History Matters: Exploring Women’s Political Representation in Post Apartheid KwaZulu-Natal, South Africa

A thesis submitted to the University of Manchester for the degree of Doctor of Philosophy in the Faculty of Humanities

2012

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ABSTRACT

The main aim of this thesis is to examine the processes and procedures for promoting local government democracy in post-apartheid South Africa. This study principally investigates the extent to which local government reforms empower women in local politics, given the context, constraints and contested discourses in the historical meaning of ‘women’, as well as the history of institution making in South Africa. In order to achieve this, the study explores local government reforms processes’ contribution to the nature of women’s political participation and representation in local politics. The study further explains the relationship between political parties’ and that of government in the participation of women in local politics. Lastly, the study identifies ingrained factors shaping women’s participation in local politics prevalent in spite of reforms.

The study has adopted an institutionalist approach and uses critical theory in order gain deeper insights about women’s participation and representation in local politics. The study adopts a qualitative research strategy, due to the fact that it favours particular instruments that are suited to explore some of the experiences and practices of the main actors involved in local politics. It triangulates both secondary and primary sources of data gathered in South Africa. In-depth interviews were conducted with 30 interviewees from two selected municipalities in the province of KwaZulu-Natal, and two sampled political parties as an endeavour to obtain a diversity of viewpoints about the political reforms. Furthermore, the secondary data from government sources and political parties’ sources was used. Archival research was complemented with municipal reports and policies in order to establish the relationship between national directives and local implementation on institutional development. These methodological approaches were used due to the fact that they highlight the multiplicity and diversity of political institutions that exist even at local level.

The findings show that there are political spaces opened through reforms for women to participate in political processes in local government politics. The study found that there are local municipalities led by women mayors and some were under women’s political leadership from the beginning -- following the second reorganisation of local government. Nonetheless, the levels of state (national, provincial and local) and diverse interests of societal actors in local politics challenged the democratisation processes. Basically, the government has contradictory dominant roles in the reform processes. However, societal actors, which comprise political parties and traditional authorities influence reforms (in) directly. Further findings show contradictions among institutions, which favours other actors in local politics, while restricting women’s long-term political careers. Overall, this study concludes that the reform process has achieved the objective in opening political spaces for women in local politics. However, these new spaces in a post-apartheid society seem to be depoliticised, which eclipses how the political system remains prone to the influence of multiple discourses of liberation, as well as the partial historical convergence of interests at the local political level.
DECLARATION

No portion of the work referred to in this thesis has been submitted in support of an application for another degree or qualification for another degree or qualification of this or any other university or other institute of learning.

Sithembiso Lindelihle Myeni, May 2012
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ACKNOWLEDGEMENTS

There are many people and institutions that immensely contributed to the success of my PhD, without their support (financial, academic and personal) it may never have been started, researched, written or finished. I would like to express my sincere gratitude to the following people:

To the Ford Foundation International Fellowship Program for funding my PhD, and provided me research funding to carry my fieldwork research in South Africa. I am proud to have been given the chance by such a prestigious sponsor and to be involved in the Ford Foundation Fellowship’s quest to address issues of Social Justice, and hope that my work can contribute to this goal being realised. I appreciate contribution of the scholarship.

To Dr Sarah Bracking and Dr Tanja R Müller, my supervisors for their outstanding professional guidance, creative criticisms and their persistence in questioning made me to rethink some of the issues I was tackling until I shaped my ideas, research and writing. I am grateful to them for their academic support and meticulous efforts in going through several drafts of my thesis. I learned a lot thanks to their support and I will always remain in their debt.

To archivists and staff at Killie Campbell Africana Library and Alan Paton Centre and Struggle Archives both at the University of KwaZulu-Natal as well as staff at Ulundi Archive Repository. I am indebted to staff at IFP Offices, Jozini Local Municipality and Ubuhlebezwe Local Municipality. The assistance I received from the people while conducting research in their own institutions enabled me to access a significant number of documents, some of which I would have not been able to locate by myself. I am also indebted to my respondents for their time, patience, and attention in explaining and answering my never-ending questions. It was an immense privilege to meet, listen and learn so much from them. I owe a special debt to Mr Archie Khuboni who assisted me in gathering respondents and enlightened me about the historical and political dynamics of Ixopo. I remain most grateful for their help.

To former colleagues and friends in South Africa, I am thankful to Janine Hicks, Thami Ngwenya, Mfanozelwe Shozi, Dr Maretha de Waal, Masefako Segooa and Sibusiso Alwar for giving me my first research opportunity in local politics of development, which was the start of what, will remain a life-long passion. I would also like to thank Dr Bheki Mngomezulu, whose friendship and assistance has been such a support from the beginning of my academic career. I am indebted to my peer colleagues at the IDPM – Dr Asad Ghalib and Enya Ameza. I owe special debt to Francis Sanyare who have helped me with points of detail and directed me to sources I did not know as well as to Mologadi Mthimunye (Malatsi) for her editorial input.

To Lance Mambondiani, who has played such a central and supportive role in the completion of my PhD. I am lucky that I have had a true brother in Manchester with whom to share the ups and downs beyond the entire process. I owe a special debt to Shingi Aretha Mambondiani for an overload that she had to carry and have helped to respond to emergencies during my stay in Manchester. I further owe special debt to Buckley’s family (Edgar Sydney Buckley and Peter Buckley) for an unconditional support.
during the writing process of my PhD. Your support helped me overcome the challenge of studying abroad.

My heartfelt appreciation goes to my family – my ageing parents, Nester Myeni and Paulos Myeni, and my sisters (Nompumelelo Myeni, Zodwa Myeni, Khombi Myeni and Noxolo Myeni) whose support and encouragement has sustained and supported me throughout my PhD. Special thanks to my fiancé “Qiniso Dlongolo” and our son “Olwethu Wandile Myeni” for their tolerance and understanding during my stay in Manchester. My full-time commitment to my studies for the past four years entailed huge sacrifices from them. Your love and support was a constant reminder that even when absorbed in politics of everyday life about women, home was never far away.

Finally, I would like to take responsibility for all the errors and lack of judgements, I committed unintentionally in this study.
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CHAPTER 1: WOMEN IN POLITICS AN INTRODUCTION

1.1 INTRODUCTION

This chapter provides an overview of the entire thesis and its organisation. The first section of the study provides the background of the study through a broader literature review on how women are represented in politics. This chapter aims to express the need to study the politics of women’s participation and representation in the local state; owing to the perpetual under-representation of women in politics, as well as their lack of decision-making powers. Furthermore, the chapter covers the significance of the study, research objectives, the choice and location of the study, the scope of the study and research methods as well as the structure of the thesis.

The last decade has witnessed the entry and presence of a cohort of South Africa’s women into the public office. The larger wave of political reforms – the democratisation1, the decentralisation2 of governments and the institutional restructuring – all contributed to the presence and increased number of women politicians in national and provincial legislatures as well as in municipal councils. These political reforms represent part of a larger shift from a tragic history of racial discrimination and

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1 In this study I am using the concept ‘democratisation’ as defined by O’Donnell and Schmitter (1986:7), which refers to the processes whereby the rules and procedures of citizenship are either applied to political institutions previously governed by other principles (e.g. coercive control, social tradition, expert judgement, or administrative practice), or expanded to include persons not previously enjoying such rights and obligations (e.g. illiterates, women, youth, ethnic minorities, nontaxpayers, foreign residents), or extend to cover issues and institutions not previously subject to citizen participation (e.g. state agencies, partisan organisations, interest associations, productive enterprises and educational institutions).

2 In this study I use the concept of ‘decentralisation’ as defined by Falleti (2005: 329), where she refers to decentralisation as ‘a process of state reform composed by a set of public policies that transfer responsibilities, resources, or authority from higher to lower levels of government in the context of a specific type of state’. Nevertheless, in this study Falleti’s definition is adopted because of its four distinguishing features: 1) decentralisation is conceived as a process of public policy reform and not as a description of the state of being of a political or fiscal system at a point in time; 2) lower levels of government are recipients of the transferred responsibilities, resources, or authority; 3) because decentralisation is a process of state reform, transition to a different type of state necessarily implies commencement of a new decentralisation sequence; and 4) the degree of authority devolved to local governments determines the levels and types of administrative, fiscal, and political decentralisation policies.
oppression, which entrenched and supported the patriarchal order in diverse institutions. Owing to these reforms, the representation of women increased after the 1994 general elections, ranking from 141 to seven in the world in terms of the number of women occupying seats in the National Parliament or in the National Assembly. However, this increase did not stop gender and political scholars as well as activists who had, for a time wanted to study the position of women in the struggles for national and gender liberation from further looking at the under-representation of women and challenges of their political agency in political institutions. They explain the complex mechanisms of keeping women away from institutional representation of politics (Britton, 2002; Hassim, 2006). Moreover, under these constitutional reforms, the question of the political under-representation of women had long been reframed as a serious problem for democracy and human development, and this had led to continuous advocacy and political action until the run-up to the 2006 local government elections, leading to an increase in the representation of women to 40%.

The most fascinating change that the ‘third wave of democratisation’ and decentralisation brought about in contemporary politics was that some political actors (e.g., government, political parties, traditional authorities etc.) were put under pressure to counter women’s chronic minority status and under-representation in political institutions through affirmative action such as gender candidate quotas. Therefore, empirical research on the mechanisms of under-representation is needed due to the fact that a descriptive representation of office holders may be a mirror of societal hierarchies and patterns of discrimination (Britton, 2002); and as the political presence of women in government institutions – from national, provincial to local government structures has been in place for more than a decade during this study. The study argues that currently there has been under-researched dimensions of women political presence in local politics, and this relatively neglects the visibility of women in local government structures, which contribute to scant attention to examining the challenges of women’s political agency in the context of institutional restructuring and local politics in the post-apartheid regime.

3 The first wave began in America in the early 19th century and culminated at the end of World War I with about thirty countries having democratic regimes. In the second wave, democratization occurred in large measure through foreign imposition and decolonization. The third wave began with the collapse of communism at the end of the 1980s and beginning of the 1990s, democracy reached every region of the world for the first time in history (Huntington, 1991-1992).
This thesis locates women’s political presence in local politics within the broader political landscape of a national struggle against the oppression of women in post-apartheid local governance. Firstly, women’s political presence in local politics needs to be studied in particular contexts such as that of post-apartheid regime. Secondly, there is some evidence to suggest that women may be more interested in local than national political issues. Thirdly, local government can seem to offer possibilities for policy change which will ensure specific and observable results. In-depth interviews in Chapter 6 show that women as local government representatives became active in local politics owing to their dissatisfaction with the running of their local community. Each of the period and institutional arenas discussed in this thesis offers different opportunities and constraints for women, and each demands a renegotiation of the relationship between women in their organisations and other political institutions. Therefore, this thesis specifically investigates the extent to which local government reforms empower women in local politics, given the context, constraints and contested discourses in the historical meaning of ‘women’ as well as the history of institution-making in South Africa.

Recent constitutional and territorial reforms have changed relations among levels of governments and political incentives as well as career paths of politicians. But the South African field of local government and women’s representation have been relatively underdeveloped in contrast with national level of politics, despite the new types of governance that involves decentralisation, and the presence of women in local government structures. This was a consequence of few inhibiting factors; that is the dominance of the race discourse, which was employed under both colonialism and apartheid to protect class interests, and the poor structures of local government, which were established to protect minority and class interests, as well as the low level of women candidates and descriptive representatives that remain minimal until the post-apartheid era. As the politics of presence literature presented concludes, women should be represented by other women and blacks by other blacks (Mansbridge, 1999). Therefore, the issue of the presence of women in new system of local government needs to be taken seriously in terms of both theory and practice if we are to understand why policy solutions to women’s under-representation in local politics diverge so dramatically from those applied to national politics. The presence of women in local government structures also changes the way we study politics, because it allows for the comparison of policies of diverse actors (e.g. political parties, government and traditional authorities) in local
government, which are aimed at addressing the chronic under-representation of women and addresses what academic literature (the descriptive representation of the local) failed to address. In addition, the political and analytical shifts to local politics are largely due to the renewed importance of local actors in contemporary politics.

This thesis argues that to have a better understanding of the political representation of women one needs to do a close analysis of the historical, political and institutional conditions that either constrain or facilitate the increased institutional representation of women in the post-apartheid era. The length of time that women spent in politics, their level of participation (both in political parties and as well as in electoral positions) and the power that they wield within political networks are all significant factors for women to be considered in (local) politics. The political inclusion of women as representatives by itself is not a sufficient condition for women’s empowerment as for example, in the institutions of local government in South Africa, where women became local government representatives through diverse mechanisms for increasing women’s political representation used by political parties, which is entirely constrained by territorial and partisan interests. Therefore, the study further contends that actors that are already in a position of authority as representatives do not necessarily, use the powers invested to them as office-bearers to enable them to act in the women’s best interests, as this power is often limited and compromised by various institutional and party political factors. Rather it is their ability to mobilise and influence others that results in women’s (descriptive or substantive) political representation. In addition, the historical and political analysis suggest that there is modern patriarchy within political parties in South Africa that have simultaneously increased women’s participation as elected officials and marginalised them from the exercise of decision-making powers.

1.2 LITERATURE REVIEW: WOMEN’S POLITICAL REPRESENTATION

The main purpose of this section is to present a theoretical framework for analysing women’s political representation in local politics in South Africa by reviewing theoretical and empirical literature on political representation. The theoretical context and conceptual frameworks are required to examine, describe and analyse the core issues of the research about women’s political representation in the case of South Africa. This
section serves as a theoretical base for the study and discusses the conceptual framework developed and adopted for the thesis.

1.2.1 What is (Political) Representation?

Political representation has emerged as a core focus of research on gender and politics. The most seminal work influential to contemporary work on the theory of representation is Pitkin’s classic study of The Concept of Representation (1967). Pitkin famously discusses various forms of representation, which she labels legalistic, or formalistic, descriptive, substantive and symbolic representation. Pitkin claims that each form of representation is open to some interpretation; more broadly, she argues that all forms of representation, along with their various interpretations, form a complex matrix of conceptual resources that can be used to establish the foundations of a shared democratic politics. The chapter below discusses these forms of representation, but the focus is more on descriptive and substantive representation than in other forms, because feminist work maintains that these forms of representation may be linked (Phillips, 1995; Young, 2000). However, the importance of Pitkin’s (1967) work lies in her approach to reject approaches that define representation as a matter of ‘standing for’ or ‘mirroring’ the people. Within this classification schemes, Pitkin rejects representation based solely on resemblance; the point is that she critiqued the emphasis on the composition of a political institution rather than to its activities due to the fact that individuals cannot be held to account for who they are, but only for what they have done (Celis et al., 2008). What matters for representation is what representatives do rather than who they are.

Most recently, Mansbridge’s (2003: 515) contribution identifies three further concepts of representation, which she labels gyroscopic, surrogate, and anticipatory. According to her, it is in gyroscopic representation, where the representative ‘looks within’-perhaps to interests, ‘common sense’, or principles derived from his or her own background - to formulate a basis for action. In contrast, surrogate representation, occurs when legislators represent constituents beyond their own territorial districts, whose values or identities they nonetheless share. Finally, anticipatory representation refers to cases where representatives focus on what they think their constituents will approve at the next election, not on what they promised to do at the last election. This last conception
presents a particularly dynamic view of what representation ‘is’; namely a process of construction by representatives who act to please the represented at a later moment in time.

Saward (2006) develops this ‘creative’ aspect of representation one step further. He advocates for a ‘basic shift’ towards understanding representation in terms of ‘representative claims’, which are utilised by would-be representatives to forge a distinction between themselves and the represented (Saward, 2006). Saward (2006: 299) argues that his approach is distinctive in that it (a) sees claim-making as the core of representation, (b) stresses the performative rather than the institutional side of representation, (c) starts with the micro and works out to the macro, and (d) creates space for creative normative work on radicalising our notions of who, and what, may count as representative politically, though without setting out a normative stall in the first instance. Accordingly, these ‘claims to be representative’ can be made by a variety of actors, which may include elected politicians (electoral candidates and party leaders) but also ‘interest group or NGO figures, local figures, rock stars, [and] celebrities’ (Saward, 2006: 306). From this perspective, traditional notions of substantive representation are wrongly ‘unidirectional’, as they depict representatives acting for the represented who otherwise remain passive (Saward, 2006: 300). Further, they ignore the fact that ‘at the heart of the act of representing is the depicting of a constituency as this or that, as requiring this or that, as having this or that set of interests’ (2006: 300-301, emphasis in the original). This is because ‘would-be political representatives ... make claims about themselves and their constituents and the links between the two’ (2006: 302, emphasis in the original). Consequently, representation is not a passive procedure of receiving clear signals from below; rather, it is dynamic, performative, and constitutive. As Celis et al (2008) argue, ‘this reorientation implies that the represented exists by virtue of the representative, who becomes the principal and the represented the agent’. They conclude that Saward’s thesis, together with Mansbridge’s notion of anticipatory representation, these ideas open up these processes to incorporate a broader range of actors, contexts, objects, and outcomes than traditional theories of political representation. Therefore, political representation in local politics deserves special attention.

However, the effects of democratisation and decentralisation on women’s participation and representation in contemporary politics and on the revival of territorial and partisan
interests have varied widely from one municipality to another, and in ways that our existing theories are unable to account for. While in some political parties democratisation process has produced the expected effect offering the opportunity for women to insert their claims for women’s rights into the institutional fabric of the new democracy, in others those changes have been moderate (such as in the case of the ANC) or insignificant (as in the case of the IFP). Therefore, the divided character of the South African society and the unique structure of the apartheid state cannot be ignored in the study of the process of political reform. The political opportunity structure created by the apartheid state leaves some question about investigating the experiences of women as minorities in political institutions. The central question that the thesis will address: what difference women’s political presence makes and how we know when women have made a difference. The purpose of the thesis is to shift from mainstream political science from its biases of virtual exclusion of women as political actors to consider them as political actors who emerged so prominently in the configuration of South Africa’s new democracy.

On the theoretical level, this thesis draws from the theoretical and methodological insights of the recent literature on political representation, new institutionalism (especially historical institutionalism approach) and sequential theory of decentralisation (in particular from the works of Phillips, 1995; Pierson, 1992; 2004; Thelen, 2003; Falleti, 2005; 2010). This thesis further uses poststructuralist analysis, with an understanding of power largely inspired by Foucault, to critique the institutional interpretation of politics through which the problem of women’s under-representation is addressed. As Kothari (2001) argues, the way in which power is exercised in the society in the name of inclusion does not benefit those who were previously been excluded, in this case, women. Some contemporary feminist political studies analysis on women in politics argue that historical institutionalism approach could be used for understanding substantively important gender outcomes and institutional continuity and change (Krook, 2003; Waylen, 2007).

### 1.2.2 Political Representation of Women: Descriptive and Substantive Representation

The flourishing and extensive feminist literature on women and public office has developed in a sense that it distinguishes between two types of meaning or strands of
political representation. The first approach focuses on descriptive representation (‘standing for’), which is used to denote the presence of women as elected members of parliaments, assemblies and councils. Scholars writing from descriptive representative literature identify the reasons why so few women are elected to legislative bodies and the importance of barriers such as electoral system, the role of party recruitment processes, and the resources and motivation that women bring to the pursuit of elected office (Lovenduski & Norris, 2003; Krook, 2010). Feminist political scientists, for instance, argue that women make a difference by their mere presence because they stand for women in a political institution as descriptive representatives. In these terms, it is not just for men to dominate political representation and for women to be excluded from the formal arenas in which their rights as political citizens are exercised (Francis, 2009). The second approach focuses on substantive representation (‘acting for’), which relates that once women representatives are present in sufficient numbers they ensure that women’s interests, needs and concerns are more represented in policy, matters with consequent policy outcomes. Feminist theorists suggest that women, through the institutionalised voice bring particular knowledge, skills and values in politics. According to Stevens (2007), what need representation in Anglo-American pluralist democracies are the interests of groups in society and not individuals. The central argument here is that women, when present in politics are not just ‘standing as’ women but also ‘act for’ women as a group than men (Phillips, 1995; Celis & Childs, 2008).

There are common and different assumptions about these two central strands – descriptive representation and substantive representation. Firstly, women representatives are key for the enactment of the substantive representation of women. Secondly, the focus on the composition of political bodies prevents a focus upon the activity of representation. In essence, under descriptive representation what matters is what representatives are, whereas in substantive representation what representatives do is what matters. Even though scholars agree that there is a linkage between women’s descriptive and women’s substantive representation, a review of substantive representation of women literature shows that, while some studies confirm the hypothesis that women’s presence furthers the substantive representation of women, others suggest that the relationship between women representatives and better feminist substantive representative is very much dependent on (gendered) institutional contexts (Lovenduski, 2005). In short, this suggests that there is also a possibility that women’s substantive
representation can be realised even in the absence of descriptive representation. These two strands of political representation are discussed below, starting with descriptive representation.

(1) Descriptive Representation

There are four groups of positive arguments laid out in favour of descriptive representation; and these takes gender identity into account. The first of these arguments is based on the ground of *justice*. This argument posits that the absence of members of historically disadvantaged groups such as women or ethnic minorities from political institutions is increasingly regarded as evidence of injustices. This argument can be associated with what Stevens (2007) calls ‘agency’ argument, because scholars maintain that since women constitute half of any country’s population; that alone reserves them the right to constitute half of the decision-making bodies. Apart from legitimating the regime in power, having a woman in public office boosts other women’s self-esteem and their capacity to assume leadership roles. Again, women would feel that they are truly represented and recognised in the democratic process if they are contesting the political space with those that used to enjoy more representation. Therefore, to ensure justice, fairness and democracy in the society, it is crucial for women to take part in the political system not only by voting, but also by having seats in legislative bodies or political spaces. In short, the justice argument examines patterns of inequality to reveal the need for politics of presence or for descriptive representatives.

The second of these arguments is *efficiency*. This argument maintains that women have resources to bring into politics – namely values, experiences and the unique expertise that differentiate them from men. Therefore, a political system that does not utilise both gender’s experiences and resources is incompetent, and if such resources are exploited or included in the political arena the political lives of many would improve greatly. According to this argument, inclusion is likely to have an effect on enhancing the legitimacy of political institutions as more people will identify with political institutions by seeing themselves in particular political spaces.

The third of these arguments is *diversity*. This argument postulates that both genders have separate political aspirations or interests that need to be directly represented by these genders themselves. As Phillips (1998: 234) argues, women are diverse and their interests
are not necessarily ‘transparently obvious to any intelligent observer’, but they share life experiences which differ from those of men within the gendered societies of modern states. Moreover, their mere presence within a previously almost exclusively male institution disturbs and disrupts the predominantly white and male spaces. Usually, male politicians do not represent women’s interests constantly. As such, women’s active participation and vigorous contribution in decision making is essential in order to ensure that they promote and defend their specific needs and interests. Equally, they can be major actors in promoting gender sensitive governance that addresses the interests of both women and men as well as enhancing access to and control over local resources for both (Stevens, 2007). But this argument does not downplay the potential differences amongst women as well as between women and men; instead this diversity requires aggressive advocates from disadvantaged groups to be present so that their preferences can be part of the packages of political ideas (Childs & Cowley, 2011).

The fourth and final argument is changing the political system. This argument contends that the inclusion of women in politics will improve the quality of democratic deliberation. According to this argument, public policy can be improved by having a more diverse set of representatives who can influence the political agenda. A number of studies on corruption substantiate that women are less likely to display opportunism than men. Therefore, having more women in government or politics may have noteworthy advantages for the society in general. Contrary to this view, Goetz (2007) warns against instrumentalist argument about women in politics and public institutions that ‘it puts women’s engagement in the public arena on the wrong foot’. In addition, Alolo (2007) and Goetz (2007)- writing about different regions reach similar conclusion that whether women are corrupt or not is depended on how they are positioned and exposed to networks of patronage and power. These two researchers then raises the notion of what governments can do for women, as opposed to what women can do for good governance. Sapiro (1981: 712) summarises these arguments and argues that in the case of women descriptive representation was ‘a necessary condition, but it is not sufficient’. Her argument for necessity rests on the grounds that (1) having women rather than men in office demonstrably makes government somewhat more responsive to women’s interests; (2) participation in government is intrinsically valuable, and (3) increased representation of women will change the perception that politics is a male domain.
Mainstream research challenges conventional politics of ideas in order to advocate for the politics of presence that it failed to deal with political exclusion. According to Phillips (1995) politics of presence responds to a broad sense of ethnic, racial, and gender exclusion. In essence, crucial to the politics of presence is about the inclusion of the previously marginalised, disadvantaged and excluded groups (Young, 1990). In order to address political exclusion, Mansbridge (1999: 628) argues that ‘constitutional designers’ should ‘institute policies to promote selective descriptive representation’ under the following conditions: (1) in context of mistrust between disadvantaged and advantaged groups; (2) when there are uncrystallised, not fully articulated, interests; (3) where the social meaning of ‘ability to rule’ has been seriously questioned for members of disadvantaged groups; and (4) when there has been past discrimination against disadvantaged groups. Mansbridge (1999) further argues that institutional design gives selected groups greater descriptive representation than they would achieve in existing electoral systems in order to bring the proportions of those groups in the legislature closer to their percentages in the population. These scholars stressed the claims of groups to be represented challenging individualism and the dominance of ‘ideas’ over ‘presence’. The efforts of these scholars are to challenge the aspects of notions such as election, individualism, fixed constituencies and human constituencies, which are at the heart of the theory of representation.

(i) A Critique of the Descriptive Representation

The descriptive representation dimension is challenged on a number of grounds. Firstly, it is challenged due to the fact that it strengthens tendencies towards essentialism. The assumption is that members of certain groups have an essential identity that all members of that group share, of which no others can partake. This essentialist tendency of insisting that women represent women implies an essential quality of womanness that all members of that group share. This position insists that others cannot adequately represent members of a descriptive group and also implies that members of that group cannot adequately represent others (Phillips, 1995). Mansbridge (1999) argues that the problem of essentialism haunts every group that hopes to organise politically around a facet of identity; including descriptive characteristics such as place of birth, gender and race. This view posits that in this essentialism identities and interests that seem to be
represented objectively are defined prior to political representation. Mansbridge (1999) concludes that this essentialist assumption leads not only to refusing to recognise major lines of cleavage in a group, but also in assimilating minority or subordinate in those of dominant groups without even recognising their existence. Secondly, it is argued that essentialism involves the way developing institutions that encourage citizens to see themselves as members of a subgroup may erode the ties of unity across a nation, a political party, or a political movement (Phillips, 1995). This cost of descriptive representation depends on the precise institutional arrangements where there can be institutions which can encourage subgroups tear deeply at the connected fabric of the whole. Thirdly, the cost of descriptive representation lies in the possibility of reducing accountability in a sense that representatives can lull voters into thinking their substantive interests are being represented even when this is not the case (Mansbridge, 1999).

(2) Substantive Representation of Women

I have identified four forms of descriptive representation, and now I proceed to discuss the other form of political representation – substantive representation, which is relevant in the context of the study. Traditionally, there were concerns about accounts of women in parliament; with questions being asked of whether ‘women make a difference’ as well as to account when women representatives make a difference for women. Gender and politics scholars have argued that feminist political scientists have relied upon the concept of ‘critical mass’ to explore changes in the percentage of women in political assemblies and the transformation of political behaviour, institutions and public policy (Studlar & McAllister, 2002). According to its proponents, the presence of a ‘critical mass’ of women, which is usually considered to be somewhat between 15% and 30% explains the increased legislative attention to women’s issues and gendered changes to existing parliamentary procedures, while the absence of a ‘critical mass’ accounts for why women do not appear to have made a difference (Childs & Krook, 2006). Critical mass of women is seen as a solution to political under-representation of women, and through it representatives they begin to have an impact on policy such that women can benefit.

On the political side, Childs and Krook (2008) argue that Kanter’s thesis about women in corporations, not women as minorities in political institutions have played a central role in organising research on the substantive representation of women. Kanter (1977) makes
three claims regarding the relative balance of women and men in corporations: with increased relative numbers, women might ‘form coalitions and affect the culture of the group’; with increased relative numbers, women might ‘begin to become individuals differentiated from one another’; and with increased absolute numbers, even with a small shift in relative numbers, women might develop ‘a close alliance and refuse to be turned against each other [due to] strong identification with the feminist cause or with other women’ (Kanter, 1977: 209). Most literature on ‘critical mass’ works within the framework of the ‘politics of optimism’, which anticipate that the advent of more women will lead to greater co-operation among them on feminist issues.

However, this is a contested terrain in the contemporary period, owing to the lack of theoretical clarity, which is compounded by empirical and methodological problems emanating from a focus on macro-level behaviour rather than micro-level behaviour. Proponents of substantive representation of women argue for the focus on micro-level in order to understand what specific women do. Chapter 6 of this study argues that women power in local politics as political actors is often limited and compromised by various institutional and party political factors. Advocates of substantive representation of women argue that the focus on female representatives ignores important differences among women, and at the same time, it overlooks men as potential actors on behalf of women as a group (Childs & Krook, 2006). But contrary to what proponents of descriptive representation assume a close examination of the effects of focusing solely on numbers overlooks the politics of the policymaking process, whereby it is difficult to find a straightforward correlation between attitudes and behaviour. In addition, the focus on policy change formulated and approved by members of parliament limits substantive representation to one set of actors and a single site and mode of political representation (Weldon, 2002).

Methodologically, gender and politics scholars, in an attempt to advance their research, have suggested an adoption of an inductive approach to the study of women’s substantive representation. Celis and Childs’ (2011) work is quite robust in recommending a research paradigm shift from whether women act for women to exploring how the substantive representation of women occurs. At the level of analysis these scholars beg researchers to answer four research questions in order to provide a better understanding of the broader process of substantive representation. The first
question is: ‘who acts for women?’ In this question, scholars suggest further empirical questions such as, who are the critical actors and with whom do they act? Underlying these questions is: what conditions are most conducive to their emergence and success. It is argued that the possibility of competing conceptions of what constitutes ‘acting for’ women should be acknowledged in addition to ideas of collaboration and mutual reinforcement. The second question is: ‘where does the substantive representation of women occur?’ In this question, scholars argue that this is not limited to legislatures, and might vary across countries and over time. They suggest that it is also crucial to consider institutional opportunities and constraints. The third question is: ‘why is the substantive representation attempted’? Scholars argue that we must move away from the assumption that women would act for women because of their shared gender. Accordingly, not all women are necessarily gender conscious, and not all women are feminists as well, and women’s interests are not necessarily homogenous. The fourth question is: ‘why is the substantive representation of women expressed?’ This requires that researchers explore interventions at various points in political processes to identify the claims made in support of the substantive representation of women. The descriptive and substantive representation of women can be addressed through a combination of election rules and party politics.

1.2.3 Election Rules, Party Politics and Women’s Political Representation

Many contemporary feminist studies that investigate the proportional or numerical increase of women’s representation in parliament have explored the supply and demand factors in legislative recruitment (Norris & Lovenduski, 1995; Childs, 2000; Krook, 2006). These statistical studies find that the proportion of women in politics or parliament tends to be greater in countries with proportional representation (PR) electoral systems than to those with majoritarian electoral arrangements (Matland & Studlar, 1996; McAllister & Studlar, 2002). The current literature on institutional variables and electoral rules suggest that women gain office more in multi-member districts than single-member district systems, which open the way for women to be included as the total number of members elected per district increases, and the closed-party lists, which enable parties to place women in electable positions on the party (Caul, 1999; Krook, 2010). In essence, the potential of numerical representation of women in politics is greatest in countries that employ a party-list proportional representation system
in a multi-party parliamentary democracy. Accordingly, there are three central factors of electoral systems that influence women’s representation: the ballot structure (such as party-list versus single candidate), district magnitude (number of seats in a district), and the degree of proportionality (allocation of votes to seats) (Rule, 1987; Caul, 1999).

