations. Fears were expressed that the WNC might impinge on the autonomy of organisations, whilst a number feared the dominance of political parties. The number of voting delegates also created tensions, with smaller organisations resisting being swamped by more numerous, politically-aligned groups. Once these problems were resolved, the objectives of the Coalitions were hammered out. The WNC was mandated by delegates at the launching conference to organise a campaign to consult with women throughout South Africa about their problems, needs and hopes for the future. It took many months for a programme, funding, and an office to conduct the campaign, to be set up.

During this whole process, the country was in crisis. Violence had escalated to unprecedented proportions, and the high-profile media campaign envisaged by the WNC to highlight its objectives was somewhat side-lined. At the same time, members of the executive and the steering committee were also involved in the negotiations of CODESA as advisors and lobbyists. The ANCWL, for instance, was engaged in a critique of the terms of reference of the working groups set up at CODESA. Women's caucuses of the different political parties were also angry at the paucity of women on the various delegations. The combined pressure of the women led to the establishment of a Gender Advisory

Committee (GAC) at CODESA. But the violence led to the breakdown of CODESA just as the GAC was getting off the ground. When the second round of talks, known as the Multi-Party Talks, began in March 1993, the WNC had established its national office and campaign strategy, and was sufficiently organised to set up a monitoring process which worked very effectively indeed.

The Negotiations Monitoring Team provided reports and information to the WNC member organisations (Albertyn, 1994). Its work made possible the most significant intervention of the WNC in the constitutional process. This was over the question of the equality provisions in the Bill of Rights, to which traditional leaders objected. Chief Nonkonyana led the assault on equality for women by seeking the exclusion of customary law from the purview of the Bill of Rights. He also sought recognition of the powers and status of chiefs. There was an outcry from the women's caucus and members of the WNC at the compromise. The ANCWL felt that its own party was compromising women's position, and also compromising the notion of equality. The debate was aired on radio and television, and gave the WNC much needed publicity. The final outcome was the removal of the offending compromise clause.

Meanwhile, the WNC launched its programme to educate and elicit women's demands for the Charter. This process went hand in hand with a nation-wide participatory research project.<sup>10</sup> Members of the WNC regional coalitions and organisations were trained in focus group facilitation. Questionnaires were drawn up on the monthly campaign themes to elicit women's views. The research and campaign eventually got underway in July 1993. The idea was that the research should be owned by those involved and that it should also be an empowering process. A pilot project revealed that the methodology of focus groups was an effective way of enabling women to voice their feelings without feeling uncomfortable or intimidated. This was followed by research by a professional research company as a comparative 'test' of the findings conducted by the WNC. In every instance, the findings of the WNC were confirmed by those of the professional research company. The analysis of the research was conducted by a team comprised of qualitative and quantitative analysts and research interns from University and research NGOs. The outcome of the research was a two volume study analysing the findings which came from the multiple research methods undertaken during the campaign - chain letters, questionnaires, demands made at meetings and conferences, and the focus groups. The latter were based upon a mapping exercise undertaken by three researchers: Debbie Budlender (who conceptualised the research process for the WNC), Moira Maconachie (a member of the RSG) and Milla MacLoughlin (from the Development Bank of South Africa). The mapping identified the regional,

racial, cultural and linguistic demography of women in South Africa. Research attempted to interview women on a sample based on this distribution. It is estimated that the campaign and the research reached more than two million women in the country. The findings of the research formed the basis of the 'Women's Charter for Effective Equality' which was initially drafted by members of the research team. The draft was presented to the February 1994 Women's Convention, and then revised by a committee set up by the conference, including the original drafters.

It was envisaged that the Charter would perform a dual function. It would reflect the diversity of demands of South African women. It would thus be a political document around which women's organisations could mobilise and act in their own chosen ways. Some hoped that the Charter could become the focus for the mobilisation and organisation of a strong and effective women's movement in South Africa. Since the release of the Charter (it was first released in draft form in February 1994, and in its final form in June 1994), this hope has not been realised. Part of the reason for this lies in the very diversity of interests involved in the WNC: there has been little to hold a sustained movement together, apart from the recognition of diversity.

Women's capacity to work together depends upon mobilising around unifying issues, and since the elections, these have not emerged in a way to engage the WNC. The WNC elected to continue its existence in order to popularise and take forward the aims expressed in the Charter, but it has been characterised by leadership problems and lack of money. The leadership capable of drawing women together on a national level has been sucked into Parliament, where energies have been dispersed in national politics and the tasks of the moment, rather than in fighting the gender struggle.