There is a diverse literature on contemporary studies about the relationship between PR and gender quota. On the one hand, the growing literature suggest that the PR is not only effective for increasing the proportion of women in politics, but also for the effective implementation of gender quota policies that are aimed at increasing the number of female candidates (Tripp & Kang, 2008). Literature further suggests that political parties are the real gatekeepers of elected office since they are responsible for the recruitment, selection and election of candidates (Norris & Lovenduski, 1995; Vengroff et al., 2003). Krook (2008) argues that political parties are aware of women’s underrepresentation and adopt initiatives to ensure greater female representation, while other political parties seem to be less enthusiastic. According to Holmesten et al (2010) quota legislation are seen to be more reaching than affecting the presence of women in elite-driven participation, as they could help to empower women citizens and break their long-standing subordination in political life. On the other hand, other scholars oppose gender quotas, because they interpret them as a deliberate attempt to make electoral gains among female voters, while promoting the selection of “malleable” women who will not challenge the patriarchal status quo (Goetz & Hassim, 2003). This is explicitly acknowledged by Krook (2009) who has observed that some quotas produced dramatic increases in the number of women in elective office, but other quotas lead to stagnation and even decreases in the number of women elected. She further argues that even though quotas compel elites to recruit more female aspirants, their presence may not be enough to shift the dynamics of demand, especially if they are seen unfairly as a means for promoting the selection of ‘less-qualified’ candidates over ‘more-qualified ones’ (Krook, 2010). These diverse ideas from these scholars often do not dispute that the quota system promote the political inclusion of women so as to secure the authenticity of representative democracy.

There are many additional ways in which norms and practices in institutions shape the agenda for increasing women by influencing their path and ability to hold public office. According to Caul (1999: 80) centralisation is one of the three aspects of party
organisational structure that may influence women’s representation. Meanwhile, the other two aspects are institutionalisation and the location of candidate selection as well as the nomination. Centralisation depicts the distribution of control over the decision-making within policy hierarchy. The leader can create opportunities for women when a party is highly centralised. Matland and Studlar (1996) suggest that centralised and institutionalised party structures made it easier for political parties to adopt quotas. Literature suggests that women’s political presence among the party leadership is one of the single mechanisms for initiating women’s gains in parliament (Kittilson, 2006). This literature suggests that there is a strong statistical correlation between the proportion of women on party executive committees and the percentage of party representatives who are female (Krook, 2010).

Thus, it is considered to be a matter of having the will to promote female candidates. As a result of this will, one may argue that even though women do come, they are likely to face ongoing challenges to their participation related to the masculine bias built into existing political institutions and practices. As Thelen (2003) argues, mechanisms of change and reproduction can operate simultaneously. Moreover, it is easier to hold centralised parties accountable for women’s political integration (Caul, 1999: 80). Norris (1995) argues that women are offered access to participate in electoral politics due to the emergence of new parties and fragmented multi-party system. Matland and Studlar (1996) add that this depend on the degree to which contagions have spread across individual political parties.4

A number of other contributions have focused on socio-economic factors as part of what shape the patterns of women’s representation in individual states. On the one hand, these studies find that a central role to the proportional representation electoral systems is a strong correlations between women’s overall rates of education and labour force participation (Caul, 1999; Krook, 2010). On the other hand, other studies note that the

4 ‘Contagion’ is defined as a process by which one party in a multiparty system stimulates other parties to adopt their policies and strategies (Duverger, 1955). This process is more likely to operate effectively in a proportional representation and party list system (Matland & Studlar, 1996). These authors further distinguished two types of contagion – macro-contagion and micro-contagion that assist in the promotion of women’s representation. I will argue in chapter 4 that political parties are conservative organisations that are not easily moved from their initial policies, even if they do the methods of candidate selection and party agencies that are used seem not to support women’s political representation and participation.
level of national development which is informed by modernisation processes that enable women to move into higher social and economic roles lead to greater influence in politics (Matland, 1998; Inglehart & Norris, 2003). Inglehart and Norris (2003) argue that cultural attitudes towards equality increase the number of women in politics, especially where citizens are more open to women in leadership positions.

Most recent work on the dynamics of candidate selection offers four factors in which we can understand the supply and demand model of candidate selection within the context of the descriptive composition of legislatures (Norris, 1997; Krook, 2010). The descriptive composition of legislatures begins with the sequential model of political recruitment which progresses from: (1) the large number of citizens who are eligible to run for political office; to (2) the smaller pool of citizens who aspire to run for political office; to (3) the small group of citizens who are nominated to run for political office; to (4) the smallest band of citizens who are elected to political office. These factors do not take place in a vacuum but there are various types of qualification that favour some groups than others, especially for increasing numerical representation of women candidates in politics which includes the following: their levels of education, legislative experience, party service, speaking abilities, financial resources, political connections, kinship, name recognition, group membership and organisational skills (Rahat & Hazan, 2001). Most importantly, prescriptions for changing women’s descriptive representation through selection lies not only with women but also with political elites using other qualifications for political candidates (see Chapter 4).

1.3 RATIONALE OF THE STUDY: WOMEN’S POLITICAL REPRESENTATION IN LOCAL POLITICS

The impetus to study women in (local) politics is driven by the debate in the literature about women’s political representation and institutions, which argue that women’s involvement in politics varies across nations. Mackay (2004) surveys the literature on women’s descriptive representation (systemic and individual factors of women’s recruitment) and substantive representation (theoretical approaches and empirical studies) and identifies two clear foci in British research: the gendered impact of the entry of substantial numbers of women to the House of Commons and the relationship between gender and institutional design in the devolved assemblies of Scotland, Wales
and Northern Ireland. Other studies carried out by numerous scholars confirm that women remain hanging on the tassels of political domination in many parts of the world irrespective of the fact that they form more than half of the population (Phillips, 1995; 1998; Krook, 2010). During the British colonial period, and later in the apartheid regime from the 1940s to the 1990s, the rural local government had remained as an exclusive male domain at most (Cameron, 1988; Mamdani, 1996). For example, under indirect rule, the lowest tier of state administration in rural areas was allowed to the authority of traditional authorities governing by ‘customary law’ of particular ‘tribes’, to which rural people were subjects on the basis of their ‘tribal’ identity as was perceived and legislated by colonial rulers, and later apartheid, and women were legal minors (Welsh, 1971; Cassim, 1981; Hassim, 1990). These structures were imposed in order to perpetrate the apartheid system, and making sure that most of the segregation policies enacted in the absence of the majority were implemented as required. Women were not even allowed to cast a vote, not even to urban local authorities, until to the 1930s, when white women were granted universal adult suffrage for the first time. Ironically, a law was passed in 1923 (known as Native (Urban Areas) Act of 1923) to institute local government in the form of municipal, and township councils with legislative powers to discharge specific functions, but this law attracted into local politics local power elites, and ambiguously distanced women from representative structures of local government (Robinson, 1996; Bond, 2000; Nesvåg, 2000). Since then, the women of South Africa had to travel a frantic political journey until to the critical junctures in the 1990s.

Since gaining political power in 1994, the African National Congress (ANC)-led government has considered the need for reform to improve women’s political representation in politics. These considerations state that their participation and representation in political institutions depends on the structure of these same institutions. In other words, the structures determine the extent to which women were allowed to take part in the decision-making process. Thus, it was felt that institutions should be designed in a way that opportunities would be offered for women to be involved in ensuring their participation. In doing so, an institution’s existing structure has to be changed through reforms.
The 1996 Constitution initiated several reforms to effect changes into the structural design of local government bodies in South Africa. The actual political decentralisation\(^5\) of powers to these institutions and the introduction of the new system of local government was sought to replace and establish municipalities with a view to deracialising them and prioritising issues of economy (Cameron, 1995; Mbatha, 2003, also see Chapter 4). The 1996 Constitution establishes three distinct, interdependent and interrelated ‘spheres’ of government: national, provincial and local. The local sphere is made up of municipalities. In essence, each ‘sphere’ of government has a kind of autonomy of its own, where the 1996 Constitution states that the national or a provincial government ‘may not compromise or impede the municipality’s ability or right to exercise its powers or perform its function’. Accordingly, Section 155 (1) of the Constitution of South Africa of 1996 makes provision for a two-tier model of local government in South Africa by introducing Category A, B and C municipalities. The 1996 Constitution did not devolve uniform or equal powers to these municipalities, nor incorporate clear mechanisms of political presence of women in order to support local governance. Through this 1996 Constitution, supported by other legislative frameworks, the structure of local government underwent numerous changes in urban areas. This involved the amalgamation of local authorities, which were deeply embedded in the racial landscape of apartheid, while also introducing the new structures in rural areas. The 1996 Constitution was adopted with a comprehensive Bill of Rights with extensive equality provision and a positive obligation on the state to ensure women’s participation and representation in decision-making. This was the first time in history that the rights of women were included in the constitution across racial lines. With the passage of time the Government of National Unity (GNU) tried to put more policies in place to support the incorporation of women in local government structures. In 1998 the White Paper on Local Government and the Municipal Structures Act were promulgated, which advocated for the political presence of women in the local government structures. Despite these legislative frameworks to introduce the new local government in rural areas and to protect formal representation of women in the composition of new local government structures, however, earlier actors such as traditional authorities were given

\(^5\) I adopt Falleti’s (2010: 15) definition of political decentralisation, which includes the constitutional or electoral reforms designed to devolve political authority to subnational actors and to create and activate spaces for the political representation of subnational polities.
tremendous powers over a relatively length period of transition, and in the new system of local government (Beall et al., 2005; Oomen, 2005; Ntsebeza, 2005). In this regard, the political presence of women was demanded in the structure of traditional authorities by progressive forces including women in the structure of traditional authorities. In 2003, Traditional Leadership and Governance Framework Act (TLGFA) was passed in Parliament to secure the minimum representation of women in the traditional authority structures (traditional councils), which has to link with the local government structure in South Africa. The partial and uneven character of reforms -- and the politics it generated added additional layers of complexity and tension to the structure of the local government in rural areas, and to the participation and representation of women (see Chapter 3).

In contemporary politics, the participation of women in politics can be considered as a prerequisite of modern times. Some scholars have argued that real development would not be possible if women were kept away from the policy-making process, particularly as they comprise half of the population, and also because of their distinct and separate interests to that of men (Squires, 1999; Mansbridge, 1999; Young, 2000). Moreover, participation and representation are two important democratic local government features. According to Blair (2000: 35) democratic local government requires the meaningful inclusion of women and minorities into local politics. According to him, the presence and involvement of women in local politics would result in them been represented in local decision-making in a meaningful way. The great concern has always been to find ways for their political integration since the old political structures and old institutional design served as an impediment to women’s political participation and representation. In this case, institutional change through reforms becomes inevitable to bring changes in the institutional design in order to make positive action for the benefit of women.

Taking this institutional change into consideration, the ANC-led government made great strides in establishing a constitutional and legislative framework for building participatory democracy. While the 1996 Constitution and other official discourses (1998 White Paper on Local Government, 1998 Municipal Structures Act, 2000 Municipal Systems Act) facilitated the process of re-designing local government in order to institute democratic institutions, they also opened avenues for the political presence of women in (local) politics, and their greater political participation. This round of official discourses in local
government opened new research agenda, and contributed to reasons which have prompted the conduct of the present study, which includes the following: First, gender is an issue that is already a matter of great concern worldwide. In fact, a number of actors, including donor agencies are now incorporating gendered governance into their development objectives. Second, the present study is unique in its nature in the field of gender and governance, because it combines both the national and local politics. Although it has been observed that different scholars have primarily focused on the issue of women’s political participation and representation, there is hardly any study that has focused on reforms, actors and the legacy of the reforms on women’s political participation and representation in South Africa in general in KwaZulu-Natal in particular. For the first time, efforts have been made to combine local government policies and to use Falleti’s (2005; 2010) definition of political decentralisation in a single research within the South African context (see Chapter 4). To the best of the researcher’s knowledge, this study is the first to provide a detailed analysis of the structure of local government with multiple actors until 2009 in order to understand the institutional and political conditions under which women councillors (women as descriptive representatives) at local government level work. The first section of the study provides a historical narrative, aimed at discussing the role and presence of women in different political arenas in bringing changes in representative structures in South Africa, while the remaining section deals with actors involved in the construction of the post-apartheid local government system, and the legacy of policies on women’s political participation and representation as well as the contribution of different political actors in marginalising women in local politics. Once completed, the study is expected to contribute significantly to the discourse of feminist institutionalism, and unveil some hidden truths that have not been exposed by previous studies about mechanisms of maintaining patriarchal order.

Third, the current study would also provide new insights to academics and researchers who would like to continue research in the field of women’s political participation and representation in South Africa. The data collected for this research is also expected to contribute significantly to future datasets and research of gender and politics information. Lastly, the study will come with policy recommendations that may help the South African government and women’s wings in political parties in revamping their policy to ensure the greater political participation, and the political sustainable career of women. The relationship between aim and objectives, the research questions and the subsidiary research questions of the work are discussed in the following section.
1.4 AIM, OBJECTIVES AND RESEARCH QUESTIONS

The main aim of this thesis is to examine the processes and procedures for promoting local government democracy in post-apartheid South Africa. In particular, this thesis examines these processes and procedures by investigating the extent to which local government reforms that were design to empower women in local politics actually do so, given the context, constraints and contested discourses in the historical meaning of ‘women’ as well as the history of institution making in South Africa. This thesis provides an opportunity to understand women’s political representation in local politics through the lens of challenges of women’s political agency in the light of the history of institution making. The specific objectives of the study are as follows:

1. To investigate the role played by women within the broader struggle against apartheid, and in the transition politics as well as in the establishment of the post-apartheid local state in order to open space for women’s political participation and representation.

2. To identify actors in the construction of the post-apartheid local state, and examine how these actors opened the political space for women’s political participation and representation in the local state.

3. To explain the relationship between the political parties and that of government in the participation of women in local politics.

4. To explore the legacy of reforms on women’s political participation and representation in the local state (refers to Category B of the existing local government system) of the country.

5. To identify and analyse government and political parties’ policies that contribute to ingrained factors shaping women’s participation and representation in local politics prevalent in spite of reforms.

1.4.1 Research Questions

In order to address the main aim and specific research objectives of this study, the following major research question is raised in this thesis:
1. How does the history of institution making in South Africa condition women’s participation and influence in local politics in KwaZulu-Natal in contemporary politics?

The main question is expanded into four research questions that the thesis will explore:

1. How does the nature, history of governance and relations of power shape local government and the political representation of women in local politics?

2. How did traditional authorities secure their political space in the new local government system?

3. Have there been fundamental changes in the institutional environment of political institutions, following the new reform measures that were introduced after 1994 in order to increase women’s participation, representation and empowerment?

4. What are impacts of government policies and practices in the participation and political representation of women in local governance?

1.5 RESEARCH DESIGN AND METHODOLOGY

This section discusses the methodology employed in this study. A thorough literature review informed the formulation of the research and choice of the methods used. The section is arranged as follows; after the discussion on the research approach employed, the research methods are detailed. The data collection methods are discussed. Thereafter, some challenges and experiences by the researcher during fieldwork in collecting data are discussed; after which the summary of the methodology is discussed in the conclusion of the chapter.

1.5.1 Research Approach

The research approach is described in general as the overall plan for a research, which guides the collecting and analysing of data evidence in such a manner that makes it
possible for the research questions to be answered (Punch, 1998; Bryman, 2004). The study focuses on how the history of institution making in South Africa determined women's participation and influence in local politics. This section discusses the research approach adopted to answer the research questions. The research approach connects the conceptual framework to the research methods and the data collection methods.

The thesis adopts two dimensions of political representation – descriptive as well as substantive representation and also includes the historical institutionalism approach and power as a conceptual framework. The overarching aim of the study is to examine the processes and procedures for promoting local government democracy in post-apartheid South Africa. The study employs the interpretative approach that emphasises qualitative research. This ties in with the historical institutionalism approach, which emphasises inductive reasoning. According to Thelen and Steinmo (1992: 10), historical institutionalists generally develop their hypothesis more inductively, in the course of interpreting the empirical material itself in order to synthesise findings from secondary publications.

The primary focus of this research is on the role of institutional reforms. The emphasis has been put on identifying the actors behind the reforms and how these affect the influence of women in local politics. There are a number of factors that have prompted the researcher to accept the challenge of carrying out this study on reforms and state-building as well as the role of its political actors. Since in the process of reforms there are changes in the institutional design, it is important to know more about institutional chase including the processes, procedures and actors which shape it. Moreover, to facilitate future reforms, the shortcomings of previous reforms must be determined first. Some scholars argue that any scholar who merely discusses contemporary struggles without taking into cognisance the history that shaped the terrain of preferences and actors risk missing an opportunity to explain politics and policy making today (Steinmo, 2001; Pierson & Skocpol, 2002; Ma, 2007). More recently, Li (2006: 67) has argued that ‘through going back further down the time line, we may likely discover the considerations of actors and the contingencies at that earlier point that had led to what subsequently happened’. This position advocates going back in the history of an institution to make sense of the state as plural institution, not a monolithic actor that institutionalises the interests of the dominant group. Most importantly, history seems to be useful because of the view that it widens the range of experiences available for
examination. It is important for one (if they would be using this perspective) to know more about the reforms of the 1980s and the role of different actors in it in order to understand the challenges of South African women in politics. Krook (2003: 10) argues that reforms typically reproduce or redefine existing rules, practices and ideas. In the context of the current study, it is important to explore what type of changes have been made in the first and second reorganisation of local government, which pertain to the participation and representation of women in local government.

In order to discuss reform efforts, the focus has been on a number of policies that were aimed at institution building and creating a political platform for women’s political representation as well as the presence of women in local government. However, one has noticed that the issue of democratisation and decentralisation reforms, aimed at empowering women in local government remained one of the least research areas after the final phase (after December 2000 local government elections) of this sphere in South Africa. In a true sense, existing studies of local politics argue that women were footnoted during the negotiations of local government in the early 1990s that resulted in the promulgation of Local Government Transition Act (LGTA) of 1993 (Robinson, 1995; Maharaj, 1997; Pycroft, 1997). Accordingly, women did participate in local government negotiations processes, but were disadvantaged by the fact that negotiations for local government were dominated by boundary reforms, which were also dominated by vested interests of politicians, bureaucrats and residents who were mainly male.

The 1996 Constitution and various official discourses of post 1994 legislation replaced transitional structures, and introduced electoral politics – both direct and indirect, even to territories which were previously confined to male dominated structures – that is, traditional authorities. Before 1995/96 first democratic local government elections local government in rural areas was dominated by traditional authorities, who had enjoyed uncontested and significant powers under apartheid. On the one hand, Mamdani (1996) argues that the chief was a pivotal actor in the local state – his authority was rooted in the fusion of various powers – judicial, legislative and executive – in his office, rather than the classic democratic notion of a separation thereof. Women were subjugated under this patriarchal authority, which went unchallenged. On the other hand, the post-apartheid local government reforms that intended to empower women faced the dilemma of democratising rural areas, while also recognising hereditary traditional authorities. In fact, both in the apartheid and post-apartheid era a legacy has been that traditional authorities
still command power in the rural areas of the former Bantustans in South Africa. As such, the majority of the women did not have access to local government structures in rural areas and in the decision-making process (see Chapter 3). The 1996 Constitution and various official discourses heralded the beginning of the democratic era and extended the democratic institutions in rural areas, and this in turn created a platform for greater participation of women and the women community welcomed the new reforms that the government brought about, but their participation was depended from the political spaces opened by other actors such as political parties as well as traditional authorities.

Thus, the focus of the majority of studies after the 2000 local government elections concentrated on the descriptive representation of women once they had been elected. The criteria used to put these women into the local state, together with what these local political representative do during their term(s) in the public office were often neglected by these studies. Celis and Childs (2008) argue that the formal dimension of representation related to elections that is often neglected in research on the substantive representation of women is a key process to be studied because it involves pre-parliamentary phase and constitute critical actors and acts. Most scholars did not find it feasible to step back in order to understand the reform process and the role of actors behind it. However, the issue of reforms is very crucial and has been taken into account in the context of the present study. Therefore, an attempt has been made to explore the reform processes in order to understand the sequence of initiatives for opening up the avenue for women’s presence in the male dominated societal structure, which did not permit women to take part in public arenas. This has also been taken into account to determine whether the government initiated those reforms on its own will or if there are some actors who put pressure on them.

The final attempt is oriented towards the exploration of the impact of the political decentralisation policies on the participation of women in politics and their representation in the local government in South Africa. In the real sense, the local government sphere was the last to be reformed, with its December 2000 elections marking the final phase envisaged by the Local Government Transition Act of 1993 (Act 209 of 1993), thus allowing for the establishment of a democratic local government dispensation. It has been discussed earlier that a revised electoral process and new legislation dealing with the form and structure of local government in rural areas have
offered women opportunities to participate in local government institutions that were previously confined to traditional authorities. The aim was to introduce democratic institutions. The recognition of the institution of traditional authorities raised a host of questions about the nature of democratisation and decentralisation, as well as the participation and representation of women in rural areas under traditional authorities. These questions remained urgent because the new rural local government institutions were established when the 1996 Constitution did not clarify the precise roles, functions and powers of traditional authorities in rural local government. Most studies that explore history to understand the democratisation processes did not have women’s political representation as their point of departure; their focus was more on traditional authorities (Ntsebeza, 2005; Oomen, 2005). However, these studies have dealt with the conceptual question of how this inherent undemocratic, hereditary institution exist in a South African democracy, purportedly modelled on the liberal tradition of representative government. These scholars did not examine the institutional arrangements put in place in the name of political decentralisation, and the impacts of these arrangements on the presence of women in local politics, particularly in rural areas of former Bantustans in South Africa. Therefore, a combination of qualitative and quantitative methods as outlined in due course will assist in collecting and analysing data that are crucial in examining the institutional arrangements put in place in the name of political decentralisation.

1.5.2 Qualitative and Quantitative Approaches

This research employs a qualitative approach for data collection and analysis. The qualitative approach is employed to conduct case studies, and to analyse data from interviews, documentary analysis and life histories. Qualitative approach can be defined as a descriptive approach to collect and interpret information aimed at understanding a social phenomenon and developing in in-depth understanding of individual views, attitudes and behaviour (Moore, 2000: 121). In social sciences, qualitative approach entails researching human behaviour, looking for facts, opinions, experiences and preferences of subjects (Bless & Higson-Smith, 1995; Blaikie, 2000). In essence, it assumes the social construction of reality (Gray, 2004), and present the perspective of women and gather aspects of their social world, which may be particularly important for
them, but might not be noticed by the external researcher. Therefore, adopting a qualitative approach is expected to result in enhanced quality data and a deeper understanding of the underling subject. One of the advantages of qualitative research is that it can take many forms; from highly contextual to the gathering of data in a ‘natural ‘real life’ settings, often over long periods of time’ (Gray, 2004: 320). Therefore, data collected for qualitative research can even be used to test the hypotheses to see if theoretical propositions can be supported by the historical evidence. In essence, the qualitative approach assists in reflecting on processes leading up to or following on from events and capturing the ways in which different elements of a system (values, resources and behaviour) interact. In this approach political representation is viewed as a social construct, which represents constructed identities and as practices of constructing social groups, which are capable of claiming legitimacy as representatives of such constructed identities and interests.

The quantitative approach employs measurement using different statistical tools (Gillham, 2000). The approach has been criticised as being too static, and concerned largely with accumulation of facts and causes of behaviour through careful isolation, measurement and evaluation of variables. The quantitative approach is employed in this study to presents statistical findings from case studies in order to develop and explore over time the increase of descriptive representatives in local politics. Using this approach provides stronger analysis of the relationship between the variables for comparisons -- it is important to establish the impact of government policies and practices in the political representation of women in local governance.

1.5.3 Triangulation of Approaches

The research combines the qualitative and quantitative approaches, which are referred to as the triangulation of approaches (Denzin, 1970; Olsen, 2004) -- a triangulation of approaches results in a stronger research design and produces valid and reliable findings by minimising the limitations of individual methods and naturalising bias in particular data sources (Jick, 1979). As will be demonstrated in due course the triangulation of approaches in this study has proven particular effective in exploring women’s political representation in local politics whilst also making the result more robust. Punch (1998)
argues that different questions require the use of different methods. In this study, the research questions require multi-dimensional approach to address the subject.

1.5.4 The Choice of Case Study Approach

This thesis has also employed a case study approach, which is qualitative in nature and supplemented by appropriate quantitative methods. The case study approach is an ideal approach, which employs both quantitative and qualitative research instruments in the process of data collection, and when a holistic and in-depth investigation is necessary. In this research, an exploratory and descriptive case study approach has been used because the how, what, and why questions have been posed. Accordingly, the case study is defined as an empirical inquiry that investigates a contemporary phenomenon within its real-life context, especially when the boundaries between phenomenon and context are not clearly evident, and in which multiple sources of evidence are used (Yin, 1994). In this regard, women’s political representation has been selected as the main focus of the study. The reasons for choosing the case study method has been informed by the problems envisaged for this study, which altogether form a complex issue. As scholars argue that a case study approach is considered an appropriate method when the investigator identifies cases within boundaries and seeks to provide an in-depth understanding of the cases or comparison of several cases (Creswell, 2007; Creswell & Clark, 2007; Yin, 2003). Babbie (2000) points out that there is little consensus on what may constitute a case. The case being studied can refer to a process, activity, event, programme, or individual or multiple individuals. It might even refer to a period of time rather than a particular group of people. Stake (2000) argues that the sole criterion for selecting cases for a case study should be the opportunity to learn and emphasises that a case study is both a process of enquiry about the case and the product of that enquiry. Where multiple cases are involved, it is referred to as a collective case study.

Stake (1994) has distinguished single and multiple case approaches within case study research. In a single case study, the focus is within a single case and analogous to a single experiment providing a critical test of a theory, to corroborate, challenge or extend it. In multiple case studies or comparative case studies, the focus is both between and across cases. Multiple case study design is said to be analogous to conducting a series of experiments. A well developed theory can be tested by carefully selecting a series of cases.
in the same way as theory can be tested experimentally (Blaikie, 2000). The other argument in favour of multiple case studies is that it improves theory building. This is because by comparing two or more cases, the researcher is in a better position to establish the circumstances in which a theory will or will not hold (Yin, 1994).

In this research, case studies are used to explore, in detail, the presence of women in local politics in selected institutions such as political parties (ANC, DA and IFP), and municipalities established during the first democratic local government elections in 1995/96, and after the second reorganisation of local government in December 2000. In essence, the case studies refer to political parties, municipalities and traditional authorities that were selected to investigate the participation of women in politics and their representation in local politics, as well as to identify individual councillors as political and descriptive representatives in local government who are selected according to their length of service and their positions in local government structures. Two municipalities and political parties were selected respectively as cases and were extensively analysed (individually). Some scholars argue that case study research entails selecting the cases and determining the techniques for gathering and analysing the data. The methods used in data collection should enhance understanding about the case and answer the research questions. In selecting the case studies, each case is treated individually and the conclusions from each case can be used to contribute to the whole study.

There is, evidently value in using case study in local government research, but the case study approach has been critiqued on a number of grounds. First, critics argue that the study of a small number of cases cannot offer any grounds for establishing reliability or generalisability. Some have argued that the intense exposure to the case biases the findings, while others maintain that case study research is only useful as an exploratory tool. The proponents of the method have argued that case study research has been used successfully in well planned and crafted studies. Furthermore, the use of multiple data collection tools and analysis techniques facilitates the triangulation in order to strengthen the research findings. While noting the criticisms levelled against this approach, the approach was however chosen on the basis of the theoretical issues under investigation, which could not be proved by selecting only one area, using one methodological tool. Thus, to understand the notions of participation and representation and the extent of empowerment in KwaZulu-Natal, it became necessary to study a number of cases in order to draw out patterns in women’s political participation and representation, and also
draw out distinct characteristics that influenced participation, representation and empowerment in specific areas and not others.

(I) Choice of Study Sites: Municipalities and Political Parties

This research is driven by an interest in exploring how the history of institution making affects the involvement of women in local politics in contemporary KwaZulu-Natal, a province which has undergone a unique process of transformation since the 1990s. KwaZulu-Natal is one of the nine provinces in South Africa, established on the eve of the first multi-racial democratic elections in 1994. The province consists of the territories of the former KwaZulu homeland and the former province of Natal, each with former separate administrative structures. In 1994, provincial political institutions were established in KwaZulu-Natal, the middle sphere of government juxtaposed between national and local government in South Africa’s, at best quasi-federal, three-sphere system of government. The provincial legislature of KwaZulu-Natal was one of only two provincial administrative structures (the Western Cape and KwaZulu-Natal) in which the ANC did not get majority of seats, and is the only provincial legislature in which the IFP remained a significant political contender for political power from 1994 to 2004. The change of power dynamics shaped the province and enhanced the presence of women as well as local government sphere as will be discussed in Chapters 3 and 5.

The province is a good example of the complexities and diversities concerning women, rural local government and politics in the former Bantustans. In essence, the province presents a peculiar context for both political and historical analysis about how the history of institution making affect the influence of women in local politics, and the relationship within women and between women as well as the exercise of power – an aspect which is dynamic and historically embedded and often neglected in current debates and development literature. Therefore, the province provides fertile ground for the research on women’s political participation and representation for several reasons. The first reason for using KwaZulu-Natal as a case study is that women in the province were, from the outset, never homogenous. Women comprised of various groups who came from various clans, race, class and ethnic backgrounds. They were separated by

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geographical location, linguistic and cultural barriers as well as economic conditions. The mode of the operation of power in local politics added to this heterogeneity. When women encountered the British colonial policies, missionary and apartheid practices as well as policies, women were isolated and weak; partly because of their fragmented organisations in KwaZulu/Natal, and partly because the political struggle ignored the divisions and the end of apartheid allowed the continuity of the divisions of women in the post-apartheid era. As a result, these divisions support the patriarchal order, which strategically further the interests of specific actors. The groundwork for the division of women especial in Natal had already been laid before the functioning of apartheid policies in KwaZulu/Natal. In 1891, colonial officials promulgated the Natal Code of Law, which meticulously subordinated women and protected patriarchal power of men by reinforcing that women should seek permission from their guardians – fathers and husbands whereas others were exempted from the constraints of the Natal Code of Law of 1891 (Cassim, 1981; Hassim, 1990; Chapter 6). All these local histories maximise power for political inclusion and exclusion of women in the contemporary period in an attempt to bring equality and uniformity to the various territories in South Africa, and also because other ideological discourses are powerful than others in KwaZulu-Natal in particular.

The second reason for using KwaZulu-Natal as a case study is that the institutional history of the province and the politics of transition show that the easy continuity of institutional forms, which protected the patriarchal order was influenced by both territorial and partisan interests. This researcher makes a series of claims that at different points in time, the territorial interests were stronger than partisan interests, and in other times partisan interests were stronger than territorial interests. The history of the autonomy of provincial elites in KwaZulu/Natal, provincial political discourses from this province came to influence disproportionately national political dynamics. Firstly, the manner in which political elites were ideologically fractured and the use of reconciliatory discourse in the province promoted contradictory alliances, which contradicted women’s

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7 According to Welsh (1971) the base of traditional law was being constantly eroded through the demands of capitalism and actions of the state, while the codified laws were inflexible and could not adapt to changing circumstances such that African women suffered deterioration in status as a result of the Code. The emancipation could occur if an unmarried, widowed or divorced women, by virtue of good character, education or any other good and sufficient reason was freed by order of Bantu Commissioner's Court from control of her guardian (Maré and Hamilton, 1987).
political participation and representation, such that the province did not go for local
examined the contemporary period, where he provides the political analysis of the IFP-
ANC provincial party dynamics during transition, and argues that the politics of Natal
and KwaZulu presented a singular and different reality, which did not easily fit the
politics of negotiation. The demands of coping with this reality were interpreted
differently by the national and provincial leadership of the ANC, putting them at
loggerheads over matters of improvised strategy and tactics, which fitted uneasily with
ANC traditions as they had evolved in exile, including attempts to co-opt the Zulu
monarchy in order to erode the IFP’s symbolic power. Secondly, as suggested above,
transition politics and the politically negotiated settlement allowed the IFP, after winning
provincial elections in KwaZulu-Natal, to develop and craft representative institutions,
and it was natural that representative institutions crafted by the IFP would uphold
patrimonial power of chiefs due to the fact that they served as their traditional base, and
they were at the forefront of emphasising the authenticity and legitimacy of such
institutions. The only changes effected were the substitution of one responsible
institution in place in rural local government, and crafters of these institutions were
former political elites and activists, who later ensured that there was a certain amount of
power to local government institutions, but with a certain amount of control in the
entirely subordinated local authorities, whose areas of jurisdiction were to coincide with
those of political party structures. And when the ANC took over in KwaZulu-Natal in
2004, the political and policy changes supported patriarchal order through elite
accommodation as outlined and discussed in Chapter 3 of this thesis.

In order to explore and understand women’s political representation in South Africa, a
particular focus has been given on tracing the institutional development, given the
limited research available that offers both the historical and contemporary analysis on the
challenges of women’s political agency in South Africa. In short, there was limited
experience of any model of liberal democracy and institutions in these municipalities
prior to 1995/96. Therefore, the empirical research focused on two Category B local
municipalities (Jozini and Ubuhlebeze), whose borders were determined by the Local

8 In South Africa the terminology of rural/urban divide in municipalities does not have much popularity
after December 2000, because the constitutional classification of local government is based on categories
such as Category A, B, C and D (see Chapter 6).
Government Municipal Demarcation Act of 1998, and were under the leadership of two dominant and contesting political parties in KwaZulu – Natal – the ANC and the IFP. There are several reasons for sampling purposively these municipalities and political parties. Firstly, the two municipalities were led by women mayors who came from these dominant and contesting political parties in KwaZulu-Natal. This presented different understanding of the politics of the presence of women, and allowed for the identification of similarities and differences with regard to women’s political participation and representation. Even though this thesis examines the procedures and processes for promoting local democracy in post-apartheid South Africa, these municipalities offered an opportunity to investigate local decision-making processes and the empowerment of women. Accordingly, within KwaZulu-Natal, Category B municipalities do not have similar structures because of the geographical location and population size, but the chosen municipalities have similar structures where there are proportional representation councillors and ward-based councillors, and where each ward has a ward committee (see Chapter 6). The political decentralisation has allowed leading political parties in municipalities to exercise certain powers in the functioning of municipalities. In essence, through municipal policy implementation much of the party policy mandates become a reality, and this can assist actors either ‘acting for’ or ‘standing for’ women in the political field of political representation to advocate for women’s interests. Secondly, the political parties represented in municipal councils that is the focus of this study had prior experience of institutionalised power through one of three parallel systems of legitimate authority. These included formal political institutions, informal institutions created through the merging of struggle components and the institution of traditional leadership. In the course of this experience, spaces were claimed by parties as elites personalised their positions and came to be seen as the institution. Comparatively, as Chapter 4 will show, the ANC has a longer history of gender quotas in the institutions of local government, whereas the IFP does not use gender quota. Therefore, women in these municipalities are brought through different mechanisms.

Moreover, these municipalities were established when South Africa was undergoing a process of institutional change. The Jozini Municipality was established during the consolidation phase of local government (after the 2000 elections), whereas Ubuhlebezwe was established when racial ideas were more powerful than democratic principles. Similarly, the majority of areas in these municipalities are under traditional
authorities (17 traditional authorities under Jozini and 12 under Ubuhlebezwe), which are unequally developed. Most critical, as Chapter 3 will show is that concerns with traditional authorities and their role, powers and functions in South Africa’s democracy had turned to be among the most politically-sensitive issues in the new South Africa. The ANC’s ambivalence in developing a clear policy and legislation together with councillors and municipal officials poor delivery in terms of services and promoting development reinforced the marginalisation of women in local politics, which subsequently led to the entry point to power more difficult for women as traditional authorities imposed meanings to what kind of women to participate in local politics. Overall, by strategically choosing the cases in this way, the case studies are meant to establish similarities if any within and among groups and highlighting the differences if any, within and among the different groups. Focusing in these municipalities and political parties serve to illuminate a number of conflicts and contradictions in the policy and practice arenas of local politics and governance and further gave rise to disjunctions and tensions in and between discourses, theories and practices. In short, commonalities and differences make the two municipalities under different political parties suitable for comparison.

1.5.5 Data Collection Methods

This thesis is the culmination of 10 months of fieldwork research. Most studies argue that the strength of a case study approach is that it uses multiple methods and data sources in order to explore and interrogate a case study. The most commonly employed research methods are interviews, documentary analysis and observation, with the balance between them being largely determined by the resources available and the disciplinary and professional tradition in which the case is being conducted. In this thesis interviews, documentary analysis and life history are employed as research methods. Each of these research methods is detailed in this section.

(1) Data Collection: Interviews

Interviews are probably the most widely employed method in qualitative research. Interviews were chosen as the main method of research for the study for four reasons. Firstly, interviewing enables the researcher to discover information that cannot be directly observed or located or recorded about women’s political participation and
representation in documentary sources (Guy, 1990). Secondly, interviewing provides the only means to explore the meanings and actions of the interviewee(s), and assist where material is sensitive in character, soon after trust has been developed – people will disclose things in a face to face interview than they will in an anonymous questionnaire (Gillham, 2000: 62). This may involve information about decision-making in municipalities and political parties, the inclusion and exclusion of women candidates during candidate selection procedure, and the abuse of the process in order to preserve the patriarchal order through territorial and partisan interests. Thirdly, as there is little that has been done on the dynamics of reforms on women in the new political spaces and interviews conducted in this kind of topic in the study areas, interviewing was essential in providing a new primary source of information for future studies. Fourthly, interviewing served as a mean of producing data for case studies, because knowledge is constructed between the interviewer and interviewee (Elliot, 2005).

Two types of interviews were used for the study. The first type of interview was where a series of structured questions relating to the basic biographical information was asked from every interviewee as a precursor to more open-ended questions. It was believed that this would allow comparability between interviewees in terms of political and social composition, and would assist with interpretations of the information gained from semi-structured interviewees. The second and more substantial type of interview was the semi-structured, tailored to each individual interviewee. Semi-structured interviews were employed for numerous reasons. The semi-structured interviews were used in order to gain an understanding of the interviewees’ own perceptions, experiences and actions through their own frames of reference (Punch, 1998). Huysamen (1994: 145) argues that semi structured and unstructured interviews provide an opportunity for interviewers to probes with a view to clarifying vague responses, or elaborate on the responses. In essence, semi-structured interviews enable the researcher to gain insights into how people interpret and connect their experiences with the past. Open ended questions allow for a greater understanding of complexities by proving a more enriched interview. Furthermore, in the context of the study interviews, it was believed that they would allow for the minority or women to be heard in ways that structured interviews do not allow. In essence, the author chose semi-structured interviews because he intended to control topics discussed in accordance with the framework of the larger study, and follow up responses and meanings as they arose about the presence of women in the political
space. The use of semi-structured interviews also allowed the researcher to develop new questions as they became appropriate throughout the study, and to omit those questions from which conclusions could easily be drawn after some interviews. Interviews were conducted through the use of interview schedule to guide the interviewing process and maintain focus during the exercise (see the Appendix with a list of questions).

Semi-structured interviews were conducted in the selected municipalities and political parties with local government actors such as municipal mayors, municipal speakers and male and female councillors from branch levels up until to national levels (see Table 1.1). Again, in order to fulfil the theoretical underpinnings and research approach that history matters, interviews were done with long standing politicians who were first to participate after ‘critical junctures’ in order to illustrate the initial patterns of democratisation and decentralisation. The presence of political representatives from different age and gender groups, as well as years of service as municipal councillors was crucial. Moreover, to complement data from elected representatives in the public office, interviews were also conducted with party political officials (see Table 1.2). The choice of these interviewees reflects a conviction that this group constitutes those who legitimately exercise power and influence how the local government is run. In essence, political or elected representatives are responsible for the decisions taken at local government. Accordingly, political parties in these municipalities recognise that their members take direction and mandate from their party caucuses, and decision-making within the parties themselves is often directed by senior or executives, and most of them are representatives from government. Overall, these interviews were largely selected, based on the suitability of the interviewees in enlightening the issues under study (Gerson and Horowitz, 2002).

Accordingly, a total of 30 interviews were carried out from two different municipalities, where 22 interviews with local government councillors and eight party officials from three political parties in these municipalities were also interviewed. These interviews were conducted between November 2008 and August 2009. Even though local government councillors were selected for interviews, each interviewee was also a member of a political party. These political parties are the ANC, IFP and DA. It was important to draw interviewees from the minority party such as the DA in these municipalities in order to understand how power is exercised in local settings (i.e., how municipalities function) over time. Most of the interviews were recorded and conducted in the language
that the interviewees were comfortable with--mainly IsiZulu or a mixture of IsiZulu and English. The researcher conducted all the interviews.

Table 1.1: In-depth Interviews with Municipal Councillors

<table>
<thead>
<tr>
<th>Individuals interviewed</th>
<th>Total No. of interviewees</th>
<th>Gender</th>
<th>Political affiliation</th>
<th>Municipal affiliation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Female</td>
<td>Male</td>
<td>ANC</td>
</tr>
<tr>
<td>Municipal Speakers</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Municipal Mayors</td>
<td>2</td>
<td>2</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Ward Councillors</td>
<td>8</td>
<td>3</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>Proportional Representation Councillors</td>
<td>10</td>
<td>7</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td>13</td>
<td>9</td>
<td>9</td>
</tr>
</tbody>
</table>

Source: Researcher’s interview questionnaire

Table 1.2: In-depth Interviews with Political Party Officials

<table>
<thead>
<tr>
<th>Individuals interviewed</th>
<th>Total No. of interviewees</th>
<th>Gender</th>
<th>Political affiliation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Female</td>
<td>Male</td>
</tr>
<tr>
<td>Executive of IFPWB National Office</td>
<td>3</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>ANCWL Regional Structure</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>ANC Officials at Branch Level</td>
<td>2</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>IFP Constituency Chairperson</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>DA District Organiser</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>8</td>
<td>4</td>
<td>4</td>
</tr>
</tbody>
</table>

Source: Researcher’s interview questionnaire

(2) Data Collection: Documentary Analysis

There are several types of documentary sources that contributed to the study in order to address information gaps in the case studies. This documentary analysis is important, owing to the fact that the political representation of women in (local) government structures prior to 1994 is analysed in a largely historical context, and is compared to the period after 1994, which is more recent and involved the democratisation and decentralisation era. Some of the documents that are analysed include government
sources, where three types of records were employed -- these were drawn from all spheres of government -- national, provincial and local, as well as from independent institutions established according to Chapter 9 of the 1996 Constitution -- the Commission on Gender Equality (CGE) and the Independent Electoral Commission (IEC). The first record comprised debates of parliament, administrative records, ministerial records and policy documents produced by the national and provincial government in KwaZulu-Natal. Some documents used were produced under both colonial and apartheid regimes as well as under the former KwaZulu administration. The second type comprised records from advisory committees and ad hoc committees established by government. This also included correspondences within and between authorities, as well as public submissions. The third type of records comprised of municipal records and by-laws of the local authorities under study, promulgated in order to respond to both national and provincial government frameworks. In this, the bulk of the information was collected from municipal Integrated Development Plans (IDPs). The IEC materials were used in the study; including elections results reports, due to the fact that the IEC administers the implementation of the electoral system(s) employed in South Africa. Party materials were also used in the study -- including official party records such as technical reports, party constitutions and rules, as well as policy documents. In addition, party speeches, press statements, and letters were used. Other documents such as party resolutions and biographies of prominent leaders of these political parties were used. Finally, media reports from a variety of sources added to the available documentary sources.

Using documentary records had many advantages. Historical government reports and policies from the early 1900s were chosen to shed some light on the sequence of events and the decisions taken in relation to the institutional arrangements of local government and their political exclusion of women. These government policies and reports about local government during the early 1900s revealed how different patriarchal coalesced and omitted women during the standardisation of the local government system in the 1920s. May (2001) writes that documents may be interesting for what they leave out, as well as what they contain. Gidley (2004) argues that silences of history can be made to speak and fractured narratives restored through the use of the data generated in the past. Saunders et al (2007) argue that documentary analysis could be used to triangulate findings, based
on other data such as primary data collected through observation, questionnaire and interviews.

The researcher took care to establish the criteria (authenticity, meaning, credibility and typicality) for assessing the quality of the document before it was used. In searching for meaning, some documents were assessed in terms of the process, social and political context of their construction. These documents were selected in terms of their characterisation of events they supposedly reflected; including the possible inclusion and exclusion of information, as well as the possibility that events might be presented in a particular way, and according to particular interests. Overall, some of the events were traced in between government policy documents and party resolution(s) in order to develop a broader understanding about the protection of vital interests and change on institutional settings, as well as mechanisms for accommodating women in the political space.

The overall findings of this study were derived from different institutions; including government policy documents, as well as policy documents of political parties. The archival data has been very useful for this thesis. Firstly, the archival data contributed to the researcher’s understanding of the complexity and multiplicity of women’s identities. These histories were able to better position the researcher to understand that patriarchy can be constructed in different ways and from different sites, together with women identities. Therefore, this also demands both descriptive representatives in different sites and substantive representation can also take place in these sites. Secondly, archival data provided access to voices that were marginalised -- either from previous studies or in fractured narratives of politics such as women. Thirdly, data gathered in the past provided access to the material developed that lead to particular policies or practices. Archival data allow us to see discussions that went beyond the scenes before decisions were made and codified into government laws.

(3) Data Collection: Life History

One of the methods selected and used in this research was the life history approach, which involved collecting 13 'life stories' from 13 women (especially councillors) research participants. The researcher used this technique in conjunction with other methods as discussed above. The women were selected to reflect variations in age, marital status, as well as their political affiliations as local government councillors, and the life stories were
collected once meaningful data was collected; due to the way in which the relationship between the researcher and research participants developed from the beginning.

There are various advantages of the life history method. These include having the effect of 'humanising' the research subject, revealing history and culture as lived, and enabling the researcher to know the research participant better, and to ask relevant questions (Peacock & Holland, 1993; McKeown et al., 2006). The approach allows for a more in-depth exploration of a particular situation, as it generates knowledge characterised by multiple voices, perspectives, truths, and meanings (Etherington, 2006). Life history research can have a 'recuperative role' for individuals who participate, and by extension, their relationships, and the societies in which they live (Etherington, 2006).

Additionally, life stories help to put individuals' experiences within a context of a wider web of meanings (Leydesdorff, 1999), thereby revealing the links between individual or group problems and their context. For example, it is possible to trace and compare the roots of a problem such as gender inequality among different groups of people in the meanings they attach to individual experiences. Life history research methods have been found to be valuable in generating new insights into women's experiences not generated through other research techniques, since women's experiences are often ignored, or silenced, especially in a situation where they are at variance with those of men (Anderson & Jack, 1991).

The documentary analysis revealed that councillors are diverse in terms of the legitimate authority that they hold, and as legitimate actors in development activities. This showed that the circumstances that structured the experiences and memories (and their interpretation) of the individuals as representative councillors differed widely. In order to improve the generalised probe lists, the author decided to draw up a list of topics, which comprised closed-and open-ended questions for all interviewees in order to make a comparative approach possible, but tailored according to the councillor, their political party, government position and any special roles the individual might have fulfilled or fulfils. For example, an interviewee who held a position in the council such as a speaker or mayor would be asked extra questions about the overall performance of the council, policy matters as well as challenges in implementing those national and provincial frameworks. An interviewee, who was a ward councillor, would be asked extra questions about the role and the portfolio than those who were Proportional Representative (PR)
councillors. Moreover, councillors who held executive posts and were part of decision-making structures at a party were asked extra questions such as decision-making powers during candidate selection procedure and types of decisions they take in executive committee meetings. The review and the revision of the questions before each interview was time consuming, but was helpful in that only the most relevant questions were asked, while also shedding some light on the participation of women in the political space.

1.5.6 Triangulation of Research Methods, Data and Analysis

This thesis adopted a triangulation of research methods for data collection and analysis. According to Olsen (2004: 4), triangulation means mixing approaches to get two or three viewpoints in a single research. In this thesis, data were obtained from the interviews, documentary sources and life history. The principal aim of the triangulation in Social Science is to have greater confidence on research findings, where one set of findings has to be corroborated with another. There are four basic forms of triangulation in social science such as data triangulation, theory triangulation, investigator triangulation and the methodological triangulation. This thesis used three forms of triangulation, given the nature of the subjects and the political environment -- namely, data triangulation which entails different data collection techniques (such as collecting slices of data at different times and social situations, and with the use of different people to gather data), theory triangulation which advocates for the use of more than one theory position in the interpretation of the phenomenon, and the methodological triangulation, which involves using more than one method and may consist of within-method triangulation (where one method and several strategies are utilised) or between-method triangulation (where different methods are used to measure similar units) (Denzin, 1970).

In this study data triangulation was used to collect data from different sources due to the fact that it allows the use of interviews, life history and documentary sources, which were crucial to women as unit of analysis. The combination of these methods as well as the interaction with respondents allowed for new insights about women’s political participation and representation in local politics to emerge and be covered. Data triangulation techniques, supported by methodological triangulation, minimised the probability of misinterpretation, while availing opportunities for constructing validity, thereby yielding the best results of the combined methods. As Olsen (2004) argues, data
triangulation is believed to help in validating research findings. In essence, the convergence of different methods enhances the validity of the results, allows the researcher to be more confident of the results of the study, and enriches the explanation of the research problem (Jick, 1979). Overall, in order to avoid distorted account, triangulation was taken by cross-referencing data collected firstly with that obtained from first-hand accounts and other documentary sources (reports, newspaper articles, books and journal articles). This also entailed asking probing questions and cross-checking responses from the different informants involved in the political events.

1.5.7 Ethical Considerations: Anonymity and Confidentiality

The question of whether the interviewees’ anonymity and/or confidentiality was guaranteed proved to be highly problematic for a number of reasons: The researcher realised at the outset of the study that the unit of analysis are women who have been put in the public office by their political parties; and was therefore concerned about some questions that might be sensitive and affect the study in a negative way. The political parties’ unwillingness to participate was a concern as they are gatekeepers. The researcher had a responsibility to protect the interviewees irrespective of whether they are in the public eye or not, while at the same time collecting data and reporting on the findings of the study in a manner that is transparent. Kotze (1989) argues that interviewers have a responsibility to convince respondents that their responses to controversial questions cannot be traced back to them. Accordingly, where anonymity is guaranteed, the recording of specific information might still lead to interviewees being recognisable in the public domain, even where no names have been used. In essence, it is impossible to conduct any form of analytical work without drawing conclusions.

There are several kinds of information that have been identified, addressed and recorded in different ways. This includes basic biographical information, information that is already known or should be a matter of public record and information in respect of which the interviewees required no confidentiality. The central question of whether informed consent was necessary for such information is debatable; given that the interviewees are members of political parties and municipal councils. In this view, this category of information has been treated as not requiring anonymity or confidentiality, given that such information is either already in the public domain, and therefore, by
definition, not confidential anymore. Accordingly, given that interviewees are public representatives; basic information should theoretically be easily obtainable. The second kind is information that is given, has not been made available in the public domain but concerns matters that are in the public domain. In the context of research, confidential information is that the researcher had received information that could only be used to further enhance their understanding, but could not be disclosed elsewhere or form part of the text. In contrast, in the case of anonymity, information received could be recorded in the study without using the names of individuals, such as in the form of a non-attributable quotation.

Therefore, for reasons of anonymity and confidentiality, the majority of information has not been referenced as attributable to specific interviewees and the names of the interviewees have not been provided. This is due to the fact that most of the interviewees are also in their jobs, which could compromise their position if they were to be identified. In the case of direct quotes by interviewees, these are coded with the number to guarantee their anonymity. In some cases, the quotes interviewees discuss have been detailed using their position to guarantee further anonymity. In instances where positions held by the interviewees at the time the interviews were disclosed this was not done in an intent to harm them; but was rather to give respondents a voice through research and not to give a researcher a voice through them. Also there has been no harm because positions are used synonymously in local government, regardless of whether a male councillor or female councillor. In addition, the references section of the thesis omits the names of interviewees.

1.5.8 Limitations of the Research and Fieldwork Difficulties

It is important to highlight that this research suffers from some possible limitations. Firstly, preliminary work was done before the fieldwork, by using documentary review, preliminary literature and informal conversations with some people linked with their areas or municipalities. This was done on the basis that the researcher used the case study approach without the aid of the survey data. The survey data, which covers different periods in time (such as three successive local government elections) would have been ideally conducted at the same municipalities and political parties twice (in the case of this study, before and after December 2000) in order to get a more balanced view of the changes on women’s political representation over different periods.
Secondly, the empirical analysis in Chapter 3 had limitations emanating from the lack of interview data from traditional authorities. It was noted that traditional authorities are political actors involved in a struggle for local government and negotiated the local state formation in South Africa. Traditional authorities contest positions of authority in the political field. This makes the politics of presence or representation, as well as the relationship between representatives and represented and between competing representatives more diverse and more patriarchal. Therefore, the over-emphasis upon the composition of political bodies prevents a proper focus upon the activity of representation and power relations. It is more important to focus on what representatives do than on what they are, as well as to how this affects the influence of women’s agency and women as individuals in their sustainable political careers. The data used to engage the politics of traditional authorities in the post-apartheid era was drawn from documentary analysis and involved both before and after 1994. The material was not for a short time and was enough to explore women’s political representation, and how the history of institution making affect the influence and affect women in local politics as well as to understand continuities and discontinuities about women’s political participation and representation. The fact that the purpose was to use women as a unit of analysis in the context of this thesis, documents were examined for immediate content, changing content over time and the values that such changing content manifests. Due to the centrality of the structure of traditional authorities it was impossible to generalise about traditional authorities, but through cases in different sites patterns, consistencies and meanings were drawn through a process of gathering data.

Moreover, collecting data required for this thesis was not without its challenges. Although the researcher overcame most of these difficulties, some of these challenges experienced are nonetheless, highlighted here. In most cases, political representatives in municipalities needed permission to conduct the study, and the permission was verbally granted at Ubuhlebuzwe Municipality, soon after the lengthy discussion with the Mayor. The permission, which was granted verbally, saved the researcher some valuable time at the beginning, as there were less formalities. This approach worked for the researcher, but initially some male councillors felt that they should not be part of the study; since it was about women, until they learnt that there were different aspects to the study such as the decision-making processes and the recruitment of members to their political parties,
as well as questions related to policy. Recording interviews with councillors was challenging; even though consent was granted -- some of the interviewees were very nervous, and some were afraid of jeopardising their position in the hierarchy of their political parties, and some wanted to shy away from the mass media. Some respondents did indicate that according to party hierarchy and rules, they were not qualified to share information, but agreed on the basis that the researcher took a life history approach to elicit information. This reluctance from some of the political representatives was enough for the researcher to understand that there are party members who have more decision-making powers and influence than others. In essence, acquiring data regarding political representation is particularly challenging, since information that protects patriarchy and participation challenges are constructed in different sites, and this was made difficult by the accountability problem that lies with political parties.

In these municipalities and political parties, appointments for interviews were difficult to secure since most of the political representatives were too loyal to their political parties. Some of the appointments with mayors and senior politicians were postponed and cancelled. All these appointments required rearrangements, and some were completely not honoured. In total, 30 interviews were conducted, with each interview lasting between one to two and half hours. Most of the interviews were recorded after seeking consent from the interviewees because a detailed contextual analysis of the data would be required (Clarke & Dawson, 1999: 78). As highlighted above, some of the political representatives asked not to be recorded, but were pursued to co-operate with the researcher until they agreed to be represented. Notes were important as they serve as a back-up and also capture non-verbal information (Kvale & Brinkmann, 2009).

Collecting data on candidate selection procedures presented several challenges. Candidate selection procedures data or information from 1994 to 2006 was not easily obtainable from political parties. Despite these challenges, the employed triangulated research methods and analysis improved the level of analysis. But it became evident from this study that the practices and rules governing candidate selection procedure(s) remain a ‘secret garden’ (Gallagher & Marsh, 1988). The party in the central office was not able to provide any of this crucial data either directly or through national and annual conference resolutions. The researcher had to triangulate methods in order to have a broader picture about candidate selection procedure(s). Chapter 4 will show that the candidate selection processes were driven by both territorial and partisan interests.
1.5.9  Reliability and Validity

Reliability and validity are concepts which are commonly used in both qualitative and quantitative research. In order to consider the validity of data, a number of factors were taken into account -- first, my role as a researcher and author, who creates the account within the framework, and social and political context in which the research is conducted and my task to ensure that the information gathered through the use of multiple methods and presented is valid, whilst remaining faithful to the account of the interviewees. It could be argued that research is never a neutral activity, and judgments are often made in relation to the research framework. In qualitative research, the findings illustrated are themselves never completely replicable, since meanings can often be unique to any relational situation. However, the point of such research is missed if one focuses on reliability, rather than validity. The author has attempted to provide analysis and explanation that is valid in terms of theories, frameworks, methodology and empirical data used. It is in this context that an author claims ownership of the study as such factors provide the context in which the study was conducted and thus guarantee it validity.

Overall, reliability and validity in the research process was achieved through various procedures. The findings of the study were compared with previous studies where the literature was discussed in almost the whole thesis. According to Golafshani (2003) triangulation in qualitative research is a strategy to improve reliability and validity because it allows for the engagement of multiple methods such as interviews, observation and recordings, which contribute to valid, reliable and diverse construction of realities. Therefore, in this thesis triangulation of several methods (documentary analysis, interviews) was employed.

1.5.10  Data Analysis

The researcher did mostly qualitative analysis of the results. According to Glesne and Peshkin (1992: 129) data analysis is the process of organising and storing data in light of one’s increasingly sophisticated judgments; that is, of the meaning-finding interpretations that one is beginning to make regarding the direction of their study. The researcher made a conscious decision to set aside the use of a standard computer qualitative package in
the analysis of the data. This deliberate choice was made because by coding such packages data decontextualises the text and leads to the high possibility of overcoming the form of the information so essential in terms of its high analytical validity and explanation of means. The researcher chose to highlight the form and take careful account when constructing meanings. In essence, there are easily readable tables for a range of information and analysis, which draws upon demographic data that was collected through interviews and documentary sources.

The qualitative analysis was done separately in order to understand the nature of women’s political participation and representation, based on the discourses of councillors (women and men) and political parties’ officials, and supported by a case study approach. This was considered the first phase of data analysis for this research and constituted content analysis. In essence, this level of analysis take into account the possibilities that interviewees might be knowledgeable about the topic, given their political affiliation, position in government and their conception of the topic. From this perspective, the analysis took into account that interviewees held a number of different positions over a period of time, and that other interviewees entered public office during the first round of democratisation, and during the process of decentralisation -- therefore, the length of interviewees in the public office was crucial in shedding new insights about decentralisation reforms and new political spaces in local politics.

The factor taken into account was whether the information obtained is consistent with any available documents on the topic or theme. This constituted the exploratory phase in order to read local government policies widely, as well as other substantive sources in order to allow for the multiple of information to provide an in-depth picture about women’s political representation in local politics. The picture for the participation and representation of women in local politics was established through political processes, policy agenda, and were as such guided and bounded by time and place. This stage of analysis was influenced by both analytic narratives approach and a comparative sequential method. An analytic narratives approach was used for the analysis of local government policies and other related documents, with the focus on understanding key players in the construction of the local state, their preferences, the strategies they adopted

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9 Levi argues that this approach establishes the actual and principal players, their goals, and preferences while also illuminating the effective rule of the game, constraints and incentives.
and the constraints that limited their actions (Bates et al., 1998: 11). In essence, each policy was important in connecting and understanding the main actors involved in proposing and pushing for it, whilst situating our understanding to explaining the influence of each agency in local politics.

1.6 THE STRUCTURE OF THE THESIS

This thesis comprises of seven chapters, which are outlined briefly as follows:

Chapter One provides the historical context and theoretical framework, the justification and the importance of this thesis. The chapter also provides the aim and objectives of the thesis, and list research questions, as well as the methodology adopted in this thesis to address the research questions. This chapter provides a clear statement of why and how the chosen research methods help with responding to the research questions. The research has adopted a mixed method of qualitative research, combined with some quantitative and documentary triangulation. The chapter discusses the problems associated with the data collection processes and field methodologies adopted, and how those problems were resolved.

Chapter Two provides the historical material in order to establish a clearer timeline and historical narrative for the thesis. It is impossible to understand the dynamics and political developments about the role and presence of women in South African politics as well as their challenges in the post-apartheid era without the historical narrative. The chapter tackles the history of institution building of the modern state in order to show how the previous government systems operated and why these have changed. The chapter argues that there are contradictions between the process of transition politics and the role of women within it, which might compromise their wider interests, due to the contesting discourses in addressing the politics of presence in South Africa. The chapter further introduces the reader to democratisation pacts concluded in South Africa during negotiation process. Understanding these pacts contributes to understanding power dynamics and knowledge of male domination formed in procedural spaces to secure the power of local elites, which contributed to the persistent contradictory position of women’s political representation. The conclusion of these pacts had historical meaning to
the regime type and is significant to future institutional formations; the exercise of state power; and the way that state power was shared thereafter in South Africa.

Chapter Three seeks to understand the relationship between the local state and the institution of traditional leadership since this is key site of negotiation and contestation to women’s empowerment. In order to achieve this, the chapter begins by developing an understanding of the emergence of the “integrated development planning strategy” in South Africa before revisiting the political conditions under which it was conceived, and the timing and types of power it generated at both national and local levels. The chapter goes on to explore how traditional authorities continued to play a role in the post-apartheid local state, and interrogates the legitimacy of their political domination in the rural local governance space. The principal argument is that the failure and weaknesses of the post-apartheid local state in rural areas, the growing power of traditional authorities as well as policies advocated by traditional power elites are suppressing the gains that women can make. In this struggle, the definition and redefinition of what is within the competence of the central state through the IDP Strategy is constantly reshaped, and this in turn affects the balance of power and the development path of the local state. The result was the continued partial exercise of administrative power and the inhibition of opportunities for addressing gender inequalities in decision-making structures. The chapter concludes that the implementation of the strategy, in the exercise of administrative power and the practice of building the local state have sequentially laid a foundation for formal, but meaningless channels for women’s political participation and representation. The consequence is that existing power relations have been perpetuated, despite the reform initiative.