However, a small caucus of Parliamentarians have made significant interventions which have received considerable publicity. Accompanying the Budget, was the launch of a 'Women's Budget'. Work commenced by the WNC during the period of its campaign with respect to national machinery for ensuring women's substantive equality and opportunities in government and society has in recent months also begun to come to fruition, thanks to the efforts of women within government and in Parliament. Gender desks within regional government departments are being established in some provinces. Significant, too, is the establishment of the Office of the Status of Women in the President's Office. Its task will be to monitor the progress of women's position in society. A further welcome development is the Bill to establish the Gender Commission, which appeared in the Government Gazette recently.

The second purpose of the Charter had envisaged influencing the shape of the new Constitution, law and public policy. In this area, the Charter and the WNC has played an important role. The acceptance of the notion of effective equality, which points to the areas of women's experience of civil society which prevents their enjoyment of equal rights with men, was acknowledged by President Mandela when the completed Charter was presented to him in August 1994.

### **Effectiveness of WNC and the Charter for Women's Interests**

How effective have these organisational realignments been for women's interests? The effect of the campaign dramatically altered the visibility of women during the height of its campaign from June 1993 to February 1994. This had significant effects on the negotiations for a new constitution, particularly with respect to women's representation and with respect to ensuring that women's interests be protected by the Bill of Rights. The campaign involved mobilising the media, initiating education workshops around the country on the themes of women's legal status, access to rural and urban land and resources, violence against women, health and work, as well as conducting the research.

The campaign transformed the profile and discourse around women and gender relations. It gave substance to the shadowy notion of 'non-sexism' and asserted the importance of women's particular disabilities in the debate about human rights in South Africa. Changes in the law have subsequently outlawed rape in marriage, offered protection from domestic violence for women, and illegalised discrimination against women. These changes signalled the success of women's campaigns for their rights even in the private sphere. The WNC campaign engaged the whole of South African society in questioning its norms about women's status and women's citizenship.

The Charter has been used as a touchstone for the needs and demands of women in South Africa in policy prescriptions and in legislation. The Gender Commission, which was one of the structures agreed upon in the interim Constitution, will be set up by the end of 1996, a move which had seemed doubtful as legislation did not see the light of day until recently.

Yet the WNC has not turned out to be the long-hoped-for women's movement which could sustain the struggle for women's emancipation. It decided to continue its existence to implement the Charter it had drawn up, but was beset with organisational and leadership problems. The elections saw its leaders troop into Parliament en masse, and the coalition of organisations do not seem to have produced the collective will to take on the implementation of the Charter. Instead, what has transpired are a series of campaigns around burning issues which have not been led by the WNC. The most crucial area of concern for women has been

that of violence, both against themselves and in the country at large. Yet the WNC has been unable to provide any lead as to how to prioritise this, or any other issue of immediate concern to women. At the same time, whenever the problems of women's subordination or oppression are raised, there is a general recognition that without a women's movement in civil society to press for change, the future for women looks bleak. Either the WNC will have to readdress itself to the task of finding the issues which will generate the commitment and support it needs to create that movement or it will simply fade out, much as earlier women's organisations did. The secret of mobilising women is in finding those issues which affect them most, in the particular conditions of their lives.

### NOTES

1. Papers of the Malibongwe Conference are held in the Library, Centre for Applied Legal Studies, University of the Witwatersrand.
2. See discussion "'Picking up the Gauntlet': women discuss ANC Statement', *Agenda*, 8, 1990.
3. See Posel (1991) for a thorough discussion of this process.
4. See Lodge (1983) for a full discussion of popular struggles during this period.
5. The Population Registration Act defined South Africans in terms of their colour. This terminology is used in this paper in capital letters rather than the rather more cumbersome use of inverted commas.
6. Translated by Walker from the original in *Die Burger*, March 2, 1923.
7. The following section is based upon my own experience in the UWOC, to which I belonged from 1981, its inception, until 1984, when I left Cape Town to live in Natal. There I joined the Natal Organisation of Women in 1985.
8. The history of women's organisation during the 1980s remains to be researched and written.
9. See Ginwala's contribution to the discussion in *Agenda*, 8, 1990.
10. The author was a member of the Research Supervisory Group and co-ordinator of the overall research process.

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