Chapter Four deals with political parties’ policies and relationships to the country’s local government electoral system. It explores the challenges into the consolidation of power by political parties in the period between 1990 up to the third local government elections in 2006. To achieve this, the researcher makes an attempt to understand the initial phase of the post-apartheid state before re-examining the process of creating hegemonic political power and the re-alignment of political parties’ structures and state territory. The chapter goes on to explore the ways in which institutional relations are structured, how political parties exercise their power according to established rules sought, often effectively to regulate the entry of women in politics. The state of the politics of presence is traced through candidate selection procedures, the exercising of power as well as
hegemony. The researcher argues in this chapter that the intersection of the culture of the struggle for liberation, the mechanisms for increasing women’s political representation in local politics, as well as the struggle for territorial power and interests determine the influence that women have in local politics. The chapter concludes by stating that the struggle for women’s political representation and exclusions work in multiple sites because of the merging plurality of actors in the new modes of governance.

Chapter Five focuses on the everyday participation of women councillors in local politics, and was informed by data collected during the field research. It explores the relationship between the presence of women in political agencies as well as in apartheid and post-apartheid structures or institutions by following these women through from one historical regime to the next. The chapter demonstrates that women are brought by different factors into local politics. In this chapter, the researcher argues that these voices illustrate a deep-rooted historical contestation between women in different political formations and within women as a result of discourses that dominated different historical periods. These voices require attentiveness because they deploy specific construction of knowledge and power in changing political spaces. This chapter concludes by demonstrating where these different voices come from and the role they play in the everyday life of these women.

Chapter Six examines the roles that women play within political spaces that local government reform has produced for their representation and empowerment. It discusses mainly the relationship between policies formulated at national level and their implementation at local government level. The chapter examines the process of creating stable post-apartheid rule and gendered governable spaces. To do this, the concept of ‘governmentality’ is applied into two municipalities in KwaZulu-Natal. The implementation of several policies that relate to governmentisation of local state is explored – the Constitution, Municipal Structures Act, Municipal Systems Act and the Demarcation Act, in which these new political forms are based. These policies were sought to re-work the political landscape and align relations in ways that furthered the aims of both political parties and implementing post-apartheid central state directives. They sought to establish gender-sensitive modern local structures and to control local structures. However, instead of improving the political representation of women in decision-making structures, the practices undermined the sustainable political careers of women and entrenched masculine domination.
Chapter Seven concludes the thesis by revisiting the questions that the researcher originally posed and illustrates how these have been answered in the chapters. This chapter focuses on the complexities of democracy to South Africa’s rural areas, answering the question directly and drawing out themes presented across the chapters in the thesis. This chapter concludes with some implications of the research findings for the role of women’s political agency in local politics and as individuals in their political careers, and suggests directions for future research, based on the current state of knowledge in the area.

1.7 CONCLUSION

This chapter has provided a theoretical and historical context for the thesis and outlined the research questions, specified the aim and objectives as well as the research methods. The chapter has also presented the significance of political changes to women in South Africa, and particularly at the local level and discussed the importance of the thesis. This chapter discussed the methodology adopted in this study to address the research questions. The triangulation of research approaches, research methods and data as well as the theory has been employed. Firstly, there is a triangulation of research approaches, in which qualitative and quantitative approaches have been combined. Secondly, the study employs a triangulation of research methods, which includes interviews, documentary analysis as well as life history. In this regard, the study mixes approaches, methods and data as well as the theory to get more viewpoints regarding the subject being studied and make the research findings more valid, reliable and rigorous (Olsen, 2004). Thirdly, the research also uses data triangulation by using both first and second hand data. Moreover, this chapter has presented a summary of each chapter and the main arguments presented in these chapters. The next chapter is about the role and the political presence of women in South Africa’s politics and government. It focuses in transition politics and reviews women’s participation and political representation, in order to show how political spaces for women that were closed in government institutions in the formation of the modern in the early 1900s were (re)opened through pact politics.
CHAPTER 2: WOMEN AND THE HISTORICAL LEGACY OF INSTITUTIONAL FORMATIONS IN SOUTH AFRICA

2.1 INTRODUCTION

The previous chapter presented an overview of the study and the significance of the political presence of women in South Africa, particularly at local government level. This chapter is about the role and political presence of women in South Africa’s politics and government. The chapter considers how far the descriptive and substantive representation of women had been enhanced during the colonial, apartheid and democratisation eras. The purpose of the chapter is to investigate the role played by women within the broader struggle against apartheid, and in the transition politics as well as in establishment of the post-apartheid local state in order to open spaces for women’s formal political participation and representation.

This chapter argues that from their first entry into the political space women resisted male domination, acting on their own, representing themselves directly to the Union Government. During the democratic transition, influenced by both international feminist discussions and domestic oppression, women developed a collective definition of gender interests and began to build those interests into the structure of democratic institutions in ways that will affect politics and women’s political representation in the future. The main conclusion of this chapter is that women’s political representation in the democratisation was contradictory. Although there was numerical representation of women in the political reform to achieve two commitments, a policy of non-racialism and a policy of inclusivity and non-partisanship, the very same women were excluded from key decision-making processes which informed the process of formation of the post-apartheid state. We find out that while women’s interests were represented effectively as a group, individual ‘elite’ people took over the agenda or were able to afford them a contradictory legacy of having national rights to equality while at the same as losing effective rights in the traditional sphere.

The role and presence of women in politics are sketched under the dominant hypothesis in different periods, which contends that women in politics ‘make a difference’ by (1) better representing women’s interests; and (2) by introducing more feminist policies. The
connection with this theme is made within these periods. The first period covers the colonial establishment and its consolidation under the Union Government of South Africa, where there were systematic exclusion of women and diversity of representative claims. The latter coincided with the divergence and dominance of both the racist and nationalist discourse. The focus within this period is directed at the state formation and functioning of the Union Government until the banning of political organisations in the 1960s. The second period focuses on both the struggle for liberation and transition politics in South Africa. This section forms the larger part of this chapter because it aims to provide a clear map of what the role of women in representative politics has been and their role in the ending of apartheid due to procedural rules and new spaces opened during transition to democracy for women’s formal participation and representation. It covers the law reform process in a context of democratisation following 30 years of apartheid repression. The third and last period covers post-1994 onwards – the era of institutional change. One significant aspect of this period is to establish whether an increase in women’s political presence has effected feminist demands. The focus in these different periods serves to contextualise the convergence of descriptive and substantive representation in the mainstream discussion of South African politics.

This chapter explores the historical dimension of the role of women in politics in South Africa. It further explores the role of reforms in a new context of democratisation of women’s political participation and representation. Discussion of the democratisation process will concentrate on the cost of pact politics to women’s political representation in South Africa. The understanding of pact politics enables us to confirm the power dynamics and knowledge of male domination produced through the process in order to secure power of local elites. Although the pacts had historical meaning to the regime and were significant for future institutional formations, the exercise of state power and the way this was shared thereafter in South Africa, it affected the descriptive representation of women, because claims that constituted the substantive representation of women occurred in private spaces. Overall, feminist debates about South African transition neglected to explore the opportunities and costs of the nature of transition for both standing for and acting for women in politics owing to the absence of power.

The chapter consists of three parts. The first section reviews the political representation of women within the colonial and apartheid state. The purpose is to trace the ways in which women articulated their interests within the broader struggle against their
exclusion from representative politics, and in some instances against male domination owing to the effect of territorial politics\textsuperscript{10}, and in the process sought to articulate a set of interests based on particular experiences of gender and racial expression. It highlights the problem caused by territorial politics and the constitutional design and continuity, which resulted in the widespread exclusion of women from political institutions in practice. The second section draws the relationship between the politics of presence of women in the struggle for liberation and in the transition politics in South Africa. The purpose is to examine the political opportunity structure in the transition politics in order to understand both the unique opportunities and constraints to women actors for women’s political representation. It explores how the institutional legacy of the authoritarian regime and the pact-making process which emerged strongly in the early 1990s had effects on the agenda of women’s political representation, and isolated descriptive representatives of women in some democratisation pacts concluded during transition to democracy. The politics of the presence of women is explored in the structures of transition politics for constitutional settlement. The third section draws the relationship between the politics of the presence of women in the transition process and their institutional representation in national politics in the post-apartheid era. These sections attempt to provide a wider picture of the changes in South Africa’s politics and government due to the role and presence of women, and this aims to elaborate why there have been changes. Overall, the formation of the colonial political order and building up of the colonial and apartheid state are not given sufficient attention for one to understand the strengths and weaknesses of the state, and women’s political representation inherited in the post-apartheid era.

\section*{2.2 WOMEN’S REPRESENTATION AND THE CONSTITUTIONAL STRUGGLE (1890s-1960s)}

This section reviews the political representation of women within the colonial and apartheid state. The purpose is to trace the ways in which women articulated their

\textsuperscript{10} I use Falleti’s understanding of territorial politics, which is defined ‘as a set of conflicting territorial interests among levels of government and geographical units, as represented by political and societal actors in a given conflict or bargaining process’ (2010: 32).
interests within the broader struggle against their exclusion in representative politics, and in some instances against male domination owing to the effect of territorial politics, in the process seeking to articulate a set of interests based on particular experiences of gender and racial oppression. The section highlights the problem caused by territorial politics and the constitutional design and continuity, which resulted in widespread exclusion of women from political institutions in practice. Moreover, this section will identify the actors or participants and organisational structures that were developed, and the changing nature of the political environment within which women operated. The section also considers the ways in which women negotiated their political presence within racist discourse, and in the new set of institutions created to mediate the implementation of racial domination of government in South Africa.

This study argues in this section that the politics towards the Union Government in South Africa was dominated by territorial politics, and where there was difficulty there had to be a compromise, where racist and nationalist discourses became more powerful than feminist discourse, and women negotiated within and against those discourses (see section 2 in this chapter). More concretely, women’s relative exclusion can be understood through considering the relationship between the structures of preceding structural arrangements of the regime; its relationship with citizens; and the way in which that relationship was and remains dependent upon the political order, the organisation of the political space and its policies over time. By theoretically adopting the historical institutionalist approach in understanding the role and presence of women in South African politics and government, this section further evaluates the consequences of historical events and processes around the colonial constitutional design and the implementation that politically excluded women. This section first outlines the political events and explores the way in which territorial politics and constitutional continuity inform our understanding of politics in the institutional design, the agency of an enlightened minority and the political exclusion of women in practice.

2.2.1 Women’s Representation and Continuity of Constitutional Form (1900s-1930s)

By prioritising different theories and methodological approaches, the literature on women in politics has divided the participation of women in politics into component
parts. The feminist political geography literature influenced by the Foucauldian approach, for example, concentrates on privatisation of the urban space. These authors argue that in the Union Government, local government and its structures evolved through ‘location strategy’, therefore, state agencies produced forms of knowledge that supported the demands of capital and economic accumulation (Walker, 1990; Robinson, 1996). Robinson (1996) sketched how the ‘location strategy’ was widely used to deploy power that disqualified women as political actors and citizens in the representative structures crucial for construction of the modern local government in the 20th century in South Africa. In feminist history literature, Wells (1993) concentrated on the relationship within given territories of municipalities in Bloemfontein and in Johannesburg in the 20th century. She responded to the question of how modern developments and disciplinary techniques that regulated and ordered the behaviour of people affected women’s political participation and representation. Wells narrowly focused on the Pass Laws and how they pushed the resistance movement toward mass action with their protests of 1913, and how such regulations impacted on the sociological role of women. There was a methodological preference for descriptive case studies that had non-generalisable conclusions (e.g. Butler, 1989; Wells, 1993). Nonetheless, little attention was paid to constitutional design (South African Act of 1909), despite the fact that representation of women and their political exclusion as well as the post-1910 public policy design were intertwined.

One important exception in the political science literature was a book (May, 1955) which included constitutional cases of two republics (Transvaal and Orange Free State) and two colonies (Natal and Cape). Although the author analysed the relationship between the constitutions of these former regimes and problems associated with promulgation of the South African Act of 1909, he does not include gender. Accordingly, his analysis was influenced by both the racist discourse and class interests. Therefore, this section also aims to fill in this important theoretical gap, because the institutions and discourses that emerged from diverse groups to facilitate the institution making were not adequately conceptualised.

There is no study that proposed a multi-dimensional approach to women in politics which includes political, administrative and institutional elements. In order to evaluate the effects of the constitutional design and continuity on women’s political participation and representation, the politics of white women as well as of African women must be
analysed together. Unpacking women’s representation in this way and the historical legacies decreased the power of women to ‘act for’ or ‘stand for’ women, and rather increased the space for multiple struggles, considering that the colonial regulations created a patchwork system of political participation and representation. As the researcher shows in the following discussion, while historical legacies and contextual conditions do play a role, (local government) policies under Union Government were most highly dependent on the types of territorial interests and politics that dominated in the round of the National Convention (1908-9)\textsuperscript{11} negotiations over Union Government and the order in which these policies unfolded.

In the late 19\textsuperscript{th} century the struggle for the right to vote became a defining and crystallising focus for the movement of women’s rights in South Africa. The liberal Constitution granted to the Cape Colony in 1853 by the British extended the right to vote to men, but in these early days the suffrage was restricted by means of ties to property ownership and material privilege. This means the early liberals advocated meritocracy, which linked political power and the right to vote to economic success expressed as property ownership. In short, in the Cape there was a property and wage qualification for voters (May, 1955). Thereafter, the Cape liberal Constitution became a model for other colonies, owing to the fact that they were a product of the Cape Colony. The literature shows that European women in South Africa had started organising themselves long before formation of the Union Government in 1910, in search of a franchise in the existing representative institutions. For example, the Cape House of Assembly specifically rejected votes for women when the issue was first tabled in 1907, and supporters of women’s rights were defeated by 66 votes to 24 (Walker, 1990). Therefore, in South Africa European women were always politically active actors mobilising as women, ever since the Cape was the first South African Colony to obtain and develop representative institutions.

In the early 20\textsuperscript{th} century the liberal ideas became linked in all two colonies and two republics, and an intellectual case for political rights for women emerged very strongly

\textsuperscript{11} The National Convention (1908-9) took place after the Treaty of Vereeniging in May 1902 which officially ended the Anglo-Boer War (1899-1902), and the Bambata Rebellion in 1906 in Natal (Marks, 1978; Robinson, 1996).
and was supported by the flourishing of suffrage movements in South Africa. The first organisation, the Women’s Enfranchisement League (WEL),\(^{12}\) was established in 1902 in Durban, in 1905 in Port Elizabeth, in Cape Town in 1907, in Pretoria, Johannesburg and Bloemfontein in 1908, Pietermaritzburg in 1910 and Grahamstown, East London, Kimberley and Somerset East in 1911 (see Walker, 1982). This was intensified by failure of the political elites in the National Convention (1908-9), which drafted the South African Act of 1909, to grant women the right to vote, which brought women together to campaign for women’s suffrage, especially under the Union Government. As Walker (1990) observed, these scattered League(s) in different towns and cities in South Africa held their inaugural Conference in Durban in March 1911, which resulted in the formation of a racist women’s movement – the Women’s Enfranchisement Association of the Union (WEAU) – to ‘act for’ women in order to make their case for women’s franchise. Literature increasingly suggests that the WEAU was initially committed to non-racialism on the issue of franchise for the purpose of women’s liberation, but changed in their Conference in 1924 in favour of an only white vote. Walker (1991: 20) further argued that women who took up the question of women’s suffrage were regarded by white politicians as eccentrics at best, dangerous subversives or lunatics at worst. The majority of these suffragists were drawn from the privileged strata of society, but the campaigns emerged as a consequence of engagement in struggles for social justice more broadly. In addition, these women in former colonies and later provinces identified as their common interest the elimination of patriarchy (understood as the system of male domination), but here there was also an intersection of class, race and colonial forms of domination with the oppression of women.

Drawing from a review of the substantive literature on the history of constitution-making in the early 20\(^{th}\) century, we may conceive the constitution-making as a layered structure of institutional action. This literature suggests that exclusion of women from the franchise was reinforced by the fact that the constitution-making institution (National Convention) was itself dominated by the continuities, which was influenced by territorial

\(^{12}\) The first organisation to espouse women suffrage in South Africa was the Women’ Christian Temperance Union (WCTU), which was founded in 1889. This organisation was instrumental against trade of alcoholic beverages. The organisation remained convinced that male legislators would always ignore their campaign if women had no vote (see Walker, 1990).
politics and not by gendered representation. The fundamental problem was that in the Cape and Natal Colony voters and electors secured suffrage rights. May (1955: 10) argues that there were four solutions to the franchise problem suggested to the National Convention, based on varying electoral qualifications. These solutions were as follows: (1) to adopt the Cape franchise for the whole of South Africa; (2) to fix a civilisation test for all electors; (3) to draw a hard-and-fast colour-line throughout the Union; and (4) to leave the position in the Cape as it was, and to allow the Union Parliament to settle the question at some future time. May (1955) further reveals that the Cape Colony refused to surrender the rights of her non-European electors, and Transvaal and Orange Free State refused to extend the franchise. Evidence from literature suggests that insistence upon the Cape franchise being abolished would have wrecked the Convention. The National Convention decided to leave the franchise qualifications as they were, giving Parliament power to prescribe qualifications for voters in the future. Therefore, the National Convention drafted the South African Act of 1909, and decided upon a unitary state which converted the two colonies (Cape Colony and Natal) and two republics (Transvaal and Orange Free State) into present-day South Africa.

This thesis will show in the next section that the granting of franchise to white women in the 1930s was based on the convergence of the politics that emerged under the Union Government and the power given to Parliament during constitution-making. This was also based on the reality that the South African Act of 1909 had as its dominant characteristic the supremacy of the Parliament of the Union over all other legislative bodies within the Union. The next discussion shows that owing to the diverse policies and feelings, there had to be a compromise – which deferred any discussion about equality – because racist discourse and ideas for the formation of the Union dominated the discussion in the beginning of the Convention.

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13 As the National Convention proceeded in Durban and in Cape Town, there was no principle of gendered representation; rather the Convention was composed entirely of male elites such as farmers, university men, lawyers and delegates who had fought in the South Africa War (see May, 1955: 7).

14 May (1955) distinguished problems which dominated the discussions of the National Convention. Firstly, it was the issue of Federal Constitution. Secondly, it was the issue of franchise, which forms the larger part of this section, and had created new politics which dominated South African politics until 1994. Apartheid, a racial system which further denied South Africa’s Black majority the right to vote, was built on these colonial ideas. Thirdly, it was the issue of provinces. The solution to this problem was institutional conversion, where former colonial boundaries were made to be provinces of the Union Government.
2.2.2 Women’s Representation and Consolidation of the Union Government (1900s-1960s)

The National Convention (1908-09) and the South African Act of 1909 created new politics and forms of mobilisation – particularly forms that encouraged little political space for women’s participation and representation, because it was incremental, owing to the diverse history of institution design. In January 1912 African leaders met in Bloemfontein to form the South African Native National Congress (SANNC), which was later renamed the African National Congress (ANC), owing to the compromise reached to exclude South Africa’s black majority from voting rights. Some scholars argue that the victory of the British in the Anglo-Boer War in 1899-1902 and the adoption of the 1909 Constitution complemented each other to discriminate against Africans in the proposed Union of South Africa in 1910. This was a blow to the possibility of equal rights between white and black in South Africa, including the rights of women (see Meli, 1988; Lemon, 1987; Maré, 1993; De Haas & Zulu, 1994; Guelke, 2005). The ANC was a decidedly conservative, elitist organisation led by well-educated black professionals or mission-educated African elites as well as traditional leaders committed to legislative remedies to South African white supremacy (Walker, 1990; Castledine, 2008). These African elites held employment in the field of teaching, law, medicine, religion and journalism, which provided them with the capacity and resolve to combine their profession with politics. Women were not granted membership within the ANC, including voting rights, despite the fact that they were amongst its founding members; rather they were auxiliary members (Walker, 1990; Seekings, 2000). Despite these limitations, scholars noted that to make the place for women in the ANC, leaders sponsored the Bantu Women’s League (BWL), which restricted its activities to a narrow range associated with the ‘upliftment and education’ of girls as well as dominated by welfarist models for women’s public activities (Hassim, 2006; Castledine, 2008). Therefore, the early forms of political exclusion in the first half of the 20th century provided little political space for women, but were deep-rooted from the history of institutional design and the way in which the Union Government was negotiated. In addition, Hassim (2006) argues that nationalism rather feminism was an ideological framework within which women were mobilised. In essence, nationalism was an ideological framework used by political elites for representative claims.
The politics of representation dominated the debates in the 20\textsuperscript{th} century, and was recognised as an essential precondition for deeper inclusion. Comparatively, the political exclusion of South Africa’s majority from voting rights, and of white women, forced them to be seen fighting for the same goals, but using different discourses. On the one hand, both the WEAU and black opposition to the Union Government had a strong moral case to challenge the state, but had limited political power (Walker, 1991; Barber, 1999). These conservative forces (the ANC and the WEAU) advocated for political presence in the existing political structures, which was ambiguous and contradictory. African leaders were preoccupied with defending the extension of limited rights of franchise, which was only applicable in the Cape Province as provided for by the Cape liberal Constitution of 1853 (see section 2.2.1). In essence, these African leaders appeared to adopt a conciliatory attitude.

This chapter in this study has initially shown that the WEAU had a non-racialism policy, but the literature suggests that the WEAU later used race solidarity to defend race interests. The WEAU’s campaign for voting rights ended in the 1930s, under the ‘Fusion Government’ (1929-1939), when white women were granted voting rights. The white-only Parliament under the ‘Pact Government’ (1924-1929) took a decision to ‘act for’ women by appointing a Select Committee on Enfranchisement in 1926, which resulted in the promulgation of the Women’s Enfranchisement Act of 1930 under General Hertzog soon after the 1929 general elections. As Hassim (2006: 140) argues, by their [white women] complicity in Hertzog’s government’s political manoeuvre to reduce the importance of black voters in the Cape Province, white women placed their racial and class concerns above any solidarity between women. Most importantly, from the 1930s white women were included in the political community of the self-governing citizens, which was a building block to apartheid construction. Therefore, there is little evidence to suggest that the early formation of these structures (the ANC and the WEAU) was to overthrow the existing patriarchal state structures; rather it was to create a political space in which white women and nationalist or African elites could articulate a restricted notion of citizenship.

On the other hand, one could, however, acknowledge that the Cape franchise created new politics, which was pursued in an incremental form, but did encourage African leaders to use the space in the Union Government for creating nodes of opposition to both the colonial and apartheid state. But close observation seems to suggest that African
leaders were in favour of the exclusion of the majority, because the extension they advocated for was based on qualifications related to wealth. Therefore, from the 1930s there was an extension of franchise to women of the white population followed by another limited franchise for non-whites introduced in the 1980s, which still excluded the African majority (Swilling, 1987; Walker, 1990). This strategy of inclusion in the 1930s was integral in contributing to a fractured women’s politics because of contesting discourses, while also distinguishing women as a group and sharpening the disparities in opportunities for representation in decision-making between men and women.

From the first decade of the formation of the Union Government there was little political trust between black and white women, owing to the racial structuring of all social relations. However, the presence of women in national campaigns revealed women’s capacity for political mobilisation, and in opening up leadership positions to women. On the one hand, in 1921 there was a deputation from WEAU which presented a petition to Prime Minister Smuts, with approximately 54 000 signatures in favour of women’s suffrage. Smuts ignored the extension of both African and women’s franchise until he was defeated in the 1924 election. On the other hand, following the formation of the BWL, Charlotte Maxeke had in 1918 led a deputation of women from the League to Prime Minister Botha to present women’s case on the question of the Pass Laws. Women, through their independent efforts to register their dissatisfaction, were able to secure the audience of both liberal parliamentarians such as Senator W. Schreiner, who was able to facilitate meetings between a delegation of six women delegates, and other key politicians (Walker, 1990). These women carried with them 5000 signatures to the Union Parliament in Cape Town. Women had successfully mobilised against Pass Laws.

In March 1913 the Prime Minister appointed a Special Committee to investigate the Pass Laws throughout the country. In June the same year a Draft Bill was introduced to Amend Pass Laws, which gave the Governor-General power to repeal Orange Free State municipal regulations requiring passes for women, but only with the full co-operation of the municipalities (Wells, 1993). Castledine (2008: 61) concludes that African women found an ally in the Union Government, which did not support the municipal laws which were enacted before the Union Government, and this resulted in legislation passed in 1923 which exempted women from carrying passes. This policy would change in the 1950s with the introduction of apartheid, and was repealed in 1986. Therefore, women were able to develop autonomous campaigns to protest against racial discrimination, and
moved their activism beyond the local to a national arena, owing to the fact that these women in their organisations seemed to be formally independent of other political forces, and not subject to the procedural rules or political directions of male-dominated organisations.

Castledine (2008) draws attention to the political mobilisation of women, which resulted in their exemption from carrying passes in the 1920s. Scholars do not point to the effects of the exclusion of women from the 1920s policy developments, as was influenced by racist discourse and shifted focus from gender inequality to prioritise the struggle against racial oppression for national liberation. Firstly, the 1923 Native (Urban Areas) Act had its roots in the infamous Stallard Commission Report of 1922, which concluded that no African people would be allowed in urban areas except to fulfil labour requirements, and once they ceased to do so they were to depart back to the reserves (Robinson, 1996: 32; Nesvåg, 2000: 41). The Act was tightly linked to the territorial politics and interests and impulses found at the origins of the process, because whites needed to create a permanent enforcement of dominance in order to secure segregation and political control in urban areas. Secondly, women were exempted because Africans, especially men, were identified as a potential group to be tolerated in urban areas, provided they had come to service the white employer with cheap labour in the urban setting (Marks, 1989; Hemson, 1996). African women had no function in the urban space, and were dealt with accordingly through restrictive control measures. As Lemon (1987) concludes, the Stallardist doctrine influenced legislation from 1923 and provided a basis for development of the 1940s apartheid ideology. The Act was designed to meet the needs of capital. Most remarkable, relations of domination and subordination of women were specifically organised by patriarchal relations.

In 1943 the ANC Women’s League (ANCWL) was finally formed and allowed women to become full members of the movement with the right to vote and participate at all levels of deliberations (Walker, 1990; Seekings, 2000). According to Hassim (2006), women won their new status in part as a consequence of the ANC’s efforts to build up a mass membership, with women regarded as potential recruits. Formation of the ANCWL opened a political space for women’s representation in the ANC, and was seen as a break from traditionalist nationalism, which was associated with the first generation of ANC leaders. As Walker (1991: 90) argues, ‘a body aiming to represent the interests of the majority of South African women had been set up within the premier African political
organisation – the ANC had finally come to incorporate women, one half of the people it claimed to represent, into its political frame of reference. National liberation took priority over the problem of gender inequality, because the ANCWL was created whereby ‘African women could be channelled into the national liberation movement on a footing that was, at least theoretically, equal to that of men’ (Walker, 1991). Most importantly, women were organised, specifically as African women, which was a mark of the subsequent form that the women’s movement would take in the national liberation movement (Hassim, 2006).

The formation of the ANCWL was an important development, because it contributed to formation of the Federation of South African Women (FSAW) in 1954, which in 1955 launched an independent militant campaign against the extension of passes to women that would regulate their urban mobility. The FSAW was a non-racial women’s movement which operated within the Congress Alliance, the umbrella group formed by the ANC, white Congress of Democrats, South African Indian Congress and Coloured People’s Organisation to oppose apartheid. In essence the ANCWL was an organisational vehicle, which was always shaped by the decisions of menfolk. Even though the process of articulating new roles and organisational capacities under new status was interrupted in the 1960s when the apartheid government banned the ANC and the Pan Africanist Congress (PAC), and the liberation movements went into exile, this increased activism of women contributed to institutional design during the period of critical junctures, as the next section shows. South Africa’s political space from the South African Act of 1909 to the 1983 Tri-cameral model’s Constitution revolved around a racialised franchise. But the tradition of pluralist politics was established with competitive elections. Therefore, South Africa’s white population enjoyed a degree of relative liberal freedom even in the 1980s under the political reign of P.W. Botha, even though he provided the military with the central role in governance of the country (Habib, 1995; Giliomee, 1995; Marais, 1998). In addition, the failure of the South African Constitution before 1993 to afford equal protection to all South Africans resulted in not only racial discrimination, but also gender discrimination. This inherited legacy of oppression and discrimination based primarily on race, but also on gender and class as well as geography, took a particularly harsh toll on black women in South Africa. The next section considers the notion of the pact-making process as a negotiation based on strategic interaction among actors.
2.3 WOMEN’S REPRESENTATION, PACT-MAKING AND DEMOCRATISATION (1980s-1994)

This section traces specific political processes of women’s political presence or women’s activism during the negotiation process, formation of the Women’s National Coalition (WNC), the Constitution-writing process and the struggle for greater representation of women in these processes, especially at decision-making level. The section explores the relationship of the politics of presence of women in the struggle for liberation and in the transition politics in South Africa. The purpose is to examine the political opportunity structure in the transition politics in order to understand both the unique opportunities and constraints to women actors for political representation. It explores how the institutional legacy of the authoritarian regime and pact-making process, which emerged strongly in 1992, had effects on the agenda of women’s political representation and isolated descriptive representatives of women in some democratisation pacts concluded during the transition to democracy. The politics of presence of women is explored in the structures of transition politics for constitutional settlement. This section advances an argument that issues identified so far continue to create controversy in South Africa due to the fact that key representatives in the transition to democracy did not aim to provide institutional space for women to participate: rather pacts in the process were designed to provide powerful representatives in the outcome, which were later challenged by women as they advocated for getting women into transition institutional representational structures as they were politically excluded.

However, drawing from the ideas of Beetham’s (1994) formulated hypothesis on the mode of transition to democracy, this chapter argues that the depth and breadth of the transition has to be understood as to how it penetrates society rather than limiting it to political elites. The researcher is interested in analysing the process and politics involved toward the formation of the post-apartheid state, and wishes to trace the role of women in the democratic transition processes. As Waylen (1993; 1994) and Seidman (1999) argue, scholarly debates fail to link women to democratisation processes because mainstream approaches for analysing transition to democracy are not a good model for describing social change.

Sisk (1995) describes four features of democratisation initiatives: the fact that democracy can be proposed by an external actor; transition can occur when a regime collapses or is
violently overthrown; reform from above occurs when a regime in power constructs new institutional rules that democratise without jeopardising its role in the future order; and democratic transitions occur when liberalisers come to power and negotiate with the opposition. Although Sisk’s (1995) study explicitly elaborates in all these dimensions and concludes that the fourth path of transition often results in democratisation pacts, where there are agreements over alternative institutions, he does not see the need to explain the demands for women’s participation and representation as having changed the institutions established during the negotiation process. He chooses to prioritise the action of political leaders in the transition, which tends to offer a partial explanation, even though in his analysis he considers the historical dimension. Therefore, he ignores the political skills, knowledge and leverage women developed in liberation struggles and grassroots movements that made them gain influence within their political parties, as discussed below. Moreover, the partial explanation and scholarly concerns about the exclusion of women from the analysis conceals how pact politics is being theorised. The next section concentrates on the bilateral pact-making process between the old (NP) and new (ANC) political elites which started in the early 1990s in order to create new forms of political representation. In this section the researcher further contends that the fact that representatives of new political elites were not represented in the main political institutions conditioned the influence of women at decision-making levels, because of the priority to secure an incentive for the formal political representation of their interests.

### 2.3.1 Women’s Participation and Representation in Preliminary Pacts

The transition process generated an institutional space and form of representation of the old and new political elites to safeguard their interests in South Africa. Given the transformation in political power, it was clear from old political elites who were involved in the process that the interests of the existing elite, at least initially, would not be represented in totality in Parliament. Therefore it was crucial to bargain in the transition or negotiation process, and it was this bargaining process which ultimately gave old political elites leverage, and marginalised women’s representation in decision-making structures. I argue in the next section that the political context required that feminists interrogate the possibilities for increasing women’s political representation and gender
representation in the conventional institutional sites of politics as well as in elite structures that were developed in the process of negotiation.

From 1990 to December 1991 most negotiations comprised a series of bilateral talks between the old political elites (NP government) and new political elites (ANC political leaders). Most discussions were dominated by continuity and the transfer of power, rather than radical transformation and outcomes of democratisation (Sisk, 1995; Sparks, 1995; Maré, 2000; Hassim, 2006). Therefore, in terms of representation the old political elites claimed to act as representatives of the minority group – Whites, whereas the new political elites claimed to essentially act as representatives of the majority group – Blacks, who were excluded from representative institutions. The series of meetings and formal meetings for political settlement that were to become known as the Groote Schuur Minute and Pretoria Minute in May and August 1990 respectively, saw women under-represented amongst the representatives of the foundational pacts (ANC 1912-1993; Hayson, 1992). Even though there was a political presence of women within the ANC delegation that met with F.W. de Klerk to begin the negotiation process, it seems difficult to conclude that such a delegation sought to act for women or stand for women, due to the fact that representatives from these political elites aimed at ensuring that their vital interests were protected through political representation, with no pro-women agenda. As Rantele and Giliomee (1992) observe, the NP government refused to provide a general amnesty, but rather preferred to grant indemnity to the ANC National Executive Committee (NEC) in order to assist in bringing violence to an end, and to participate in negotiations and peaceful activities.

On the one hand, there was an initial outcome of the development of this form and dynamic of political exclusion in representation. According to Rantele and Giliomee (1992), these two elite-based pacts did not have any pro-women agenda; rather the old and new political elite wrangled over issues of political prisoners and the return of political exiles. The institutions guiding the negotiation processes that evolved from the Groote Schuur Summit were male-dominated (with only two women delegates from the ANC), meaning they did not reflect the social composition of society. Representatives acting for both political elites considered 30 April 1991 as the deadline for granting of indemnity and release of political prisoners. Moreover, political implementation of the Groote Schuur Summit resolution(s) through working groups excluded women representatives, irrespective of their presence amongst the ANC delegation. There were
two historical reasons for exclusion of women from the social composition of the working groups for the first round of negotiations. Firstly, the institutional contexts did not favour women due to the fact that old political elites used responsible ministers to facilitate the process of negotiation settlement. In other words, the social composition of the apartheid Parliament was male-dominated. The late Helen Suzman was one of the women representatives from the Democratic Party (DP), who served the opposition for 30 years in the apartheid Parliament (Hassim, 2006). Secondly, the ANC also used the Legal Section and its Head of Intelligence in order to facilitate the process of transition. Therefore, the historical structural arrangements affected women’s political presence in the working groups that were crucial for the negotiation settlement, and proceedings of the working groups were to be kept confidential. I will show later in this chapter that the exclusion of women substantively and symbolically from the negotiation processes and forums of public decision-making generated its own politics that was seen to hold women together. As Hassim (2006: 136) maintains, ‘the strategic grounds for an alliance between diverse women’s organisations were presented by the political parties themselves, in their apparent disdain for women’s demands for representation in the multi-party negotiations’.

On the other hand, there were historical reasons for this easy continuity of minimal representation of women by the new political elite from these security pacts and in preceding events toward Constitution writing. This legacy of political marginalisation can be traced back from the historical dynamics of the mid-1980s in conjunction with exile politics. The formation of the United Democratic Front (UDF) in 1983 availed an opportunity for women’s political presence in grassroots movements, to connect their demands to the wider struggle of human rights beyond the narrowly defined focus on women’s issues, to issues of public politics. However, some scholars argued that the political presence of women in UDF structures restricted women from having an influence in key decision-making on organisational direction and culture (Meintjes, 1998; Hassim, 2006). Most remarkable, women’s political presence led to the co-optation of women to a small core of male leaders, whilst also making it impossible for women to sustain or give enough time to focus on their own organisations. Moreover, some argued that in the ANC the politics of exile produced a hierarchical organisation that demanded unquestioning loyalty to the leadership. As Hassim (2006) explicitly argues, in the 1990s it was apparently clear that the power of representation of black people and leadership
lay with the former exiles. Therefore, the ideological and hierarchical convergence produced practices that were somehow limited in terms of feminist demands and their political representation.

In pact debates outside South Africa discussions about inclusion and exclusion suggest a historical reading of the development of pacts in order to understand how they constrain women’s political presence. Karl (1990: 11) argues that although the initial pacts lay the basis for mutual trust, pacts can create a habit of pact-making and an accommodative style based on a “pacts to make pacts” process. Again, the relative exclusion of women during the security pacts was as a result of the fact that the old political elite intended to safeguard their interests within the moderate bloc through institutions of political representation, given the fact that the old political elite was unlikely to be represented within the incoming majority ANC government (Hamilton & Viegi, 2009: 201). Przeworski (2008: 292) argues that being excluded is a source of deprivation of some kind in politics. Thelen and Steinmo (1992: 2) emphasise the central role of institutions: ‘political struggles are mediated through by the institutional setting in which [they] take place ... and shape the goals political actors pursue and the way they structure power relations among them, privileging some and putting some at disadvantage’. Therefore, the structural arrangement marginalised the capabilities of women as political actors and enhanced those of the political elite in South Africa’s transition. Accordingly, the Groote Schuur and Pretoria Pacts structured the battles between the old and the new political elite, where a set of rules and institutions to direct future transition were negotiated and modified in order to improve their political positions in the process. Nonetheless, South Africa’s transition was managed and negotiated, such that the opposition and incumbent regime, together through their bilateral talks, set rules for terminating their decades long conflict in order to secure political representation within the institutions of democratic South Africa. Therefore women’s political presence within institutions was not enough to challenge the dominance of male representatives or patriarchal control in transition structures, but was a trigger-point that fostered women’s organisations to demand women’s representation in decision-making structures.

The beginning of the democratic transition and negotiation process was not conducive to the articulation of feminist claims. For example, the political violence had protected centrist elements within parties and government, which strengthened the power of parties’ leadership who were more influential in different territories and institutions in
agenda setting. This means that the real power was confined to a small group of people, and the political space was not sufficient for women to ‘act for’ and ‘stand for’ women. In January 1991 the ANC and IFP elite coalesced to sign a Peace Agreement which sought to terminate violence in rural areas in Natal. Again, in September 1991 the National Peace Accord was signed by South Africa’s political elite, namely the ANC political figure Nelson Mandela, the former President F.W. de Klerk and IFP leader Chief Mangosuthu Buthelezi, because of massive violence in micro-politics in Natal (Charney, 1999). Increasingly violence was at the core of the political struggle and spontaneous in communities and territories where local-level groupings of women’s political agency operated (Cherry et al., 2000).

However, the National Peace Accord had all the important features of elite settlement of democratic transition that descriptively and substantively kept women out of the key decision-making processes. According to Burton and Higley (1987: 301), although settlements are primarily the result of private negotiations amongst substantially autonomous elites, they have an important public aspect, probably expansion of information about elite activities disseminated by modern news media. The other well-established parties did not participate, but strategies agreed had to shape their political behaviour, irrespective of their absence. In the process of this elite settlement, the business community worked as a broker between the government and opposition elites. Charney (1999) claims that the Accord sought to provide a framework for the containment and resolution of local-level conflict by civil society, in a situation where the state could not have power to change the incentives and behaviour of local power actors. Business was the leading force in the Accord and in the 1980s in shaping the reform programme, which in part established local structures that descriptively excluded women from pursuing their representation.

In fact, analysis of political violence reveals that it can lead to entrenchment of the power of conservative elites that find political transformation threatening to their vital interests. In the hands of either an old political elite or new political elite, political violence pursued different objectives and produced different effects for women’s political representation. Sisk (1995) observes that the Accord sought to deploy strategies for jointly managing the violence as well as framing rules for managing it. The Peace Agreement included codes of conduct for political parties and police, whilst also penetrating society through
establishment of regional and local peace committees, which included local political organisers and leaders. In some ways the Accord was set to demobilise the constituencies of the political contenders and also to set the ground rules for free political activity.

Sisk (1995: 125) further shows how violence was used by political actors as a manipulative tactic to ensure that their interests were protected in the new order to enhance their bargaining position, whilst also sabotaging the process of negotiating change. Under these scenarios, Campbell (1992) points to what had been the disadvantage to women – that violence reasserted structural forces of male domination at a time when race and class oppression had emasculated the status of adult men. Charney (1999) offers an account of business intervention in the process of democratic transition which places the type of structures established at from national to local levels. These structures permitted communication, which resulted in ‘local pacts to end violence and the formation of new elites transcending party and racial lines’ (Charney, 1999: 182). In these contexts political violence had a political consequence, and one of the contributing factors was the coalescence of political elites; this encouraged negotiations behind the scenes. One of the consequences was the exclusion of women from key decision-making structures, because such structures encouraged representation of key political leaders. Finally, the ongoing institutions put in place to control political violence and to save the transition process did not weaken the existing power structures, which were exclusionary to women; rather, they provided local elites control over key institutions of gendered power in the name of peace. While the relationship between political violence and women’s representation has not been linked up with the broader institutional design in the post-apartheid local state, Chapter 6 argues that the reconciliation discourse adopted after 1994 between the ANC and the IFP in KwaZulu-Natal influenced the design of local government institutions, which protected territorial and partisan interests, and later undermined the political presence of women and their sustainable political careers (also see Chapter 7).

The literature from pact scholars suggests two hypotheses about the effects of pacted transition which are applicable to the context of this study. On the one hand, some scholars suggest that pacted transitions offer the most viable path to democracy (Karl, 1990, Karl & Schmitter, 1991). This literature argues that pacts are conducive to establishment of democratic rules and institutions. On the other hand, other scholars
worry about the long-term negative effects of pacted transition on the type of democracy that emerges (Karl, 1987; Hagopian, 1990). This literature is concerned about the level at which competition and contestation can be suppressed across political parties in new democracy. In this context, individual leaders who were important in negotiating compromises to a large extent acted with a high degree of autonomy from their incipient party organisations. Moreover, this body of literature has been concerned with the way in which democracy can be attained and consolidated, rather than being concerned as to how representative democracy might be enhanced to ensure women’s equal participation and representation. Therefore, one of the problems in the post-1994 literature is that this has not been linked strongly to unmask the effects of pact politics and the interlocking of these pacts in institution-making as well as in lack of representation of women in local politics. The next section discusses how feminists challenged their political exclusion in the processes towards constituting representative government through political skills, knowledge and leverage developed from the struggle for liberation and in grassroots movements.

2.3.2 Women’s Representation, Transition and Mobilisation (1990-1994)

During 1991-94 women’s politics in South Africa can be seen as having been a constant struggle against political marginalisation. In order to analyse gender politics during the transition, while using political representation literature, I also borrow from Leftwich’s (2004) and Squires’ (2004) broader understanding of politics. According to Leftwich (2004) politics consists of all activities of conflict (peaceful or not), negotiation and cooperation over the use and distribution of resources, whether they may be found within or beyond formal institutions, on a global level or within a family, involving two or more people. This understanding of politics enables the incorporation of a wider and richer range of activities, both past and present. From a feminist perspective, Squires (2004) supports this broader view of politics because it provides opportunities to be concerned with the struggle over the control and distribution of power across a whole range of sites, and opens up space for considering issues of gender as central to the study of politics. Waylen (1994; 2000) also suggests that in transition politics it is important to use a broader notion of politics, one that encompasses not only processes and institutions among elites but also captures the relationship between popular mobilisation and democratisation processes.
Women’s Representation and CODESA Politics

The formal negotiation began on 20 December 1991, after approximately six years of behind-the-scenes meetings between the old and new political elites and was to become known as the Convention of Democratic South Africa (CODESA). More explicitly, the government entered into secret and low-key negotiations with the exiled liberation movement in 1985 in order to negotiate the move to democracy (Hyslop, 1992; Williams, 2000). CODESA was attended by delegates from governments (both NP government and homelands governments) and opposition elites, made up of a total of 18 political and government organisations, including organisations that did not sign the Declaration of Intent. Women were under-represented and marginalised in this political forum—there were only 23 women’s representatives among over 400 delegates in CODESA (Goetz, 1998). These women representatives present in CODESA castigated the exclusion of women in the structures of this political forum, until the Management Committee officially accepted establishment of the Gender Advisory Committee (GAC) for CODESA. This means women worked collaboratively to create GAC in the early constitutional negotiations.

Moreover, continuity with minimal representation of women in the first round of formal negotiations through CODESA can be explained by the fact that the social composition of homeland legislatures was male-dominated. These legislatures were fundamentally weak and constituted a political problem for democrats committed to substantial democracy, because they were composed around coalitions which prioritised ethnicity and depended on traditional authorities, rather than reflecting the diversity of either interests or identities in societies (cf. Phillips, 1995). The apartheid Parliament also prioritised ethnicity and was homogeneous. Therefore, the under-representation of women in CODESA made it possible for new political formation of a coalition of women’s organisations.

As explained above and discussed below, the strategic grounds for an alliance between diverse women’s organisations was presented by political parties themselves, in their apparent contempt for women’s demands for representation in the multiparty negotiations (Hassim, 2006). Therefore, by the time CODESA collapsed in June 1992, women from different political parties had already suspended their political party differences to form a coalition in order to ensure the greater representation of women in
decision-making structures, soon after they realised that the committee was not enough to ensure women’s representation in negotiation structures. As Hassim (2006) maintains, the concession for the formation of the GAC was seen as limited and likely to marginalise women, because it was not a decision-making structure and had limited advisory powers. This means it was not enough to ensure women’s full voice or representation.

Mainstream scholars who have different viewpoints on reasons for the collapse of CODESA in the democratisation process ignored women’s representative claims in their analysis. According to Sisk (1995), the incumbent regime elites wanted an open-ended agreement on power-sharing before committing themselves to the uncertainty of an elected assembly. Maloka and Gordon (1996) provide an elitist explanation that Chief Buthelezi’s absence from CODESA resulted in its collapse. These accounts accept that transition institutions were changed, but seem to ignore that women had a contribution in shaping the nature and scope of institutions under negotiation, as well as their legitimacy by advocating for women’s representation.

Therefore, CODESA faced challenges of symbolic and substantive representation in its structure. Analysts in an in-depth account observed that CODESA was replaced with a secret process commanding agreement amongst the key political representatives of the ANC and the NP government, which resulted in the signing of the Record of Understanding in September 1992 (Jung & Shapiro, 1995; Sisk, 1995). Like the Groote Schuur pact, the structural arrangement in both the government and the ANC undercut women’s participation and representation in open negotiations. The study notes that the institutional continuity and choices that continued to condition the wider participation of women were rooted in uncertainty. The NP government and ANC chose, as before formal negotiations in December 1991, to bargain behind the scenes in order to fix the main terms of their agreement before the Multi-Party Negotiation Process (MPNP), that were to translate into securing their political representation within the institutions of a democratic South Africa (Jung & Shapiro, 1995). Despite the fact that women challenged the transition process, given the background of incremental change and women lacking a legally recognised structure, they further suffered from the dispersal of decision-making power which created new elite structures in the process.
(2) Women Building an Independent Movement and Constitutional Negotiations

The formal process of negotiation over the substance of the Constitution, initially called the Multi-Party Negotiating Process (MPNP), began on 1 April 1993 at the World Trade Centre, Kempton Park, and ended with the ratification of the Constitution on 10 December 1996. The battle for representation was by no means easy in the democratisation process, and made difficult by the new elite structures, which were concerned about the protection of vital interests. For example, in September 1992 the Record of Understanding signed by Nelson Mandela and F.W. de Klerk made it clear that there were two key players in the transition in South Africa, and any other party had to agree on the set procedures by these two key players (Lemarchand, 1994). The pact of September 1992 and MPNP of 1993 limited the political space for women’s representation, creating a political space for old and new political elites to ‘negotiate a constrained transition’ (Adler & Webster, 1995) for the purpose of safeguarding the vital interests of old political elite in the structures of new political elite. Similarly, Hassim (2006) found that the strategic marginalisation of women in key structures and their limited ability to influence the technical committees became a challenge such that they had to influence the MPNP from the outside. They were under-represented in Technical Committees, such that the MPNP Monitoring Collective formed in July 1993 assisted the legal experts throughout the negotiations. Sisk (1995) confirms that not all negotiation was conducted under the rubric of the MPNP. Moreover, CODESA agreements where women were provided an advisory status were no longer binding. This should not be read as meaning that women were excluded; rather what needs to be considered is that issues which were beyond national interests were deferred. In theory, the nationalism discourse, liberal discourse and hegemonic discourse combined with elements of democratisation indeed shaped parameters of the process of transition.

Gender and politics scholars argue that recognising the need for united action and considering that women’s issues took second place, women created an independent power base in the processes of transition. In April 1992 the Women’s National Coalition (WNC) was formed and became an avenue through which women mobilised for action during the negotiation period. This coalition of women’s organisations was united to ensure that women’s voices would be heard in shaping the new South African society. In essence, the coalition mobilised collectively in order to influence the transition.
According to Goetz (1998: 246) the WNC was nationally and indeed globally unprecedented in size and in the diversity of its membership, having approximately 90 women’s organisations under its umbrella in 1994. This organisation was the largest and most representative women’s organisation in the history of the country, because it included of women of all races, classes and political parties (see Tripp, 1994). The WNC was originally a brainchild of women in political parties who had been excluded descriptively and substantively from the negotiation processes. This collective was given a voice because the movement itself was established to create an environment to act for women during the transition to democratic South Africa, for women to participate in the constitution-writing process to ensure effective equality in all spheres of women’s lives.

On the one hand, the political ideas for formation of the WNC in South Africa’s transition need to be traced back from the political opportunity structure and institutional continuity of the 1980s. The political opportunity structure can be defined as the extent to which developments in the wider field of politics – the nature of the state and other political opportunities, the conditions in which women mobilised – shaped political opportunities for collective action (Hassim, 2006). The first shift in opportunity came in the late 1970s and 1980s, when the political terrain of opposition to apartheid shifted to the local level, and women’s participation in community organisations was encouraged as part of the process of expanding resistance at grassroots level. Therefore, one of the unintended consequences of the 1980s institutional configuration was that it opened a new terrain of political struggle at the local level, which in turn provided a political opportunity for women to be mobilised as a group separately from black people (Meintjes, 1998; Hassim, 2006).

Moreover, in these decentralised struggles about access to services and resource distribution, women developed a sense of agency which served as a building block to the formation of separate women’s organisation that challenged women’s exclusion in the negotiation phase in the 1990s. Hassim (2006) argues that the local organising and politicisation of community issues drew many women with no previous history of collective action into political struggles and subsequently into women’s associations. For example, for a brief period from 1981 to 1984 women’s organisations mushroomed, such as United Women’s Organisation (UWO) in the Western Cape, Natal Organisation of Women (NOW) in Natal, and Federations of Transvaal Women (FEDTRAW), until they were disbanded to give a way to the relaunch of the ANCWL in August 1990. In essence,
it is argued that these organisations in the 1980s developed their own structures and focused on addressing women’s issues and needs. The shift in opportunity reconfigured the universe of political discourse to include not only universalistic demands for a democratic state, but also new gendered concerns. Therefore the formation of the coalition cannot be politically divorced from both township politics, which was a result of privatisation of urban space, and the pact politics that emerged after the release of Nelson Mandela in February 1990.

The political ideas for the formation of the WNC in South Africa’s transition also need to be traced back from political events where feminists analysed their lives not only in terms of class and race, but also in terms of gender inequalities and the need for an autonomous organisation. Most notable among these political events was the Malibongwe Conference organised by the ANC with the support of the Women’s Committee of the Dutch Anti-Apartheid Movement and held in Amsterdam early in 1990. This brought together for the first time women who were in exile and women activists who had remained inside South Africa during the period of apartheid – a mere two weeks before the historic unbanning of the liberation movements the ANC, PAC and SACP (Manjoo, 2005). According to Hassim (2006: 134) the Malibongwe Conference was a watershed event, not only because it brought women together but also because it addressed a range of issues – from the future democratic constitution to the political participation of women in political positions to violence, health care, and customary law – in ways that prefigured gender debates about the constitution and about policy during the transition to democracy. Even though the Malibongwe Programme of Action called for the building of a national women’s movement within the country that would embrace non-ANC members, the organisation was formed around the ANCWL as a driving force to provide progressive political leadership and content for the programme of action (Seidman, 1999). In essence the Conference cleared the political space for diverse women’s organisations in different territories within the country to explore new forms of alliances irrespective of race, class, religion and political lines.

Political representation is a battle business, but women’s participation and representation in the constitution-making process was complicated by the structure of apartheid and difference. There were moments where women were structurally conditioned by the alliance between the reformers inside the authoritarian bloc and moderates in the pro-democracy opposition (Webster & Adler, 1995; Waylen, 2007). The WNC through the
backing of the ANCWL pursued dual politics: it appealed to the ANC from the independent base of the coalition, and appealed to the ANC’s internal commitments to represent the demand for gender equality. In essence, women’s institutional choice to influence the transition process and to survive was to negotiate with the old and new political elite from their political parties and those who were key channels in the Negotiation Forum.

Hassim (2006) observed that the presence of feminists in different sites and their experience of being excluded from CODESA contributed to the question of women’s participation being debated in the Negotiating Council before the Forum in April 1993. The ANC proposed an increase of political representatives to the MPNP, from one negotiator and advisor to one negotiator and two advisers, and this was jeered at the Negotiating Council when put forward by the new political elite’s Chief Negotiator, Cyril Ramaphosa. It was noted that one representative on each party’s negotiating team was to be a woman. However, Hassim (2006) argued that the Negotiating Council later accepted the suggestion of the IFP Women’s Brigade that delegates should have voting rights. Therefore, the presence of feminists in political parties and their targeting of political parties was a strategic choice for women, because the new political elite and reformers had already adopted a principle of ‘sufficient consensus’ to increasingly marginalise hardliners and radical opposition in the transition (Johnston, 1996). The effective meaning of this was the agreement between the NP government and the ANC (Kotze, 1996) which meant that the NP government and the ANC could effectively veto any progress, because without either’s consent there was no ‘sufficient consensus’ (Heunis, 2007). Overall the coalition was able to claim a broad constituency across party lines, and was able to mobilise women within political parties to exert internal pressure on their party leaderships.

In fact, the overall effect of these women’s strategies as a group that emerged independently during negotiated settlement in the transition from authoritarianism could lead opponents and observers to argue that women played a role while outside the main negotiation process of the transition to democracy at national level in South Africa. There was an under-representation of women on technical committees because the framework for negotiations designed by reformers and moderates only accommodated political parties, not representatives from social movements (Goetz, 1998). In essence,
during the constitution-making process there was no political party for women and under
the leadership of women, but WNC was established to influence the transition process.
While excluded, however, women still mounted vocal resistance to both their exclusion
and ongoing political conditions in the country, irrespective of their limited ability to and
political experience in influencing the technical committees (Hassim, 2006).

Goetz (1998) recounts that women’s marginalisation in the negotiations was also
exacerbated in that delegates were from traditional female occupations, whereas men
were from careers that had prepared them to hold legal discussions and high-level
negotiations. Moreover, the political presence of women in the negotiation process was
structurally conditioned by formation of what Heunis (2007) describes as the channel
and extended channel at the Negotiating Forum. On the one hand, women did not form
part of the political representatives in the extended channel, which involved government
representatives and the ANC representatives. In this, new political elites were
represented by their strategists and legal experts as well as advisers. Old political elites
were represented by ministers and top government officials, which did not include
women. The old political elites had long established an extended team known as
Beleidsgroep vir Hervorming [Policy Group for Transformation], organised for the
government to participate in the negotiation process (Heunis, 2007). On the other hand,
as outlined above, women as a group were already tutored in the participatory politics of
the trade union and women’s organisations in the 1980s. When they emerged in the
negotiation process for constitutional protection they relied on the outside legal experts
and funding for the entire negotiations for their institutional support to the MPNP
(Hassim, 2006). In a sense, through strategic alliance women were able to co-operate and
mobilise expertise that was in short supply within the WNC. For other women one of
the political costs was that those who were offered participation at the negotiating table
were compelled to toe party lines, and their collective action was constrained by party
cultures in the process of negotiations (Goetz, 1998).

Chapter 7 of this thesis will show that beyond difficulties in the politics of transition,
women were able to find a common ground in their exclusion from the political space,
which was opened through the transition process to articulate their interests, which
resulted in their participation in representative institutions. However, Goetz (1998: 246)
explicitly argues that WNC was an extension of ‘strong tradition in South Africa of
women seeking an autonomous organisational expression for interests that transcend
party lines – such as the Federation of South African Women formed in 1953 by women from trade unions and political organisations, which drafted a Women’s Charter in 1954. Overall, women activists organised an alliance of women in order to influence the outcome of the constitutional negotiations to ensure that gender rights would be enshrined in the new constitution.

(3) Women Mobilising for Change and Traditional Leaders

Chapter 1 and this chapter initially outlined that the divided character of the South African society and unique structure of the apartheid state ensured that the transition would have a very different character. The transition to democracy offered a political context for greater mobilisation and an opportunity to raise the level of political consciousness among women, such that the separate administrative and political structures created by the white minority rule to accommodate black elite (homelands, formed by traditional authorities) were challenged (Friedman, 1993). The WNC’s aim to challenge political and social obstacles in the path of gender equality was to target traditional authorities, which formally constituted their formal authority in homeland politics through official discourses (Bantu Authorities Act of 1951, Promotion of Bantu Self-Government Act of 1959 and Self-Government Territorial Constitution of 1971).

Therefore, the WNC faced intensified conflict with traditional leaders over the equality clause, which seemed to challenge their claims to hereditary power (Walker, 1994). Traditional leaders at the MPNP demanded for the exclusion of customary law from the Bill of Rights, in a sense that customary law and culture should not be subject to the equality guarantee. As Mokgoro (1997: 1283) recounted, in the MPNP traditional leaders lobbied for the place of customary law, while feminists lobbied against it. Influenced by the liberal notion of equality, the WNC was trying the prevent continuation of apartheid’s race-based mechanisms for organising political representation, in order to ensure that ethnic mobilisation was not carried over in a democratic South Africa. Chapter 3 will argue that because of the emphasis on continuity and the post-apartheid institutional design that was influenced by the territorial interests and partisan interests as well as the weakness of the local state in rural areas, traditional authorities commanded more power, which overturned women’s gains in politics.

The transition was a carefully worked-out compromise in which different forces had to consider their future by protecting their territorial interests through having access to and
control over rural constituencies through reforms. This was due in part to the fact that the politics of transition itself contributed to the plurality of politics of presence, and traditional leaders became an important actor. Murray (2004) argues that traditional leaders understood that the process of transition sought to develop the framework for the new constitutional order. Therefore, traditional leaders strategically became more united in advocating for the future of traditional authorities. Moreover, Albertyn (1994: 58) argues that in the deadlock between traditional leaders and feminists there was an informal instruction to give political concessions to chiefs, in order to resolve the deadlock between customary law and the equality clause.\footnote{15} The disarray of drafters about the future of the consolidation of democracy and the equality debacle provided the context for agreement, which recommended for the formation of the Commission on Gender Equality (CGE) and the Council of Traditional Leaders. Structurally, women were constrained by the fact that traditionalists provided the political base for wider participation of people in rural areas. According to Deveaux (2003: 163), facing the pressure and seemingly irreconcilable demands from African traditional leaders, legal reform groups and women’s rights advocates, the drafters opted to recognise customary law alongside individual equality rights, leaving the precise relationship between the two undetermined (see Chapter 3). The pro-democracy forces and their alliance with reformers engaged in a compromise which postponed and perpetuated limited democracy, rather than deciding on the key issue that constrained wider women’s participation and representation.

However, it would be wrong to overstate the extent to which the transition was facilitating of women’s politics in the presence of traditional authorities who were included to protect the patriarchal order. Initially traditional leaders were not part of the negotiation process, but joined the negotiation through the formal embodiment of law in a regional context (Ntsebeza, 2005). Maloka and Gordon (1996) point to one of the reasons that resulted in the indirect intensification of the conflict between feminist and traditional leaders, namely that they were brought to counter the IFP’s move following Chief Buthelezi’s preconditions for participation in CODESA. Chief Buthelezi advocated for the political presence of the Zulu King in the negotiating process. Overall the democratisation process introduced the new discourse that allowed for women to place

\footnote{15 Further research shows that traditional leaders withdrew from the MPNP their support for customary law, rather demanding the protection of ‘cultural rights’ from the Bill of Rights (Oomen, 2005).}
themselves at the centre of an elite-driven negotiated transition. In addition, the presence of traditional authorities in negotiations and the attention given to them by both the old and new political elite were important indicators of the desire of these elites to stress continuity, influenced by retention of the patriarchal order.

There were several reasons that influenced the coalition to ‘act for’ and ‘stand for’ women to challenge the institution of traditional leadership. Firstly, women recognised that the undemocratic nature of the institution, as it is hereditary and contained no electoral process, would be challenging to future institutional formation and wider participation in the rural areas. Secondly, women’s concern was that rural local governance was under traditional authorities; therefore, traditional authorities would have power to exclude the majority of the population in the rural areas. In essence, feminists were concerned that spatial marginalisation and future patriarchal control would prejudice women’s rights to exercise their votes. Moreover, the academic literature on South Africa’s transition to democracy notes that the rivalry between feminists and traditionalists was historically embedded on the subject status of African women living under customary law, and on tension between the principle of gender equality and recognition of customary law (Manicom, 2005).

I will show in Chapter 3 that the Constitution ended up a contradictory document, which ignored that the interests of various actors might be contradictory, or at least provided no solution to these conflicts, postponed their resolution, and thus embedded them in perpetuity. Furthermore, Chapter 3 logically argues that traditional leaders were part of the apartheid regime through homeland politics; therefore, their exclusion would have meant more problems against local democratic forces and wider participation, as well as in extending democratic institutions in rural areas, which women had to participate in. The chapter also argues that the process of South Africa’s constitutional design and the emphasis on participation in policy making created opportunities that traditional leaders were quick to seize, using different methods to reclaim their authority. This involves ideological, cultural and economic elements that combine in a potent mix that makes them increasingly invulnerable to demands for their abdication of power (Oomen, 2005; Ntsebeza, 2005). Therefore, Chapter 3 outlines that the institution of traditional leadership mobilised for constitutional protection of their power and reintegration into the political system (LiPuma & Koelble, 2009), which consequently downgraded
women’s representation and compromised women’s agenda of transforming the gender relations of power.


According to Hamilton and Viegi (2009: 207), in most modern representative democracies the constitution is one part of a sovereign triumvirate: the constitution and the institutional means of interpreting and enforcing it; the legislature and the executive; and ‘the people’. These scholars argue that sovereign power is not divided equally amongst these different parts. According to them, the constitution is set up as a ‘higher law’ that cannot be changed through normal lawmaking procedures in the popularly elected assembly, because it involves exceptional legal entrenchment that exempts constitutional rules from the majoritarian controls that govern ordinary legislation. They argue that this should be known as constitutional pre-commitment and is a central tenet of liberal democracies. Furthermore, the constitution occupies a special position within the sovereign triumvirate in two related senses: (1) it is understood as a prerequisite for the actions and decisions of the legislature, the executive and ‘the people’, a ‘higher law’ to guide normal, everyday law; and (2) this ‘higher law’ is created antecedently and independently of these everyday actions and decisions.

Sisk (1996: 5) defines power-sharing ‘as a set of principles that, when carried out through practices and institutions, provide every significant identity group or segment in a society representation and decision-making abilities on common issues and a degree of autonomy over importance to the group’. The political components of the constitutional pact-making were embodied in the pact known as the Record of Understanding signed in September 1992 between the NP government and the ANC. This document was produced without the political presence of other political parties which were active in South African politics, and a few months after the Boipatong massacre and mass action campaign at Bisho (Landsberg, 2004). Pierson (2004) stresses that the fact that since political actors compete to occupy a limited space, the very same actors may utilise their political authority to change the rules of the game in order to enhance their power. The coalescence of the ANC moderates and regime incumbents marginalised women in the process of transition and other elites inside the ANC as well as outside who might
challenge its position as the principal player of the opposition (Shapiro, 1993). Przeworski (1986: 61) argues persuasively that struggling forces must not only dismantle the old regime but must also at the same time create conditions that would favour their own interests in the new established system.

The choice made by the ANC during negotiations was to accept the constitutional continuity, meaning the Tri-cameral Parliament remained the highest legal authority during the democratic process to approve the transitional constitution (Rantele & Giliomee, 1992). In doing so the old political elites were structuring the whole negotiation process in a sense that it gave rise to guaranteeing the political presence of minorities through constitutional means. There were two main guarantees to make political conditions rigid in the process of democratic consolidation. Firstly, the new political elites along with old political elites agreed that there would be constitutional principles along with the Bill of Rights entrenched in the Interim Constitution as a framework of the final Constitution to be adopted by the Constituent Assembly. There were 34 principles adopted in the negotiation process to guide the final Constitution. Herbst (1997) argued that F.W. de Klerk realised that he would be in a much less powerful position once the first elections took place to negotiate the terms of the final Constitution. Therefore, he demanded that entrenched ‘constitutional principles’ be spelled out in the Interim Constitution that circumscribed the writing of the final Constitution and the institutions it created. Kotze (1996: 138) categorises these constitutional principles into five major topics, including the transition period, the status of the constitution, fundamental rights, democratic principles and the form of state and government. Therefore, the Interim Constitution was adopted by ‘sufficient consensus’ by the groups represented at the MPNP on 18 November 1993, again by the all-white South African Parliament in January 1994. It was signed by the State President as the new Constitution of South Africa, founded on the principle of equality between men and women and people of all races (Kaganas & Murray, 1994: 416).

Secondly, the ANC conceded the basic principle of power-sharing prior to the development of constitutional principles. In November 1992 the ANC released a document known as Negotiations – A Strategic Perspective, with five phases of democratic transition from the establishment of the Transitional Executive Council (TEC) to the period of democratic consolidation. The document declared that ‘the regime commands vast state and military resources, and continues to enjoy the support of the powerful
economic sources’ and recognised the need ‘to accept the fact that, even after the adoption of a new constitution, the balance of forces and interests of the country may still require us to consider the establishment of the government of national unity’. Jung and Shapiro (1995) revealed that in a three-day debate the moderates had to control the radicals who were not in favour of power-sharing. Overall, the constitutional negotiation process for power sharing was concluded partly prior to MPNP – an open forum where women participated through political parties representative structures (Herbst, 1997). Therefore, women participated on issues that had already been agreed upon. In this sense, their participation co-opted them to the governance norms emerging while effectively silencing them on the substantive issues in question.

There were two outcomes that followed the reconciliatory approach between the old and new political elites to guarantee the presence of minorities in the political power of the post-apartheid state. These political elites locked themselves in a legally mandated five-year Government of Nation Unity (GNU) regardless of election outcome. The ANC accepted a power-sharing system for five years in which all parties receiving more than a 5% vote in the elections would be given seats in cabinet in proportion to their vote, and substantial devolution of power to the provinces (Giliomee, 1995). The NP government accepted that the president would be elected by the majority party. The 1993 Constitution provided for proportional power sharing in the Cabinet for any winning party holding at least 20 seats in the National Assembly and participating in the GNU. Moreover, the party with the highest number of seats and the second largest were entitled to one Executive Deputy President. Overall, the new political elites sold the idea of power-sharing to their radical wing while also delegitimising the communist discourse. As Giliomee (1995: 96) remarks, the ANC leaders admitted that it had few ANC branches; therefore, those leaders contemplating seizing power had to recognise that the goal was as elusive as ever. O’Donnell (1986: 12) stresses that political pacts can be facilitated by conditions from a weakly organised popular sector to existence of strong partisan identities and organisational networks during the authoritarian “interlude”. Sisk (1995) shows how other popular sectors were demobilised and identified secret meetings between the ANC and the NP government as well as with other political forces. In addition, popular sectors in South Africa were demobilised through elite structures and through pacts that the government engaged in with the ANC, but women kept on driving the feminist agenda.
According to Karl (1987), in order to accommodate the demands and desires of the new politically organised actors without significantly threatening the interests of those strong enough to reverse the process of change, democratisation required an explicit definition of parameters of action and the rules of the game, both formal and informal. For example, the impact of the activities of women’s organisations on democratisation was significant in a sense that the coalition always pushed for a policy of inclusivity – especially women’s representation in decision-making structures. The ANC played a quasi-state role after the formation of the TEC, which included political representatives from 20 of the 26 delegations participating in the MPNF (Lemarchand, 1994; Habib, 1995). The TEC was formed to pay attention to regime building, and women were part of it. Most representatives in the TEC were ANC allies and were distributed in line with the sub-councils, namely intelligence, law and order, local and regional government, foreign affairs, finance, status of women and defence. However, the sub-council on the Status of Women was charged with the specific task of removing any obstacles to the participation of women in the election, both as voters and as candidates.

However, it would be wrong to overstate the extent to which the TEC was facilitating the policy of inclusivity and non-partisanship. Moreover, through the transitional arrangement the ANC had increasing access to policy-making and oversight of the state apparatus. Some scholars argued that the coalescence of the government posed structural conditions and marginalised any opposition to their joint venture. According to Jung and Shapiro (1995: 292), during the transition to negotiations and the run-up to the elections, co-opting or marginalising the opposition seemed desirable to the principals and most observers. The white separatist group that supported the local leader who was against the transition process of the incorporation of Bophuthatswana under South Africa was silenced through an order from the TEC (Jung & Shapiro, 1995). Likewise, some observers of South Africa’s transitional institutional arrangement argued that the ANC used its dominance in an unelected structure, the TEC, to order the white minority government to deploy a security force in order to neutralise the ANC’s political opponents (Johnston, 1996). Others argued that the decisions in South Africa’s transitional context were influenced by a variety of factors, including political, economic, cultural and ideological considerations (Habib, 1995). The NP government had already used its political power to reinforce political advantage on institutional choices for the transition and for the new regime (see Chapters 4 and 6).

The consensus of the current literature focusing on women’s political participation and office holding finds that the rules guiding elections are the most significant factors determining women’s access to office (Norris, 1985; Rule, 1987). Traditionally, under apartheid, South African elections were conducted amongst racially separated electorates according to a Westminster-style plurality or First-Past-the-Post (FPTP) election system.

The advantages of this system are said to be that they generally provide for decisive outcomes, providing clear-cut winners and losers. The disadvantages of this system are that they squeeze out the representation of ‘third parties’ and accordingly provide for disproportionate representation of major competing parties within a given legislature. Furthermore, to operate fairly plurality systems require regular and independent delimitations of constituencies to ensure relative equality of the population sizes of constituencies, so as not to disadvantage parties whose support is concentrated in particular geographic areas (Fox, 1996).

South Africa’s experience of plurality elections was, overall, an unhappy one. Leaving aside the political exclusion of the majority of the adult population from the electorate for the national Parliament on racial grounds, the fact that FPTP operates to optimum effect amongst a relatively homogeneous population (whereas South African political parties prioritised ethnic affiliation), meant that ‘white politics’ and governments were constructed and dissolved around coalitions which prioritised ethnicity over class (Southall, 2009). This provided the basis for the post-1948 government to systematically manipulate the electoral system to amplify its originally fragile majority (O’Meara, 1996). Therefore, constitutional negotiators at the World Trade Centre in Kempton Park replaced the old British system with the multimember-district system, which utilises party-list proportional representation, found most likely to enhance women’s representation (Ballington, 1999). Gender and politics scholars confirm that women activists and academics who participated in the WNC during the negotiation process contributed to the debate about the choice of electoral system that would be beneficial to women’s representation (Britton, 2002; Hassim, 2003).
There were two principal reasons that contributed to agreement upon the suitability of the national-list proportional representation (PR). Firstly, it was based on its simplicity, on the basis that list proportional representation systems, especially closed lists, allows political parties considerable influence over who is represented whilst also assisting them to appeal to a wide constituency in order to put up candidates who reflect the social composition of the electorate. As argued in Chapter 1, lists can work to the advantage of women, especially when the quota system is adopted to override traditional sentiments against women in politics (Ballington, 1998). Secondly, the system promises representativeness of South Africa’s diverse population. According to Britton (2002), women candidates can benefit from a multimember district system because party leaders are more apt to provide a diverse candidate pool so as to attract a diverse number of voters. Furthermore, beyond the advantage for women’s representation, the multimember district system with party lists offers the chance for descriptive and substantive representation of ethnic groups and minority parties. Reynolds’ (1995) work on transition politics argued that the multimember district system was successful in South Africa because it was seen to have potential to allow small parties a voice in Parliament, on the assumption that small parties are less likely to be co-opted by extremist elements and less likely to push for isolationism or secession. Reynolds (1995) further pointed out that in order to guarantee minority representation in legislatures, especially in divided societies, proportional representation has an advantage rather than plurality elections. Overall, the choice of electoral system – the PR list has been shown to significantly advance women’s representation in a number of countries (Matland & Taylor, 1997).

However, it would be wrong to suggest that there is undisputed acceptance of the electoral system and the party behaviour that it produces. Firstly, there is extensive commentary that the PR system has outlived its purpose of ensuring inclusiveness, because it has given too much power to party ‘bosses’ (Southall, 2009). In other words, it means it encouraged partisan control over legislators (Karl, 1987). According to Jung and Shapiro (1995) the electoral structure of PR limits effective opposition politics and gave a substantial amount of power to elites who represented salient minorities whilst also giving power for increasing conflict between the executive and the legislature. Hassim (2003) supports these views by arguing that some women’s legislators might find it difficult to articulate policy positions that differ sharply from those of party leadership,
due to the fact that the PR system favours accountability to party bosses rather than to particular constituencies, and may therefore hamper rather than facilitate development of substantive representation over descriptive representation in the long term. Overall, the PR list system has a tendency to disempower individual representatives, thus also protecting the patriarchal social order in other sites by safeguarding certain vital interests of political or ruling elites.

The primary focus of this study is to explore women’s representation in local politics. Therefore, this thesis will argue in Chapter 4 that the choice of the electoral system had non-gender aspects, and then the PR system was adopted in order to secure and guarantee the political presence of the white minority in the formal political system. In essence, PR provided the old political elite with the main means of safeguarding their interests. Under the consolidation phase of democracy and in the process of designing local government institutions, the electoral system for local government (namely a ‘mixed system’) was adopted where ward councillors are elected in single member wards or constituencies to the system of FPTP used alongside the PR system. In essence, even though the FPTP election system was replaced in national politics, it was revived in local government politics in order to support the two-tier model adopted for local government in South Africa. Chapter 6 explains the election process for local government, and argues that the electoral system has implications on the politically sustainable careers of women, due to the practices and strategies for increasing women’s representation in local politics.

2.4 WOMEN’S PARTICIPATION AND INSTITUTIONALISING CHANGE (1994-2009)

This section draws the relationship between the politics of presence of women in the transition process, and their institutional representation in national politics in the post-apartheid era. This section focuses on women in formal politics following their constitutional recognition into public office. It discusses the direct relationship between women’s active engagement with transition politics and advances since then in gender equality. In the initial path to democratisation the South African government endorsed a constitutional clause on equality in both the Interim Constitution in 1993 and the final Constitution in 1996 as a core principle for gender equality, and to formally influence
subsequent policies that marked the second reorganisation of the local government system (see Chapter 4). As Britton (2002: 41) observes, the equality clause establishes that neither the state nor a person may ‘unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth’. Therefore the opportunity for large numbers of women to participate and to be political representatives in both the national and the local government only really began after 1994.

As argued in the first section, in the representative government of the modern state which was constructed under the Union Government and influenced by the racist discourse, the participation and representation of women had never been in the official discourse that governed the urban political space in South Africa. The subsequent section elaborates on the gains at national political level, whereas Chapter 4 will be devoted to local government politics and will explain how and why the promising legal framework for women’s participation and representation in theory is restricted in practice through concentration of power in the hands of undemocratic forces.

2.4.1 Women’s Formal Politics and Playing the Numbers Game

One way to demonstrate women’s achievement is through their shift from a women’s movement to their political presence in national politics from the 1994 elections onwards. The first five years of the democratic regime under the GNU (1994-1999) were dominated by intense preoccupation with defining the rules, procedures and norms of the new institutions, meaning that the post-1994 regime faced a crucial period for construction of new institutional structures in South Africa (Hassim, 2005: 351). Some scholars argue that the political presence of women in Parliament in large numbers was only one part of the task of representation. The PR facilitated the use of a quota to ensure representation of women in Parliament, and the ANC was the only party to use the quota mechanism. The adoption of a quota in 1993 appears to have been a response by ANC leaders to the failed quota proposal for party positions at the ANC’s 1991 first Conference held in Durban after the unbanning of political organisations. It is important to emphasise that the rejection did not only come from male delegates, but also from some women delegates, who felt that the issue had not been adequately addressed by the
women in their structures. In this, gender activists within the ANC continued to lobby for a quota until the December 2007 National Conference. Therefore, the ANC quota system substantially improved the representation and impact of women in Parliament (see below), and its policy has been consistent in supporting the need for affirmative action and gender equality. In addition, women with their international status opened the debate about women’s representation in political institutions, but mainly among members who had clearly supported the idea of a quota for women in the National Executive Committee of the ANC (see Chapter 4; Gasa, 2003). Chapters 4 and 7 will discuss the implications of the quota in the politically sustainable careers of women as individuals, and how it becomes a cheap technology of power when both territorial and partisan interests dominate at the beginning of democratisation and political decentralisation.

The GNU was dominated by the ANC, but the electoral results did not favour the ANC in two critical provinces - KwaZulu-Natal and Western Cape. Of all the nine provinces (refer to Figure 6.1 below), seven were under male ANC leadership, and both the IFP and NP were led by men provincial premiers (Kadalie, 1995). The dominance of men in leadership was still intact and unchanged, and that served as a sign that women were still not yet given a political space in the core leadership of the country. However, the post-1994 regime reshaped the rules of the game under which women engaged in politics, both electoral and bureaucratic politics, thus also bringing multiple identities within one institution, Parliament. Gasa (2003: 290) argued that women in Parliament had to carry three identities – as members of political parties, as members of Parliament (MPs), and to remain women. In other words, for women formal politics was also adding to a multiplicity of identities which existed under the apartheid regime, and to many other interests (see Chapter 5).

Women in South Africa increased their representation in Parliament in the course of four successive national elections. As a result of the first democratic election in 1994, women constituted a record of 111 women MPs elected into Parliament (Geisler, 2000; Hassim, 16

16 In the initial phase premiers were men, but later with the reshuffling of the Free State Legislature the late Matsepe Cassaburi became the premier, meaning that out of nine provinces one was led by a woman in the first five years. There was a dramatic change from the 2009 elections, where there was an increase in women as premiers, partly due to adoption of the 50/50 campaign at the 52nd National Conference of the ANC (see ANC Constitution as amended in 2007).
Most women parliamentarians were drawn from the women’s movement, which was vocal in the negotiation process but came through their political parties’ tickets. The participation of these women in Parliament was seen as continuity of the debate on constitutional principles and observing the new constitutional process (Mtintso, 2003). Until May 1996 the struggle for women’s constitutional protection was not over, as the final Constitution was not adopted. Scholars observe that through the 1994 elections South Africa’s ranking shifted from 141 to seven in the world due to women’s representation in national Parliament, and placed South Africa in the ranks of the top 10 democracies (Britton, 2002: 33; Hassim, 2006). The representation of women meant South Africa’s National Assembly constituted 27.7% of parliamentary seats for women, increased to 30% after the 1999 elections. In April 2004 women constituted a record 32.75% of all parliamentarians elected, showing a continuation of women’s political presence in Parliament, and increased to 43% in the 2009 general elections (CGE, 2010: 60). Goetz (1998) argues that the use of the PR system as a key electoral tool made it possible for the increase of women in public office in South Africa. For Goetz, one of the advantages of the party lists with PR assisted women in a sense that even if voters were reluctant to vote for women, voting for a party benefited women. While new in democracy, in the ‘third wave of democratisation’, South Africa brought a good image through the use of quota system for women. This was not only an achievement for the ANC, which used the quota system, but for South Africa at large. This widely signalled the extent to which the new democracy has always been inclusive and enhanced its image both locally and internationally. However, Chapter 4, which focuses on local politics, will show that not all political parties use the gender quota and reasons why other political parties do not use it.

Women in South Africa were never appointed to less important posts, rather women were part of the crucial sites for decision making in the South African parliamentary system. Following the 1994 election, out of 27 cabinet members under the GNU in 1994-1999, women held four ministerial and eight deputy ministerial positions out of 14. This suggests that women were significantly and descriptively represented at the highest levels in Parliament. After the June 1999 elections former President Thabo Mbeki consolidated women’s position in the cabinet, where there were eight women ministers (of 29 cabinet members) and eight deputy ministers (of 13 cabinet members) (see McEwan, 1999; Hassim, 2006). The figure increased after the 2004 elections to 10
women ministers and 12 deputy-ministers and four women premiers of out nine provincial positions, and increased to five premiers after the 2009 general elections (Gouws, 2005: 10; CGE, 2010).17

Advocates of substantive equality argued that in the first five years women were placed in soft portfolios (such as health and housing), and therefore lately celebrated the improvement, where women were placed in hard portfolios such as Trade, Justice, Foreign Affairs and Industry and Defence (see McEwan, 1999). The seriousness of the politics of presence was shown first in 2005, where after the sacking of Deputy President Jacob Zuma by President Thabo Mbeki, former Natal Organisation of Women (NOW) Chairperson Phumzile Mlambo-Ngcuka was appointed Deputy President. Again in 2008 after the release of former President Thabo Mbeki, the sitting women Speaker in Parliament was appointed as Deputy President. Therefore the structural improvement of the position of women in national government was as a result of the fight for a space of representation in the construction of democracy in South Africa in order to break into a male-dominated domain.

2.4.2 Women and Democratic State: Creating the National Gender Machinery

There was a rise in international organisations which were all implicated in one way or another in governance, where women in the process of democratisation and decentralisation firmly demanded – and often obtained - formal affirmation and strengthening of their individual position after having been firmly marginalised under previous regimes (Oomen, 2005). The global and international laws that characterised the 1990s were of course not new. From its inception in 1945, the United Nations (UN) had directed its efforts towards securing, promoting and protecting women’s rights. The UN’s main objective was to establish the fact that the equal rights of men and women are necessary to ensure socio-economic development. Accordingly, they set up the Commission on the Status of Women (CSW) in 1946, whose main objective was to evaluate and analyse the situation of women in their different member countries and to prepare a status report. Moreover, 1975 was declared as “International Women’s Year”

17 After the ANC 52nd National Conference in December 2007 the figure of women premiers did not change before 2009 general elections, but the Eastern Cape Premier, who was a woman, was removed and replaced with a man, and the Western Cape premier, who was a man, was also removed and replaced with a woman.
to facilitate women’s social, political and economic development. Apart from these initiatives, the UN also organised a number of conferences and declared conventions that advocated women’s rights and convinced member states to implement the decisions reached in talks.

Furthermore, states’ act of signing and endorsing the international gender agenda documents became a commitment for them to satisfy and comply with the agreements reached. In fact, UN-initiated actions, plans and programmes that were followed by four major international conferences on women committed a state to compliance and accountability. For instance, an international legal instrument called the UN Convention for the Elimination of all Forms of Discrimination Against Women (CEDAW) required the respect and observance of human rights for women. After it was adopted by the UN General Secretary in 1979, CEDAW came into full force in September 1991. By October 1999 it was already ratified by 165 states. The UN also has several models of institutional design for member countries to draw on, such as “national gender machineries” to channel women’s policy demands in the state and to serve as rationality in the process of governing. When countries ratify any particular convention, it is taken for granted that the formal commitment to apply the provisions of the convention is an indication of willingness to accept a measure of international supervision. For example, all signatories of CEDAW were obliged to take all necessary initiatives to eliminate discrimination against women whether in public or private life. These initiatives may include the enactment of new laws and nullification or abolition of existing laws, regulations, customs and practices that discriminate against women in society. Thus the conventions should promote equal opportunities for both genders in terms of civil, political, economic and cultural rights.

According to Hassim (2006) international pressure and transitional human rights movements played an important role in supporting the ANC in exile, in fostering the development of a civil society inside the country, and in ending apartheid. She further notes that after 1994 international agreements and charters took on a new role in maintaining the moral pressure on the ANC government to enact its human rights commitments. Two most important forms of international support for local initiatives were the CEDAW and the Fourth World Conference on Women (the Beijing Conference). In addition, regional politics was important in the formulation and
implementation of a policy of gender equality within the Southern African Development Community (SADC), which also encouraged the ANC-led government to maintain its leadership role with regard to gender equality.

Women’s political presence in Parliament offered them opportunities to participate in international forums and to embark on the technical realm of policy-making. The Beijing Conference of 1995 provided the impetus and focus for gender activists within government to lobby for implementing government commitment to gender equality, and was one of the first international forums for the new democratic government of South Africa to participate in. The South African government’s delegates to Beijing were women ministers with a long history of involvement in gender activism. After all, most policies which were instrumental in shaping the notion of women’s political participation and representation in local governance in South Africa were enacted from 1996 onwards, after the 1995 Fourth World Conference on Women held in Beijing, with a series of proposals to ensure women’s equal access to and full participation in power structures and decision-making. The government of South Africa became a signatory of CEDAW in December 1996 and of the Platform for Action (PFA), which served as major step in advancing establishment of the national machinery to guarantee gender equality.

Accordingly, through the signing of CEDAW, the government committed itself to a minimum set of standards to ensure that discrimination would end. Hassim (2005: 343) argues that CEDAW served as an institutional forum within which women were able to identify a set of legislative priorities and began to lobby for policy changes. The implementation of the CEDAW was to be overseen by the parliamentary committee known as the Joint Committee on the Improvement of the Quality of Life and the Status of Women. Nevertheless, the 1996 Constitution perfectly mirrored the international mood, with the inclusion of an equality clause in the Bill of Rights and its elaboration in the CGE. This was also elaborated through adoption of the National Gender Machinery Framework rather than establishment of a government Ministry for Women, which was only established after the fourth general elections in April 2009. Overall, Beijing and CEDAW gave international credibility and moral authority to the struggle for gender equality within South Africa (Hassim, 2006).
In practical terms decentralisation and emphasis on participation of women in policy making as well as insights of international policy discourses created an opportunity for bureaucratisation of women’s participation and representation. Moreover, this increased the multiple arenas of state power, each with different cultures and modes of decision-making, which made difficult for women to influence a women’s agenda (Hassim, 2003). To balance the Constitution and transition to democracy, the CGE was established in the second half of the 1990s, according to section 187 of the South African Constitution, to ensure that there is the ‘protection, development and attainment of gender equality’. CGE is an independent body appointed by Parliament to operate both inside and outside of government, but in practice it lacks autonomy and a proper vision of women’s agenda. Again the independence of the CGE is questionable, because of its recentralisation in the State President’s Office, rather than placing appointment powers with other institutional structures that deal with gender equality.

The Office on the Status of Women (OSW) was also instituted to co-ordinate the implementation and mainstreaming of gender policies. The OSW at national level is within the President’s Office and in provinces within the Offices of Premiers (Seidman, 2003). These are administrative structures and the ‘machinery’ outside and inside government to implement programmes for empowerment of women and to check whether legal obligations are adhered to. However, these new institutions of women’s participation serve in a very contradictory environment, which can be described as ‘representation without power’. Among other things these structures were formed to support commitments to both regional and international conventions about women’s participation in government institutions (Walker, 1998: 18). Hassim (2006: 213)

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18 The independence of the CGE in government while remaining part of it placed the CGE under attack in 2007. In July 2007, a review report on Chapter 9 institutions to the National Parliament from an ad hoc committee led by Professor Kadal Asmal, former Minister of Education, had difficulty with the operation of the commission on several grounds. The ad hoc committee argued that ‘the Commission represents a lost opportunity as until now it has failed to engage in a sustained and effective manner with the policies, approaches and mechanisms to eliminate all forms of gender discrimination and to promote gender issues in South Africa’ (Report of the Ad hoc Committee on the Review of Chapter 9 and Associated Institutions, 31 July 2007, www.pmg.org.za, accessed 20 December 2009).

19 The OSW is located in the Office of the President and seems to be at the locus of government power; however, its powers to influence policy agenda are relatively weak as it does not have access to the Cabinet or Inter-Ministerial Committees. The formal authority for setting policy priorities and direction resides in the Cabinet, the highest decision-making body of government. There is no formalised coordination between women Ministers and this civil service structure (Hassim, 2003).
concludes that the coincidence of local historical struggles and high-profile international developments with regard to gender produced a synergy that advanced internal struggles for gender equality, including establishment of the national machinery and gender policies. South Africa is also a case where women organised themselves and had some input in the negotiation process that culminated in the transition to democracy.

2.5 CONCLUSION

This chapter focused on the role and presence of women in South African politics in order to show their role in representative politics. The purpose of the chapter was to establish the role played by women within the broader struggle against the colonial and apartheid regimes, and in the transition politics as well as in establishment of the post-apartheid (local) state in order to open spaces for women’s formal political participation and representation. This chapter offered a historically informed discussion of the challenges that faced women activists and feminists during the time of nationalist struggle in the early 1900s and democratisation process in the 1990s. This chapter provided strong evidence that women were part of the struggle, but political parties excluded them from the negotiations that preceded formation of the new dispensation. The chapter has shown that through all the struggles, political marginalisation and subordination, women were able to protect constitutional rights in the South African new state. This chapter also discussed how women translated their knowledge and influence from the anti-apartheid era (1960s-1994) into a plan of action to secure elected office, constitutional protection, and powerful positions within their parties more especially from the late 1940s until to late 1990s.

This first section has reviewed the political representation of women within the colonial and apartheid state (1890s-1960s). The purpose was to trace the ways in which women articulated their interests within the broader struggle against their exclusion from representative politics, and in some instances against male domination owing to the effect of territorial politics, and in the process sought to articulate a set of interests based on particular experiences of gender expression. The evidence was presented in order to show that territorial politics and the constitutional continuity resulted in widespread exclusion of women from political institutions in practice. The section found that
institutional design in the early 20th century was influenced by the racist discourse, but also by a legacy of colonial structures, which in turn limited women’s influence because the social composition of representative structures was meant to protect the vital interests of the colonial actors. The chapter has shown that the political exclusion of South Africa’s black majority and European women set the initial stage for the struggle for the politics of presence, where the discourse of women’s participation and representation was articulated.

This chapter included the politics of women’s coalition, which emerged during the transition process (from the late 1980s onwards) in playing their role in ending apartheid. The section has traced specific political processes of women’s political presence or women’s activism during the negotiation process, the formation of the WNC, the Constitution-writing process and the struggle for greater representation of women in these processes, especially at decision-making level. The purpose was to examine the political opportunity structure in the transition politics in order to understand both the unique opportunities for and constraints to women actors for political representation. The section found that there was a relationship between the politics of presence of women in the struggle for liberation and in the transition politics in South Africa. This section has shown that the reason to remove women from the process of negotiations, first within the leadership and control of their individual political parties, and secondly within the multiparty negotiation body of CODESA, intensified the discourse of women’s political presence. The chapter has revealed that the ANCWL pursued dual politics, where it appealed to the ANC from the independent base of the coalition on the one hand, and to the ANC’s internal commitments to represent the demand for gender equality on the other. The WNC lobbied for extended political rights for women – not just the right to vote, but the right to participate at the highest levels of decision making. Moreover, a close look at the process of decision-making during the transition revealed that, as Schmitter (1992) has conceded in other contexts, real power was confined to a small group of actors. Much of the decision making in the South African transition took place in bilateral circles from which women were excluded.

This chapter has drawn the relationship between the politics of presence of women in the transition process, and their institutional representation in national politics in the post-apartheid era. This section focused on women in formal politics following their constitutional recognition into public office. It discussed the direct relationship between
women’s active engagement within transition politics and advances in gender equality since then. The study section found that women were part of the construction of new political institutions and social policies. This was achieved because feminist activists were deeply concerned with ensuring women’s representation within new state structures – with creating gendered institutions through which women could actively help shape new policies. Like any other process of change, the process of State formation takes time to show concrete results. It is incorrect to assume that processes initiated in the apartheid period were terminated by the declaration of political independence in 1994. The next chapter engages the issue of traditional authorities and integrated development plans (IDPs) in the post-apartheid local state in order to discuss the challenges of women’s political participation and representation. The purpose of the next chapter is to provide evidence for the role of traditional authorities in the marginalisation of women in both national and local politics.
CHAPTER 3: INTEGRATED DEVELOPMENT PLANS AND LAND - TRADITIONAL AUTHORITIES BROKERING THE LOCAL STATE IN KWAZULU-NATAL

3.1 INTRODUCTION

This chapter builds on the discussions and analyses of the preceding chapters in order to understand the relationship between the local state and the institution of traditional authorities, since this is a key site of negotiation and contestation around women’s empowerment. The chapter contributes to the understanding of the spatial dynamics of democratisation and technologies of rule. It locates the contemporary situation of traditional authorities within a broader historical context of apartheid and the post-apartheid government policies, but in line with national development discourse. The thesis sees the post-apartheid local state as a contested terrain, not only between forces representing the former white interests and those of the anti-apartheid movement, but also between different factions of the emerging class of local politicians and old-guard nationalists. This contestation has resulted in local state managers and local officials entering into a double alliance, which has converged around the notion of the Integrated Development Plan (IDP) as a useful strategy for enhancing state capacity to govern and control, while also deploying technologies of rule in order to form alliances with individuals in the post-apartheid era.

The principal argument is that the failure and weaknesses of the post-apartheid local state in rural areas, and the growing power of traditional authorities as well as policies advocated by traditional power elites, are suppressing the gains that women can make. In this struggle the definition and redefinition of what is within the competence of the central state through the IDP strategy is constantly reshaped, and this in turn affects the balance of power and development path of the local state. The result was the continued partial exercise of administrative power and inhibition of opportunities for addressing gender inequalities in decision-making structures. This then leads to the anaemic ‘participatory exclusion’ built into democratic processes in local politics, which left many issues of actual power untouched. We find that while different agencies effectively converge in the IDP Strategy, the relationship is historically grounded, which in turn
results in the dissembling of elected representatives because the definition of legitimate actors in the strategy demotes and reduces women’s influence.

This chapter examines the historical dimension of the construction of the local state that has structurally drawn traditional authorities into local government (giving them power to govern) and made them an actor in local governance (a role in the act of governing) in the post-apartheid era. The chapter further establishes the development of ideas of an IDP as a technology of rule, from the national state in the context of policy formulations, and then further as actors outside the centre – local administrators, and local politicians as well as local planners – translate the democratisation and decentralisation discourses into local politics. The chapter also demonstrates that in the democratisation and decentralisation processes progressive and non-progressive forces as well as women pressed citizenship claims or representative claims from the State and the elite institution of traditional leadership. The process resulted in women’s participation and representation remaining a gendered process, built into broader processes of democratisation.

The chapter consists of three parts. The first section traces the emergence of the IDP strategy before revisiting the political conditions under which it was conceived, and the timing and types of power politics it generated at both national and local level. The second section explores how traditional authorities continued to play a role in the post-apartheid state, and interrogates the legitimacy of their political domination in the rural local governance space. The third section draws together the relationship between the IDP strategy and the land question in order to show how the structural constraints inherited from the past are being reworked in significantly different ways, in seemingly similar places. This chapter concludes that the implementation of the IDP strategy in the exercise of administrative power and the practice of building the local state have sequentially laid a foundation for formal but meaningless channels for women’s political participation and representation. The consequence is that existing power relations have been perpetuated, despite the reform initiative. The implementation of the IDP provides a useful lens through which to examine how different actors engage with the newly offered political space, and how they creatively engage with it. The chapter shows how traditional authorities, which were not intended to be the chief beneficiaries of the reform process, have nonetheless negotiated more power through the political space that was generated, subverting the more modern agendas of youth and women.
3.2 IDP AND LOCAL GOVERNMENT

This section traces the emergence of the IDP strategy and revisits the political conditions under which it was conceived, and the timing and types of politics it generated at both national and local level. This section establishes the important role that actors – local administrators, local politicians and local planners - played in translating, reworking and adapting the democratisation and decentralisation discourses in local politics. The section covers what IDP is and under what conditions it operates, as well as who the legitimate actors in its design and implementation are. This section argues that the IDP is one of the reform strategies which was influenced by the global discourse of development linked to both economic and political liberalisation. In turn, the IDP served as an intersection between outside influences and local dynamics, and we will see how women’s agency was conditioned by institution-making through the IDP process. We see how the IDP processes structured the configuration of inclusion and exclusion in decision-making, influence, and institutional representation in local politics.

3.2.1 IDP Defined

Historically, from the late 1990s onwards, IDP has become a planning technology devised by the national government and aimed at ensuring that local authorities perform their functions diligently, in a way that is developmental and fiscally responsible. Originally this planning technology emerged from international discourse on governance and development which was driven by the German organisation Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) to fit the South African situation (Harrison, 2006). The purpose was to direct a new system for implementing ‘developmental local government’. In reality the IDP as a planning technology was seen as a principal solution to South Africa’s political problems of incorporating different actors and agencies who emerged in the prevailing ‘racialised political technology’, while also maintaining government’s power at the decentralised local government level in the post-apartheid state. In fact, spaces of decentralised governance were not empty before

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20 This means local government committed to working with citizens and groups within the community to find sustainable ways to meet their social, economic and material needs and improved quality of lives (White Paper on Local Government, 1998: 17).
claimed for the developmental local government agenda; they were filled by contesting and existing actors with historically situated understandings and experiences in rural politics (see sections 3.5 and 3.6). Therefore the IDP is one of the developmental tools which is all-encompassing of management tools, participatory processes and service delivery partnerships (Harrison, 2006). The IDP thus seeks not only to combine various spheres and sectors as well as other institutions, but also to attract direct foreign investment to municipalities. This relationship is more directed at ensuring that local authorities use IDP to promote economic development. As Bagchi (2000: 398) argues, developmental local government is pursued in a state that places economic development as the top priority of governmental policy and is able to design effective instruments to promote such goals.

Within a post-transition development, the IDP is seen as a strategic plan where municipalities define their developmental vision and mission, and identify specific programmes and projects in their fields. McEwan (2003: 472) observes that IDPs should align all available resources towards development goals, integrate local activities, prioritise objectives, and be participatory in nature, environmentally sustainable and aimed at poverty alleviation. In this, the IDP is the principal strategic planning instrument which guides and informs all planning, budgeting, investment, performance, development, management and implementation in medium-term decision-making. Central to this planning technique, all municipalities are required to produce it within their area of jurisdiction, in order to co-ordinate development activities, which in turn generates a five-year statutory plan linked to the budget. This planning technology coincides with the term of office of elected representatives in municipal councils. It is worth noting that while the IDP corresponds with the term of office of elected representatives, it turns out that it is not a static document, because through annual review processes new information from comments from Members of Executive Councils (MECs) responsible for local government in the province could be added together with priorities. While the new information could be to direct municipalities, by implication it is also to minimise the powers of the post-apartheid local state. In this, attempts by political actors to make IDP change-resistant are so that the plan they want to implement is possible in one elected term, whereas other actors, particularly at departmental levels, are not affected by time horizons, which allows them to subvert the intent of local actors. Pierson (2004: 145) argues that policy designers know that continuous control over institutions is
unlikely; therefore they consider possibilities of making institutions hard to be reversed or overturned by their political rivals.

In this context the principal advantage of the IDP is that during its development clear rules and procedures were established specifying who is to participate and through which organisational mechanism (McEwan, 2003). The complex interplay of actors, powers, institutions, and bodies of knowledge such as the German GTZ and South Africa’s Council for Scientific and Industrial Research (CSIR), Department of Provincial and Local Government (DPLG) (from 2009 known as the Department of Co-operative Governance and Traditional Affairs) as well as the Decentralised Development Planning (DDP) came to play a crucial role in establishing the possibility and legitimacy of government through IDP (Harrison, 2006).

In this context many would argue that the local state had no institutional capacity at the time when there was development of a municipal planning system. Harrison (2006) suggests that IDP brought ideas of technical rationalism to local authorities, because it focuses on the details of procedures and institutional structures and on the development of techniques. The IDP is a tool that has brought multi-level governance to the country through local authorities in an attempt to encourage the participation of disadvantaged or marginalised groups and gender equity (McEwan, 2003). The idea was to accommodate diversity, but this inclusion was proceeding in an incrementalist manner in an attempt to reduce disputes with historically conservative forces in local politics. Harrison (2006) suggests that the IDP process has contributed to the development of network linkages, both formal and informal, within municipal structures and, to lesser extent, between municipal structures and other agencies. Indeed, the IDP has done more than combining different forces; it appears to have also contributed to the exclusion of other elected representatives in local politics, such as women.

In practice, respondents and documentary analysis have shown that the processes of IDP favour ward councillors as ‘legitimate’ actors in collecting information about community needs. The spaces of participation are informed by the ward-based system, which in turn embodies hegemonic practices in favour of certain types of elected representatives. The current problem is that from the sequence of political decentralisation, men form the majority of ward councillors in South Africa (see Chapters 4 and 6). The study has shown in Chapters 4 and 6 that one of the contributing factors to the minimal representation of
women as ward councillors is the patriarchal nature of political parties’ structures and processes at local level, which steer women to peripheral political positions in structures of governance. Therefore, the procedures and the rules of structured participation favoured in the IDP processes and party politics have a close relationship, and enable a certain group of elected representatives (the majority of them women) to access power over resources and decision making that would make their substantive representation meaningful.

This is not uncontested by women in the political structures. The documentary analysis of the IFP’s Women’s Brigade (IFPWB) has shown that as part of their political mobilisation in opposition to patriarchal power relations at the local level, they have articulated demands that would increase the political representation of women as ward councillors.21 This suggests that the IFPWB realised the need for widening spaces for decision making as a response to the problem identified by women representatives, who learnt how women within the local government system were unable to participate in formal influential structures. In the light of this, evidence suggests that new political spaces for women’s participation and representation at local level are still situated within existing power relations and shaped by political parties. We shall see how struggles for decentralisation and development in rural local governance has in turn strengthened traditional authorities while excluding a certain group of women as elected representatives in the expanded democratic spaces. I wish to later suggest that IDP serves as a new technology of rule which consolidates the power of conservative forces in local politics, while giving political centralisation of power to the national state, at the same time forcing the local population to be responsible for their own development.

3.2.2 IDP and Politics: Policy Environment

When the process of IDP began after the 1995/96 local government elections, prior to the establishment of fully fledged municipalities in December 2000, not all municipalities were in existence. Jozini Municipality was amongst the municipalities that did not exist, and thus did not go through the phase of amalgamation of racially defined municipalities, where other municipalities were able to learn to work with diverse local structures and a

A class of local political leaders (Atkinson, 2003: 119). Also, being instituted late meant that the municipality did not benefit from the Reconstruction and Development Programme (RDP) Office, which was closed in 1996, a few years after the ANC came to power, due to a gradual move to neo-liberal principles, culminating with the introduction of Growth, Employment and Redistribution (GEAR) in 1996 (Marais, 1998; Ntsebeza, 2005; Hart, 2007).

Ubuhlebezwe Municipality already existed prior to December 2000, but was amongst the municipalities undergoing major restructuring in order to include new areas, which in turn was aimed at extending democracy to rural areas. It was not initially designed to serve the rural population, rather the minority white community around Ixopo Town. Harrison (2006) confirms that during the transitional period some municipalities did not have the capacity to prepare their IDPs. On the contrary, when transitional local councils submitted them in 1997, those that had accepted a technocratic approach in the IDP design were accepted, whereas those that had relied on more participatory approaches were rejected (Bremmer, 1998: 117). In reality, municipalities were mandated by law to engage in two separate but overlapping exercises – the preparation of Local Development Objectives (LDOs) under the Development Facilitation Act of 1995, and the preparation of IDP under the Local Government Transition Second Amendment of 1995 (Heller, 2001: 145). However, both these processes were streamlined with adoption of the 1998 White Paper on Local Government recommendation that LDOs be part of the IDPs. Nevertheless, in the first sequence of democratisation in rural areas the foundation for the IDP model was laid, and transitional local authorities were involved in the learning process.

By 2000, when the new municipalities were established under a new system of local government, there was a model for urban and rural authorities, as discussed in Chapter 6. This thesis will show in Chapters 4 and 6 that local government boundaries had been redrawn, drastically reducing municipalities from 834 to 284, and new local government legislations were in place, which came into effect with the December 2000 elections. A significant step taken by government was when municipalities were required to produce Interim IDPs by March 2001. Evidence suggests that the majority of politicians were still struggling and grappling with both their roles and political responsibilities (Atkinson, 2003). This was further supported by the interviews conducted for this study, where councillors that were serving their second and third terms in local councils confirmed
that they did not know how to make communities participate in municipal development processes. As the Municipal Speaker who started after the December 2000 elections recalled: ‘I have an experience as a ward councillor. The first day I became a councillor was a difficult one, because there was no training I received. I learned from the mistakes of the former councillor who was able to take us through as a branch to understand issues of political power within the municipality. The first challenge I found was that communities had a lot of expectations about service delivery’. This displays that it is not difficult to find elected representatives struggling with their political responsibilities, while questioning the participation of communities they claim to represent, at the same time showing how women-related issues can get lost in multiple local priorities.

Following the December 2000 local elections, the post-apartheid state seemed to have a number of problems which seem to have provided direct spaces for liberal forces in the rural settings, while also strengthening the power of undemocratic historical forces. The task of designing appropriate institutions was in the hands of private actors due to a lack of institutional capacity on the part of local government. For example, evidence from archival material suggests that other municipalities were run by consultants from KPMG. Again this shows that some municipalities, even in the second sequence of democratisation, still had challenges about IDPs such that municipalities had to rely on consultants or professional planners from urban areas to prepare their IDPs. This was associated with the increasing lack of institutional capacity of local authorities to enhance government capacity in the newly established structures. The problem embedded in the legislation about the IDP is that it has to be developed through items from communities collected by elected representatives, but has to be implemented by bureaucrats acting in organisational structures that are in themselves antithetical to democracy (McEwan, 2003: 480). Bureaucrats are themselves appointed by politicians. Section 3.6 shows how the politics of IDP implementation affect the influence of women in local politics, partly due to the desire of street-level bureaucrats to implement it, while also protecting the local state from its institutional weakness.

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22 Interview, Aoo33, 19 June 2009.

23 In the case of KwaZulu-Natal, the Ministerial Advisory Committee Report submitted on 22 November 2001 stated that the KwaZulu-Natal Department of Traditional and Provincial Affairs had appointed consultants from KPMG to run the municipality.
Women mayors in the studied municipalities reported that in the initial establishment of their municipalities they attracted officials who had no experience and knowledge about the local government systems of the post-apartheid state. They claimed that this put them under severe pressure, particularly since they were battling to establish institutions while also having to fulfil legislative mandates. As one Mayor recalled: ‘We in this municipality started from scratch with leaders who had never been exposed to both municipal processes and planning, but I was exposed to municipal functions when I first became a representative in the Regional Council during the local government transitional period after June 1996’. 24 They further suggested that their municipalities continue to struggle to attract competent municipal officials, due to the geopolitical environment and as a result of inadequate sources of revenue base. The Mayor shared her experience thus: ‘the problem I experience, this municipality operates in rural areas. It is very difficult to attract the best people who can work such as best managers, because we cannot afford to pay the money they expect’. 25

McEwan (2003) has suggested that the problem of institutional capacity of local authorities made the realisation of the aims of IDPs in South Africa particularly difficult. On the IDP Review in March 2009, the Ubuhlebezwe Municipality declared that there were functions which they had executive authority to administer, but could not perform due to lack of capacity (Ubuhlebezwe IDP Review, 2009). This finding effectively contradicts Naidoo’s (2000) pessimistic views about whether the IDP is a good framework for addressing service backlog for the benefit of women. In reality, municipalities have institutional capacity problems, and women representatives have minimal contributions because the majority of them are not part of the legitimate actors favoured by the structured participation in the IDP process.

Evidence from the assessments of IDPs of the studied municipalities over an extended period of time has shown that external sources to fund capital projects are major requisites, considering that there are no viable sources of revenue internally (Jozini IDP, 2002, 2008/2009; Ubuhlebezwe IDP, 2002, 2007). This research discovered the weakness of rural municipalities in the post-apartheid era, which in turn has forced them to rely on the upper levels of government to supplement their resources. In essence, these

24 Interview, A0036, 08 July 2009.

25 Interview, A0031, 19 June 2009.
municipalities rely on upper levels of government for the financing of capital projects. Beall (2005: 260) has contrasted the financing of local authorities and provincial government, where she noted that provincial governments were financed through transfers from the centre, but local authorities are responsible for raising over 90% of their own revenue. The rural local authorities, including the municipalities studied, depend on national government transfers through the system known as ‘equitable share’ (Beall, 2005) because of their scant fiscal capacity.

The IDP served as an important political and administrative strategy for centralisation of power at the national government, and brought technocratic forms of decision-making. The centralisation of power and financial weaknesses of rural local authorities combine to produce what Rose (1996: 332) described as ‘government through community’. This chapter will later show that the weaknesses of local authorities in the processes of democratisation and decentralisation resulted in municipalities forging alliances with conservative forces, which then suppressed women’s issues and closed opportunity structures. In this process women’s issues were turned into technocratic categories for redress (see sections 3.5 and 3.6). The next section reviews the interplay of experts’ knowledge in the process of democratisation, decentralisation and IDP, in an attempt to understand how traditional authorities were incorporated. This section marks a shift from the dominant discourse of national politics to local level politics. It is not only guided by national documents but also considers local-level documents and discussions.

3.3 INFORMAL POWER AND DEVELOPMENT VISIONING: CONSULTANTS AND PARTY POLITICS

This section explores how traditional authorities continued to play a role in the post-apartheid state, and interrogates how the legitimacy of their political domination in rural local governance political space was reshaped. Most scholars incorporate traditional authorities in their analyses of South African politics (Walker, 1994; Maloka, 1996; Bank & Southall, 1996; Van Kessel & Oomen, 1997; Williams, 2004; Logan, 2009), while others have incorporated traditional authorities with reference to the new technology of rule in local politics – IDP (Beall, 2004; 2005; Ntsebeza, 2005; Oomen, 2005, Todes et al., 2007). However, they still do not engage with the expert knowledge that permeated the debate about the future of traditional authorities in the democratisation process, or
with comparative dimensions between municipalities in one province using the gender dimension, as this thesis has done.

Diverse forms of knowledge influenced the debate about traditional authorities, as they were already acknowledged during transition to be part of the post-apartheid rationality of rule. Traditional authorities managed to secure their constitutional recognition and protection in both the 1993 Interim Constitution as well as the final Constitution of 1996. It is arguably due to this recognition and protection for an ‘official rural patriarchal authority’\(^\text{26}\) that South Africa’s ‘liberal’ Constitution was seen as contradicting and reversing women’s agenda of political representation in local politics. This section argues that the interplay between experts’ knowledge, negotiation processes and the ANC-led government administrative power are critical for a comprehensive understanding of both national and local dynamics. The section will focus on the development of different policies on rural local governance in the democratic South Africa. Where necessary, I situate my discussion and draw examples from the Jozini and Ubuhlebezwe contexts.

### 3.3.1 Traditional Authorities and Expert Knowledge

Several features of South Africa’s post-apartheid local state intersected to create the conditions for a continued role for traditional authorities in local politics during the democratisation process in rural areas. First was the ANC’s continued dominance from April 1994 and consultant framing of the problem of implementation of post-apartheid legislation in rural local governance that produced contradicting spaces for women’s representation. In 2001 former Minister of Provincial and Local Government, Sydney Mafumadi, appointed the Ministerial Advisory Committee on Local Government and Transformation under Chairperson P.S.G. Leon to investigate whether municipalities were able to fulfil their constitutional and legislative responsibilities, especially in the context of changes to powers and functions in all categories.

The Committee’s report was sharply critical about the challenging structural constraints facing local government and practical development problems of management found in newly established municipalities formed after December 2000. The Committee revealed

\(^{26}\) I borrow this term from Walker (1994), which she describes as an interlocking system of authority informed by the legitimating discourses of ‘tradition’, ‘custom’ and ‘African culture’.
that in KwaZulu-Natal some municipalities were run by consultants for an extended period of time, as stated above. The new system of local government was viewed as heading into danger of being unsustainable and of being weakened in future because of the space given to traditional authorities in local politics. As the Ministerial Advisory Committee (MAC) reported, ‘although it was not the mandate of the MAC to investigate the issue of traditional authorities, it was raised in the site visits and [was] evidently a critical issue for municipalities, who wished it resolved urgently’ (MAC, 2001: 66). The government was concerned about the project of state-formation and nation-building and needed to construct structures that would in turn give power for government to govern and control.

The investigators of the MAC found that in the new governance culture other municipalities worked with traditional authorities in local politics. The alliance between traditional authorities and local authorities operated in two ways: 1) traditional authorities were allowed observer status at municipal council meetings, and 2) traditional authorities were co-opted and became increasingly central in local governance, such that in some municipalities they played an active role in council chambers as full-time members with pay, without being democratically elected. This was a compromise, which in turn made traditional authorities dominant in the new local government of the post-1994 era. It can be argued that the alliances that had put women in a compromised political environment in local politics were deep-rooted in both the Bantustan and transition politics as well as in the process of democratisation in rural areas, where traditional authorities regrouped and pressed new demands for their restitution in rural areas. Moreover, post-apartheid legal frameworks to support political decentralisation had developed from different subsystems, where women did not have much power to challenge and to make much of a contribution due to the dominant discourses discursively deployed in the policy subsystem itself.

A number of prominent reasons explain the post-apartheid relationship between traditional authorities and rural local authorities. First the legal frameworks, policy frameworks and support programmes drove the contradictory politics and ambiguity within the alliance. There are three constitutional contradictions to explain how women continue to face patriarchal order in the competing practices of rule in the post-apartheid era. First, the 1996 Constitution formally abolished homelands where traditional authorities were the means through which both the colonial and apartheid regimes
maintained ‘indirect rule’ over African populations concentrated in homelands. Mamdani (1996) has described this system as ‘decentralised despotism’. The fact that traditional boundaries were not dismantled, and then traditional authorities were officially permitted to continue to exercise control, even though some of their administrative powers have since been abolished (Oomen, 2005), means that a legacy of power in these areas was retained by traditional authorities. Second, Section 211 [1] of the 1996 Constitution continued to protect and recognise the institution, status and role of traditional authorities, who were appointed to exercise control in homelands’ jurisdictions according to the notorious Bantu Authorities Act (BAA) of 1951 where women were legal minors. The Constitutional protection of the status of traditional authorities goes together with entrenchment of a democratic Bill of Rights based on governance through elected representatives. This marked a major shift in government policy, because the elected representatives, which included women, had to contend for power against the presence and power of the patriarchal authority of non-elected traditional authorities in rural areas. The former have a constitutional development function in the new-defined spatial boundaries of rural municipalities, which overlaps with the latter’s former jurisdictions. This parallel recognition of traditional authorities and elected representatives means that both forms of governance function alongside each other, despite being antithetical in principle. In this context, the elected representatives, the majority of whom were women, were excluded from development activities due to the fact that under the new democratic order not all councillors are seen as legitimate agents for development activities by the traditional authorities, and the local government system itself remained unclear about their developmental role (see Chapter 6). Third, the 1996 Constitution accords the equality clause between men and women and simultaneously enshrines the exercise of customary law in former Bantustans. Customary law does not operate on the principle of gender equality, and this provides the formal means of communities having to observe the customary system in perpetuity (Walker, 1994; Rangan & Gilmartin, 2002). These constitutional contradictions helped to cement official rural patriarchy in the democratic order.

There were also other legal frameworks which helped to cement the ‘rural official patriarchy’ which worked against women because of the attention given to traditional authorities by the political elites in different spheres of government. The legal frameworks were rooted in the ANC resolutions in an attempt to draw traditional
authorities into local politics in the process of democratising rural governance. Moreover, there was a desire to reorder society and make new rules as well as institutions. From 1997 onwards, following the position of the ANC at its 50th National Conference in Mafikeng in December 1997, a resolution was adopted about traditional authorities, promising them a full consultative role in governance alongside an active role in developmental matters. This resolution, which was adopted in the presence of women in such structures, was later influential in serving as a knowledge frame in the policy process. The priority was to deal with the limited constitutional protection or the silence of the final Constitution about the powers and functions of traditional authorities in the democratic political order, whilst also contradicting and conditioning the participation of women in local politics (Levy & Tapscott, 2001; Williams, 2009). The ANC position was qualified with the issuing of the White Paper on Local Government by the ANC-led government in March 1998, which guaranteed traditional authorities space in local government and recommended that they would continue to play a developmental role. However, while promised a developmental role, they were not afforded the opportunity of a direct role in decision making, such that the White Paper did not terminate the conflict between the government and traditional authorities over the latter’s demand for the abolition of municipalities in rural areas in their favour; rather, it contributed to the overlap of functions between traditional authorities and elected local councils (Oomen, 2000: 90).

There were other instruments which carried similar mixed interpretations about the relationship between traditional authorities and elected representatives, and further weakened the participation of women in local politics. The White Paper on Local Government of 1998, Municipal Structures Act of 1998, and Municipal Systems Act of 2000 directed municipalities to consult traditional authorities on development issues at local level. These instruments were central to reforming local governance across the country, but were also reasserting the power of traditional authorities and accommodating them within struggling municipalities. While some may consider these instruments to have pushed women into formal structures by their recommendation for

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27 ‘Continue’ is contested, since some have argued that there was no evidence that traditional authorities were involved in development projects during the apartheid regime - rather projects were implemented by government line departments, where traditional authorities acted as link between government departments and the communities (Delius, 1990; Ntsebeza, 2005: 282).
gender parity for seats through electoral politics, evidence suggests that the Municipal Structures Act of 1998 instead encouraged some women into traditional structures. The Act was a controversial policy that contributed to traditional authorities continuing to converge in order to oppose the new system of local government (see section 3.4.1). Williams (2009) has argued that the Municipal Structures Act was more influential in micro politics, where traditional authorities legitimated their argument for rule in local government and control over finances and development projects, using the fact of their proximity to ‘the people’. He further argued that traditional authorities criticised policy makers for not taking into account that in racialised and ethnically discrete spaces they safeguarded and provided services.

It is important to draw attention to the deficiencies of the legal frameworks on women’s representation and their successful implementation. A close examination of these official discourses concerning women indicates a contradictory position – on the one hand, constructing women as citizens with full democratic rights to participate, contest for public office, and be afforded any position, and on the other hand viewing them as a stakeholder to be considered in a participation process wherein authority is given to traditional leaders and denied to them. Overall, the limited number of women in structures was guaranteed, but the framing of women as a stakeholder to be considered by traditional authorities detracted from that gain. In sum, their entry remained under the control of male centres of power, and street-level bureaucrats remained a challenge for women to be able to successfully exercise their newly constituted rights.

3.4 WOMEN AND THE ROLE OF TRADITIONAL AUTHORITIES UNDER ACCOMMODATION POLITICS

This section demonstrates how the institutional channels were enlarged during the process of democratisation and decentralisation in order to introduce institutional innovations for women’s participation and representation in the institution of traditional leadership. This section argues that the political space opened for women in the institution of traditional leadership through the Traditional Leadership and Governance Framework Act (TLGFA) of 2003 (Act 41 of 2003) and Communal Land Rights Act of 2004 (CLARA) was bounded and restricted because of historical agreements which were embedded on both territorial and partisan interests. The traditional authorities were able
to expand their authority over a variety of issues in the post-apartheid era, including over land, due to the weakness of the local state. In the process of democratisation and decentralisation traditional authorities requested that the government should recognise their political independence and autonomy in local politics. The section further suggests that the process of increasing women’s representation in national politics and their politics of presence were undermined by actors in local institutions, not least through the practice of development processes. The central question is how and why the government acts to restrict the space for women’s representation after its initial ideological endorsement of gender equity.

3.4.1 Commanding More Political Space

The issue of traditional authorities under institutional reform has long been a central feature of the democratisation process, and it is not surprising that in the policy outcomes women were still limited to peripheral positions in the structural arrangements in local politics. In order to understand how this came about and the nature of the political environment that traditional authorities created, it is necessary to trace the changing politics of transformation and accommodation and several years of extremely difficult negotiations, which served as an exacting negotiation over women’s political representation in national politics.

First, the institutional innovation was an attempt to resolve the political standoff between traditional authorities and the elected councillors over control of local government in rural areas. From the first democratic local government elections in 1995/96 traditional authorities were instrumental in threatening not to participate in the post-apartheid local elections and to dissuade their subjects from doing so (Bank & Southall, 1996). As a result, traditional authorities managed to delay the first local government elections in KwaZulu-Natal through the IFP; rather than taking place in November 1995, it took place in June 1996 - even when the Local Government Transition Act (LGTA) of 1993 (Act 209 of 1993) was amended in 1995 to allow the representation of traditional authorities to comprise 10% of the total number of elected representatives. Moreover, they succeeded in postponing the announcement of the date for the elections in 2000, even when former President Thabo Mbeki had given them a concession by increasing their representation in local government from 10% to 20% of the total number of
elected councillors. Traditional authorities did participate in the December 2000 elections, but on condition that their power and functions performed under apartheid would be preserved, if necessary restored by means of an interim solution to be adopted before the December 2000 elections.

Second, the issue of land administration was also at the core of contemporary negotiations in local politics and in construction of the local state. As already argued in Chapter 2, the issue of land was key to the position of traditional authorities and to development projects in the post-apartheid era. According to Cousins (2010: 55) the question of democratic governance over time arose in local institutions and the debate over the roles and powers of traditional authorities in local government and land administration continued. In fact, much of the research on traditional authorities in the post-apartheid era suggests that they have contested their attempted confinement by the government to symbolic, advisory and developmental roles in local politics (Williams, 2004; Oomen, 2005; Beall, 2006). Institutional reforms had to recognise and formalise the institution of traditional leadership in order to give meaning to the 1996 Constitution, given the contradictions in the constitutional text as stated above.

Two pieces of legislation that enlarged the political space for women in the new system of participatory governance were promulgated between 2003 and 2004: the TLGFA of 2003 (Act 41 of 2003) and the CLARA of 2004. These instruments were integral to the process of transformation, the governance of land as well as to the institutional connection between traditional authorities and local government institutions. Most notably, they provided a clear position on the actual powers of traditional leaders at local level, which had been subject to debate in the establishment of democratic local government institutions. The former subsequently resulted in promulgation of the KwaZulu-Natal Traditional Leadership and Governance Act (Act 5 of 2005). A close reading of these laws shows they have to be interpreted in tandem, because they were integral in implementation of development projects and helping to establish the legitimacy of the local state. They are closely related and therefore should be analysed.

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The Communal Land Rights Act 11 of 2004 was declared unconstitutional in its entirety in the Constitutional Court decision in Tongoane and Others v National Minister for Agriculture and Land Affairs and Others, CCT 100/09, judgment delivered on 11 May 2010 (Tongoane, 2010).
together in order to understand the level at which municipalities operate in KwaZulu-Natal.

3.4.2 Women, the TLGFA and Traditional Authorities: Legitimacy and Responsibility

The timing for the reconfiguring of the political space by the ANC-led government ahead of the April 2004 general elections strengthened the position of traditional authorities while weakening women’s participation and representation. The attempt was made to establish institutional mechanisms for co-operation in local politics. On 19 December 2003 the former President of South Africa, Thabo Mbeki, signed the Traditional Leadership and Governance Framework (TLGF) Bill into law. The TLGF Bill was initially approved by cabinet in June 2003 and published in the Government Gazette in September 2003. The Ministry of Department of Provincial and Local Government (DPLG) (currently the Ministry of Co-operate Governance and Traditional Affairs), which was responsible for the clarification of the roles, powers and functions of traditional leaders at local level, was only able to publish the draft White Paper in October 2002. Most observers argued that it was the strategy of traditional authorities to undermine the Ministry in order to lobby directly to either the President or Deputy President for the importance of traditional authorities within the new South Africa using organised bodies such as CONTRALESA as well as the Coalition of Traditional Leaders that partly contributed to promulgation of the TLGFA (Ntsebeza, 2005; Williams, 2009). This collaboration of traditional authorities and the ignorance of official institutional channels contributed to undermining the presence of women in Parliament during passing of legislation that entrenched the power of traditional authorities. Hassim (2005: 355) has argued that representation of women in Parliament was not effective during the passing of the Bill due to the instructions from above to women’s MPs not to oppose the Bill. She further noted that the dissembling of women was also a result of the timing of the Bill, which took place at the same time that candidate lists for political parties were being drawn up. In essence, the opportunity structure was not viable for effective women’s political agency.

The TLGFA has both structural and procedural moments. Structurally the TLGFA provides for establishment of new traditional bodies such as traditional councils to serve
as a link between the traditional leadership and local government institutions. The traditional councils are chaired by hereditary or non-elected leaders, because where tribal authorities existed (which were established in the apartheid era and in terms of the BAA of 1951), they were simply converted into traditional councils. Ntsebeza (2005) has argued that establishment of traditional councils raised the question of the meaning of democracy and citizenship in rural areas. This demonstrates that traditional councils seem to be undemocratic and patriarchal in nature. Procedurally, a minimum of 30% of women’s representation and 40% of democratically elected members in the traditional councils were required in order to fulfil democratic norms and practices. Even though they draw from legislation passed by the democratic government, the traditional councils still have a majority of unelected members, and give unelected traditional authorities and their appointees a majority. In order to become spokespeople of rural people, traditional authorities only have statutory power provided they comply with recognising women and elected members in their institutional structures.

In practice, the TLGFA created a field for a potential abuse of power and monopoly of legitimate symbolic violence by the principal traditional leader for his appointees to be the majority. The TLGFA imposes a limited number of traditional leaders in a traditional council. The power that the principal traditional leader affords can prohibit – meaning women’s selection was made dependent on senior traditional leaders. The latter were given a space to decrease the 30% quota of women where an insufficient number of women were ‘available’. Traditional councils are constructed around men and their functioning and transformation relies heavily on the senior traditional leaders rather than the communities. This is because the senior traditional leader is responsible for how often the traditional council meets and serves as a resource of custom and tradition. A principal traditional leader himself also raises what kind of a woman is to be selected, thus making women a permanent minority in traditional councils through bureaucratic technicalities. It should always be noted that women are not homogenous and do not form a homogenous category, meaning they have socially differentiated identities and interests. As Cousins (2010: 59) argues, ‘traditional identities and cultural norms continue to be important in many rural contexts where [the] meaning of ‘custom’ and ‘tradition’ are often contested’. As a result, the emphasis on custom raises questions over women’s rights, which were always redefined under colonial rule through a particular version of custom, where identities such as class status, marital status and so forth count.
On another level the power struggles around traditional authorities provided institutional channels for the dominant gender mainstreaming discourse to permeate the process of legislative change. Williams’ (2009: 201) work has revealed that CONTRALESA and other bodies such as the CGE made sound submissions to the Portfolio Committee, which started public hearings on 16 September 2003 and concluded on 15 October 2003, to advocate for the inclusion of women. One notices that the TLGFA provided for incremental change under its overall theme of transforming the institution of traditional leadership in a manner that could coexist with modern democratic institutions. However, the TLGFA did not limit the role of traditional leadership in the local government sphere, but also in all spheres of government – national, provincial and local. The state was concerned with the power to govern through establishing institutional connections at local level in order to resolve the issue of traditional authorities, and thus introduced the problematic compromise of a gender quota in traditional councils.

Thus political decentralisation has contributed to the reworking of the rural political structure by introducing the TLGFA, but is limited for women when viewed in conjunction with CLARA. The TLGFA noted that it seeks to transform the institution of traditional leadership ‘in line with constitutional imperatives … so that democratic governance and the values of an open and democratic society may be opened; and gender equality within the institution of traditional leadership may progressively be advanced’. The problem that the TLGFA left, while solving the political problem of traditional authorities in local government, was that it did not specify the role of traditional authorities in land administration; rather it was dealt with in the CLARA for the purpose of section 20 [1][b] of the TLGFA of 2003. However, the shortfall for the reconstruction of traditional councils, either through establishing new structures or renaming existing traditional authorities, took place under unequal power relations and discriminatory laws. In fact, close comparison of the TLGFA and CLARA suggests that the patriarchal structures – traditional councils with a majority of unelected members – were given greater powers than in the original Constitution with regard to allocation of land (Koelble, 2005; Ntsebeza, 2005). Although CLARA dictated that traditional councils would serve as supreme structures, when it comes to land allocation, in KwaZulu-Natal the dual system for land allocation and administrative powers and functions exists in communal areas due to convergence of the historical and contemporary politics that involved the Zulu King.
In contrast, the issue of women remained unresolved, particularly in provinces with traditional authorities due to the hierarchical and patriarchal nature of the institutions that the government was set to transform and accommodate. The shift of the IFP and CONTRALESA from national politics to concentrate on new spaces for political agency in decentralised structures hardened the political position over women’s representation and establishment of newly recommended structures. Evidence suggests that faced with resistance to his letter to Chief Mangosuthu Buthelezi, former MEC in KwaZulu-Natal for Local Government, Housing and Traditional Affairs, Mike Mabuyakhulu argued that the ANC-led government had a responsibility to balance the wishes of traditional leaders with the imperatives of a constitutional democracy.29 The TLGFA of 2003 mandated that traditional structures or tribal authorities established before September 2004 had to be converted, but in KwaZulu-Natal there was no guide until 2005. As shown above, the recognition was given to traditional councils in 2003, but their establishment was left in abeyance and deferred to legislation still to be promulgated. In 2005 the KwaZulu-Natal Traditional Leadership and Governance Act of 2005 was promulgated to fulfil the TLGFA of 2003. The KwaZulu-Natal framework was more explicit about the establishment of traditional councils, stating that the remaining 60% should be selected by ‘inkosi from traditional leaders and members of traditional community, in terms of that community’s customs’ (Section 6 [3] [a]). Section 20 [1] of the Framework Act of 2003 provided them with a role and functions in a wide range of issues, including land administration, the administration of justice, art and culture, registration of births, death and customary marriages and so forth. Accordingly, Crais (2006: 722) argues that the scope of these functions introduced during the process of reworking traditional rule provided ‘limited sovereignty’ to ‘traditional communities’.

The TLFGA gave these traditional structures limited time to transform themselves, prior to establishment of local houses of traditional leaders. Moreover, the Act did not specify what a ‘sufficient’ number of women in these local houses should be. Williams (2009: 203) observed that the Coalition of Traditional Leaders was adamant about abolishment of pre-existing regional authorities established through the BAA of 1951, because of the formula the government recommended in establishment of local houses of traditional

leaders. However, the state remained committed to forcing the institution of traditional leadership to change its structures in order to support local government institutions.

It was established using interview data with councillors that current traditional boundaries do not correspond with municipal boundaries. Yet it had been recognised that apartheid boundaries and structures were imposed on some of South Africa’s communities. Therefore the discourse that influenced the TLGFA of 2003 and TLFGA of 2005 in KwaZulu-Natal has drawn increasingly on notions of nation building, focusing on co-operating with other traditional councils while rejecting practices of divisions based on tribalism. Cousins (2007) argues that there are no homogenous ‘communities’ with clearly defined social and territorial boundaries under the accepted authority of traditional leaders in communal areas in South Africa. Rather they exist in the ANC’s political discourse of nation building and constructed ‘national identity’. Nation building and constructed national identity have replaced race in the ordering of the new South Africa, and local states have been contributing to this agenda. Accordingly, Anderson (1991) argues that modern nationalism incorporates features that were affecting communal life before and independently of the rise of the nation. As a result, he concludes that nationalism is less an ideology than a form of cultural expression – closer to the phenomena of kinship and religion than to such political doctrines as liberalism or fascism.

According to Cousins (2007) traditional councils could be awarded unprecedented powers over community land. However, in KwaZulu-Natal it was made very explicit that there should be no interference with land administration for development; rather, the Zulu King through the Ingonyama Trust Board was given powers to distribute land for capital projects. Unfortunately, because of pressures of space, we cannot discuss this further here; suffice it to state that the issue of land again frustrated the women’s agenda of effective representation at local level. The KwaZulu-Natal Act of 2005 and TLGFA of 2003, taken together, allow customary authority structures to contest interpretation of their roles and functions. This thesis has established using interview data that rather than interpreting the provincial law on the roles and functions of traditional councils, there seems to be a focus on a national framework. However, the national framework itself does not specify what should be done, but leaves it to the provinces to interpret the scope of powers assigned. The broader question that arises is thus how to explain the interaction of these multiple actors in local politics in supporting the government’s
development efforts and extending democracy in rural areas through the IDP. Again pressure of space precludes that discussion from taking place here.

3.5 WOMEN’S CONTESTED SPACE IN THE PLANNING TECHNOLOGY OF THE IDP

Suffice to note that the IDP emerged when the issue of powers and functions of traditional authorities was unclear; therefore, spaces provided through this new planning technology for women’s participation and representation were bound by similar constraints to those identified in the establishment of ward committees, as to who would become legitimate actors in the development process amongst elected representatives (see Chapter 6). The convergence between the traditional authorities and the new elite as well as the politics of transition did not only make women vulnerable to the patriarchal order or gendered democratisation, but also made the newly established municipal institutions vulnerable to patriarchal forces. Parallel with this, traditional authorities continued to enjoy privileges; the state recognition was in the Bantustan system. It emerged through the assessment of municipalities’ IDPs over time that from 2002 onwards, municipalities endorsed working with traditional authorities. These municipalities in their IDPs supported the national frame that traditional authorities should continue to participate in dealing with developmental and administrative matters within the municipalities (Ubuhlebezwe IDP, 2002, 2007; Jozini IDP, 2007/2008). Evidence on implementation of the IDP suggests that in the June 2009 IDP review, the Jozini Municipality argued that they found it difficult to control development in its municipal area of jurisdiction because of the land question, which falls under the ownership of the Ingonyama Trust. As a result they were finding it difficult to refrain from accommodating traditional authorities on their IDP because of the power they have over land. Women cannot challenge this cemented official rural patriarchy because it is historically embedded in a web of institutions.

In 2007 the Jozini Municipality adopted the Partnership Communication Policy as a guideline to working with traditional structures under its boundaries. The Municipality claimed that there was no national or provincial legislation to provide for how traditional structures should work with municipalities. Williams (2009: 207) has pointed out that ‘there is no question that the TLGF Act creates institutional connection between
chieftaincy and local government institutions that are central to the government’s twin goals of implementing development projects and to helping to establish the legitimacy of local governance. For the purpose of reconstructing the political space, the municipal official discourse argued that ‘local government legislations on one hand recognise the need to work together with traditional leadership, there is on the other hand, nothing in the traditional leadership legislations which provide the formula to have these two institutions working together’. The forum to implement the IDP was constituted in both study areas to give a predominant role to masculinist, traditional authority in the absence of other national guidelines. In essence, the issue of traditional authorities remained a challenge to emerging and weak rural local authorities, which in turn contributed to enduring gender exclusion.

Emerging from local frustration at the failure at national level to provide direction to municipalities, the Municipality’s commitment to minimise party politics in municipal structures was another form of exclusion and layer of governance. One could see that within the new political relations the exclusion directed at councillors and both traditional boundaries and municipal boundaries is maintained by municipal officials. While their construction had been to challenge slow service delivery grounded in customary law practices over land, there are still spaces of gendered power which disadvantage women in the process of social change. The municipal officials’ action arguably did not intend to change the apartheid politics of centralising power to traditional structures. This study has revealed that for municipalities to fulfil their developmental mandates, they are required to sign a Development Rights Agreement following the grant approval by any department that requires delivering a particular service through the municipalities. This then re-centres politics around traditional authorities.

It is also important to take into account the politics of ‘informational capital’. Councillors seem to be marginalised, thus benefiting traditional authorities if councillors are deprived of their power to give feedback to their representatives. According to the policy, the forum could benefit from exchange of information relating to municipal activities,

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30 Jozini Municipality Traditional Leadership Partnership Communication Policy, p. 5

developing strategies, objectives and implementing plans, thus also assisting traditional communities through their leaders to obtain certain information relating to future plans of the municipality in order to report back to the traditional community.32 As Chapter 6 suggests, this seems to have added a further two centres of power to an already existing one, between proportional representation councillors and ward councillors. It seems clear that the municipality needed to build a strong alliance, which then threatened their service delivery. Traditional authorities were permeated by professional planning discourse, but officials distanced themselves from democratically elected structures largely due to the land management system of rural despotism.

3.6 CONCLUSION

This chapter focused on the linkage between traditional authorities, the IDP and the local state. Historical and contemporary evidence was presented in order to show how traditional authorities were incorporated in the local state after December 2000. The post-2000 local government elections facilitated permanent establishment of local government institutions in line with the principles of the White Paper on Local Government of 1998. The political decentralisation after December 2000 changed the political landscape at local level; as a result, the new local government institutions were designed to be more democratic and efficient than the transitional institutions, which were more conciliatory and disaggregated. In an attempt to understand the incorporation of traditional authorities in the post-2000 local state, the IDP documents were analysed. It was found that some municipalities were faced with historical actors in rural local government, when in turn democratic representatives were grappling with their new duties in public office.

The historical links of political parties with traditional authorities partly facilitated the accommodation of traditional authorities in municipal councils, either through political party directives or the IDP process at local level. Thus the 1996 Constitution as a whole recognised traditional authorities and local authorities, some of which then incorporated traditional authorities into their councils beyond ex officio levels, which was a strategy to

32 Jozini Municipality Traditional Leadership Partnership Communication Policy, p. 12
maintain patriarchal order. There were a number of factors involved for local authorities to maintain this patriarchal order, which in turn limited women’s representation and influence in local politics. The issue of land confirms this pattern. In essence, people in KwaZulu-Natal, as in most rural local municipalities, are still under the jurisdiction of *ubukhosi* in addition to democratically elected councillors. The predominant planning framework of the IDP again confirmed the dynamics of gender exclusion through forum arrangements which privileged traditional authorities.

The structures of expert knowledge permeated the problem of rural governance, where they warned that the government had to prioritise the issue of traditional authorities in order to avoid instability of local government structures, which in turn promoted the patriarchal social order in local politics. It was shown that the investigators were concerned about the complex alliance, discounting its patriarchal nature, because of their perceived need to guarantee to the state the capacity to govern and control. At this level the state was fearful of its incapacity to exert authority in rural areas in the presence of traditional authorities. According to the Ministerial Advisory Committee Report, in cases where traditional authorities withdraw it was going to impact on management of the council and the functioning of elected councillors and ward committees (Ministerial Advisory Committee, 2001: 67). Moreover, it has been shown that this report influenced and added other foundations to the debate about the institution of traditional authorities in local governance.

The vexed question of traditional authorities and their future was ambivalent and a fundamental contraction in the liberal Constitution. Women representatives in municipal councils were understandably unable to deal with this vexed question when their political masters were also ambivalent. In essence they did not voluntarily surrender themselves to masculine domination. These municipal councils found the issue of chiefs or traditional authorities and their role in local government already a thorny one, as initially described in Chapters 1 and 2.

A number of factors that contributed to the issue of the land question and traditional authorities also contributed to restricted changes to women’s participation and representation in local politics. We have seen that the long-term agreement between King Goodwill Zwelithini and the ANC in April 1994 cannot be dissociated from political developments that involved land and historical processes at local government level in
KwaZulu-Natal. It was shown that soon after traditional authorities emerged as an institution recognised and protected in the Interim Constitution of 1993 and well concretised in the final Constitution of 1996, they were incorporated into the democratic dispensation through a process of elite accommodation, which led to a dual system of administrative powers and functions in communal areas.

This chapter traced the democratisation process in rural areas, finding that promulgation of the TLGFA of 2003 and CLARA of 2004 was able to replace the Bantustan institutions of the 1950s with traditional councils. One result of this was participation and representation of women in traditional councils as a permanent minority. The chapter has shown that rather than removing the role of land allocation from traditional authorities to municipal councils, it was given to the newly created traditional councils, meaning traditional authorities continue to perform land allocation functions. In Jozini Municipality neither the CLARA nor TLGFA solved the land problem, such that the municipality relied on concretising informal power networks, which in turn contributed to exclusion of elected representatives in development activities. The municipality used its own structural arrangement with traditional authorities, which are male dominated. So far empirical evidence gathered from different municipalities and dominant political parties in KwaZulu-Natal has shown a structural proclivity for women’s exclusion in favour of traditional sites of male power, even where new representational mandates for formal women’s inclusion have been won. In the next chapter we progress by analysing the chief social agency in the study – the political parties and their political cultures – as the primary conditioning forces shaping women’s political participation and representation.

As Crais (2006: 721) observes, ‘the situation in KwaZulu/Natal posed acute challenges to the African National Congress ... in which the ANC in effect conceded the ill-begotten IFP victory, also resulted in a recognition – however begrudgingly – of the political salience of tribalism in rural areas of the country’.

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CHAPTER 4: ACTORS IN LOCAL GOVERNMENT – POLITICAL PARTIES AND POLITICAL CULTURES

4.1 INTRODUCTION

The previous chapter presented the first analysis of this study, discussing the role of traditional authorities in the marginalisation of women in politics. This chapter is about political parties and their political cultures in South Africa. The primary reason for studying political parties in this thesis is that political developments in contemporary South Africa have emphasised decentralisation, which concentrated in the establishment of democratic institutions and their extension to rural areas. Integral to the extension of democratic institutions was the transformation of apartheid institutions, the institutionalisation and legitimisation of political party structures in local politics, as well as construction of gender-sensitive structures. This chapter draws attention to the sets of relationships between power and space which have been crucial in shaping South African political order. The emphasis is on a close relationship between the creation of state power, the organisation of space, and political parties as intermediary agencies in the electoral process and their role in women’s advancement to [partial] state power.

The aim of the chapter is two-fold. Firstly, it disaggregates institutions of political recruitment in order to understand how each interlocking dimension hinders the actual recruitment of women in local politics. Secondly, it re-examines the emergence of new political spaces in creating hegemonic power and the realignment of political parties’ structure and state territory. The principal argument in this chapter is that the intersection of the culture of the struggle for liberation, the mechanisms for increasing women’s political representation in local politics, and the struggle for state territorial power and interests determine the influence that women have in local politics. We find that while political parties support democratisation and decentralisation effectively through aligning their party structures with state territorial structures and by opening up their internal processes of leadership selection, these processes are centrally controlled, which in turn results in the very same processes suppressing the agenda of increasing women’s political participation and representation in local politics. The chapter suggests that the present institutional mechanisms for increasing the number of women in public
office are undermined somewhat by political parties because they are not legal requirements but rather a partisan decision.

The chapter consists of two main parts. The first section traces institutional reform in order to discuss political decentralisation, and interrogates its contribution to women’s participation and in creating new political spaces for women’s participation and representation in local politics. The second section examines the candidate selection procedure(s) and then investigates the concentration of power, the role of internal party democracy during the process, and implementation of mechanisms for increasing women’s political representation in public office at local level as well as the influence of women’s wings in the political reform processes. This provides an opportunity to explain the implementation of decentralisation reforms through the internal structures of political parties, where in turn different types of locations and selectorate(s) of candidate selection are defined territorially and functionally. The chapter concludes by stating that the struggle for women’s political representation and exclusions work in multiple sites because of the merging plurality of actors in the new modes of governance. The chapter shows how decentralisation policies have changed government and party politics in fundamental ways due to territorial interests, political incentives, and strong desire by some to govern and control. The conceptual question remains: why are some political parties more effective than others in facilitating women’s access to political office?

4.2 WOMEN, POLITICAL PARTIES AND REARRANGING THE POLITICAL LANDSCAPE

This section traces the institutional reform process in order to discuss political decentralisation, and interrogates its contribution to women’s participation and representation and the way that new political spaces for women’s political participation and representation have been created in local politics. This section establishes that the shift from transitional local structures established from the first sequence of democratisation which started in the 1990s to full democratic structures had the effect of creating actors supporting political decentralisation, who succeeded in using political spaces created outside party politics in order to obtain space to participate in the post-apartheid local state. Moreover, it suggests that in the transitional structures the racial discourse was more important that the gender discourse until the Government of
National Unity (GNU), formed after the first general elections in April 1994, approved the 1996 Constitution in order to strengthen the political autonomy of subnational polities. The government later designed an electoral law – the Local Government Electoral Act of 2000 – in order to start the process of enlarging democratic institutions in the whole country and to alter the electoral system at local government level designed during the negotiation process. The electoral system, the urban bias of which provided a different form of citizenship in local politics, was replaced with a mixed system of FPTP and the PR system (see section 4.2.3 and Chapter 2). Therefore this section focuses on electoral reform, as this has created new dimensions of power in local state and nation-building. In this, official discourses (1996 Constitution; 1998 Municipal Structures Act; 1998 Local Government Demarcation Act; 2000 Municipal Systems Act; 2000 Local Government Electoral Act), also discussed below, helped to reformulate apartheid power in order to provide the nexus between the state-citizen-spatiality of the post-apartheid order.

This section argues that the systemic reforms – democratisation and decentralisation – opened new spaces for (women’s) political representation in local politics. It shows that territorial reforms opened new and activated existing dormant spaces in rural areas, increased political parties in local politics, and contributed to a multiplicity of sites for the struggle of both descriptive and substantive representation. We see how decentralisation opened up new spaces and institutions but those were not only directed towards women’s political representation. They at the same time were geared towards the general construction of state power, and the promotion of a certain relationship between individuals and the state.

4.2.1 Women’s Representation and Institutional Mechanisms

Several scholars argue that when enhancing women’s political participation comes into government consideration, there are several alternatives that can be applied to increase participation and representation (Matland & Taylor, 1997; Tripp & Kang, 2008). These include provisions such as direct elections, proportional representation, reservation of

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34 I use Falleti’s (2010) understanding of ‘subnational’, where she refers to governments at both the intermediate (e.g. state, provinces and departments) and local levels of government.
seats and so forth. In implementing these mechanisms, changes in the institutional design are necessary since they pose threats to pre-existing power relationships and traditional practice. Some scholars observe that an ‘electoral system’ is the most powerful determinant and critical factor in women’s political representation on democratic polities among alternative institutional settings. Accordingly, there are three types of electoral systems that contribute to achieving a higher female representation: the PR system, large-multi-member districts, and quota systems that ensure a minimal level of political representation for women (Dahlerup, 2002; Matland, 2002; see Chapters 1 and 2).

Norris (1999: 195-196) offers us three levels of analysis in order to establish why some political parties are more effective than others in introducing mechanisms for facilitating women’s access to political office. First, at the level of the political system the legal, constitutional and electoral framework sets the recruitment environment. Second, at the level of recruitment structure, party organisation, party rules, party ideology and other non-party interest groups act as gatekeepers, managing the norms and standards of behaviour or rules of the game. Third, the recruitment process itself can be studied, including how many and which women are eligible to run and which women come forward to stand for offices, who are selected by the gatekeepers and who are finally chosen as members of parliament. Most of these elements are nearly always considered for national politics, but rarely taken into consideration in local politics.

This chapter will consider these elements and how political parties use them in translating, reworking and adapting the democratisation and decentralisation discourses in local politics. The chapter argues that the relationship between women’s representation, the electoral system and institutional mechanisms for increasing women’s representation in South Africa is made more complex than these elements of legislative recruitment described singularly would suggest, because they were introduced during a coeval process of establishing new institutions per se. Therefore a separation between the electoral systems, introduced to move away from the previous authoritarian regime and to devolve political authority to the local level, and the representational reforms themselves, allows a clearer evaluation of the consequences of the process on women’s political representation and their influence in local politics.
4.2.2 Women’s Representation, Electoral System and Political Change

Historically, from the early 1990s PR in South Africa emerged as a negotiated electoral system which was agreed upon between reformers and moderates. Gender scholars argued that the politics of transition was intense; therefore, the choice of PR stressed non-gender aspects of the political process (Razavi, 2001; Hassim, 2006). These scholars pointed out that reformers and moderates were primarily concerned about the state of conflict in the country, as discussed in Chapter 2. On the one hand, the PR system was adopted in order to secure and guarantee the future political presence of the white minority in the formal political system. On the other hand, it was adopted to satisfy the policy of the moderates – the ANC and their demands for non-racialism. In this context, the ANC was concerned about the danger of ethnic and racial mobilisation in the process of political change. Therefore, the nature of political conflict and PR played a large part in shaping the form and timing of the political system. In essence, PR was seen as a system to promote racial harmony rather than as an institutional solution to the problem of incorporating women into political office. This thesis will show that powerful forces among reformers in the state and moderates in the liberation movement(s) pursued a solution which reconstituted government structures along lines which were increasingly non-racial, but which nonetheless continued to exclude the greater section of the population, including women, from the power centres of government decision-making structures. This alliance pursued this strategy in order to sustain their political careers.

In South Africa the use of race to impose the policies of post-apartheid was secured in the transitional structures through the agency of transitional local authorities, because the racial discourse was still more powerful than the gender discourse towards the general elections in 1994. The first local government elections in 1995/96 were held under a ‘transitional’ compromise of the racialised and politicised electoral districts, which advantaged people living in the former apartheid ‘statutory’ areas (White/Indian/Coloured districts) to be over-represented in the post-apartheid transitional local councils (Robinson, 1995; Lodge, 2001). This political manipulation of local negotiations by apartheid technocrats impacted on women because it detracted women’s political representation in support of racial representation as a means of securing a government of local unity. Robinson (1997) vividly described the importance
of apartheid spaces and the reconciliatory approach during the local government transition period. Upon this reconciliatory approach rested the dominance of the apartheid system, which was elaborated in the post-apartheid local government system and became a model for the transitional period. The dominance of the apartheid system had profound impacts on the way PR worked in practice, and on the transitional local government structures more broadly, because it provided the white minority with a veto over key areas in decision-making (Robinson, 1997). Basically, the local government negotiations in part aimed to secure the political space for the white minority to participate and dominate, thus also giving the apartheid structures new significance within the democratic regime. Political parties began to secure political agendas and power in the local arena in the context of new politics, and the apartheid spaces were central to and reconstituted within the new political order. This means that ‘racial’ issues were more important than ‘gender’ issues in local government until the post-apartheid state approved the 1996 Constitution and new local electoral system in South Africa.

4.2.3 Women in Post-1994 Political and Legal Reforms

In 1996 the GNU took a first step towards decentralisation by passing the 1996 Constitution, which in turn introduced new mechanisms to break with the traditions of apartheid authoritarian centralism that began in the late 1940s by conferring constitutional powers to local government. Under authoritarian centralisation local government remained the exclusive domain of men, centrally controlled through provincial administrators (Cameron, 1988). According to the 1996 Constitution local government is strong, such that leading political parties in municipalities can control public resources following alignment of the IDPs and budgeting, as discussed in Chapter 3. In essence, in the 1996 Constitution obligations of municipalities were defined and new schemes of territorial political participation were introduced by increasing the responsibility of the subnational levels of government. According to Falleti (2010) a country can qualify for calling a process political decentralisation when the reforms explicitly address devolution of political authority to subnational polities. She argues that it is not political decentralisation when design and negotiation are not explicitly about empowering subnational polities - that is a democratisation process. In essence, political decentralisation targets subnational governments or actors. Drawing from her insights, in
In this context decentralisation emerged as a strategy to end the past technology of surveillance, which relied on military capacity to control it (see Chapter 2) through creation of new institutional channels that intended to produce modern citizens to be disciplined through political activities in governable spaces. According to Blakeley (2010: 9) power is exercised through the discourse and organisational forms of participation, where citizens often adapt the language of the reform model as they become more involved in the process. The relationship between the new system of local government and new technology to govern will be discussed in Chapter 6. In this case women’s participation and representation were not central to decentralisation policies – rather, issues of territorial power were dominant.

It is important to note that the reforms had a strong symbolic meaning as they were a way to legitimate the new regime emerging from the previous circumstances of apartheid. The question of women’s political presence in government structures emerged as an important issue in the constitutional negotiations to establish a new government, following the decline of the apartheid state in the 1980s to the early 1990s. Moreover, the democratisation of local government and promotion of local elections were among the key issues in the 1990s round-table negotiations in Kempton Park between the ANC and the NP authorities (Lanegran, 1996; Reddy, 1996; Maharaj, 2002). During the process of democratisation SANCO (as defined in Chapters 5 and 6) was established in March 1992, which became a non-statutory body in the Local Government Negotiation Forum (LGNF) established in March 1993 to integrate and co-ordinate a national framework for the transformation of local government in South Africa (Spitz & Chaskalson, 2000). The LGNF concluded the Local Government Transition Act of 1993 (Cloete, 1994; Robinson, 1995). While the negotiations ended without a clearly defined local government model, they helped to clearly define what the post-apartheid constitution should contain. The negotiated transition helped to prepare an agenda for the Constitutional Assembly that was formed after the first democratic general elections in April 1994, and that immediately began to draft a 1996 Constitution, which served as a framework for government ministries to prepare new policies for local government (Moffet & Freund, 2004; Maharaj & Maharaj, 2004; Lehman, 2007). Therefore women benefited from this constitutional reform of 1996, as the formal commitment to equality embodied in the 1994 Interim Constitution was ratified in the 1996 Constitution. The
1996 Constitution was the first and the most important framework in South Africa which defines the right to gender equality and the political presence of women.

The Constitutional Assembly in 1996 provided a legitimising framework which did not exclude women from politics but enshrined their rights to form political parties, make political choices, and take part in party activities, recruit members and campaign for a political party or its cause, according to the liberal discourse of the country’s Constitution. This was also supported by a constitutional clause on equality between women and men in the Bill of Rights, where gender equality became a core principle and value for South African democracy. Hassim (2006: 183) argued that the constitutional clause on equality became a new technique which formally influenced both political parties and the Independent Electoral Commission (IEC), to ensure that women’s political participation or women’s political presence was not prejudiced in any way by the nature of electoral campaigns or the procedural aspects of the elections in the new rationality of government. In essence decentralisation became an implicit strategy to undermine the institutional basis of inclusion which favoured race and authoritarian centralisation of local government, under which women did not benefit for decades.

Within the post-transition institutional development decentralisation reforms changed government institutions and politics in fundamental ways in order to introduce a new mode of governing, and to open political spaces where women could also benefit in local politics. According to Van Ryneveld (2006), during constitutional negotiations the ANC argued for a ‘strong-weak-strong’ formula, with a strong central government, weak provincial level, and strong local government. Some may argue that the nature of negotiated transition contributes to the establishment of local government as a separate sphere of government alongside provincial and central government. The nature of reform availed an opportunity to institute a new structure of municipal organs, and a new regulation of resources in order to increase democratic and gender-sensitive structures. For example, decentralisation policies promulgated in the political presence of women in national Parliament under the GNU (1994-1999), such as the 1998 White Paper on Local

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35 The IEC is a permanent body that administers elections which was established under the Electoral Commission Act of 1996. The Electoral Act has an Electoral Code of Conduct which has to be respected by all registered parties and candidates, also requiring political parties to put into place mechanisms that would enable women to access their rights.
Government and the 1998 Municipal Structures Act, introduced a different electoral system for local government, namely a ‘mixed system’ where ward councillors are elected in single member wards or constituencies to the system of FPTP used alongside a PR system. The 1998 White Paper on Local Government incorporates gender equity as a guiding principle for developmental local government, recognising differences among women, power relations within communities and households. Van Donk (2002) pointed out that the 1998 White Paper on Local Government paid attention to the question of representation in terms of gender, where it advocated a 50% quota of women in local government.

Moreover, the Local Government Municipal Electoral Act of 2000 became an official discourse for implementation of the second reorganisation of local government in line with new boundaries, which were informed by the new Demarcation Act of 1998. The 2000 Municipal Electoral Act was designed to provide opportunities for development of a new elite, including women where political incentives allow for participation of independent candidates outside party politics (see section 4.2.3). Some scholars view this as strong political decentralisation with potential to contribute to shaping systemic institutions. As Krook (2003) has observed, systemic reforms involve adopting new electoral systems. She pointed out however that it is extremely rare to adopt new electoral systems. In part decentralisation in South Africa became a strategy to contribute to dismantling of the negotiated transitional system and for speedy reorganisation of local government for the second time, at the same time as electoral reform which enabled the post-apartheid state to protect territorial power. Political reform through the official discourses of local government extended the electoral system to rural local government, where councillors previously elected through PR were elected through the system of FPTP used alongside a PR system.

Feminist debates from elsewhere remained adamant about the democratic practices of the electoral system adopted in South Africa in local politics during the democratisation and decentralisation processes. According to Tinker (2004), in this system FPTP candidates stand in a particular territorial area and are elected to represent voters in that specific area. Essentially, in this system the winning candidate is the person receiving the highest number of votes. The candidate cannot even enjoy a majority. Opponents of this system further argue that there is wastage of votes, and it is difficult to elect women
under this system due to reasons I will discuss later in this chapter, in the section on candidate selection. These official discourses (1996 Constitution, White Paper on Local Government of 1998, and Municipal Structures Act of 1998) were crucial in strengthening the self-governing capacities of people and gave participatory governance institutional life as well as responsibilities for constructing new institutions for advancing gender equality (see Chapter 6). We may argue that the post-transition electoral system implemented from December 2000 had nothing much to do with women’s political participation and representation, and more to do with extension of democratic institutions around the country based on the post-apartheid two-tier model of local government.\textsuperscript{36}

As transitional structures broke down, decentralisation policies increased, still with mixed results around establishment of new institutions. Alongside the breaking of transitional structures new municipalities emerged, which were drastically reduced from 834 to 284. These new municipalities of the post-apartheid regime are characterised by a form of central-local relations, which has provided the link between decision-makers and local populations (Beall, 2005; Ntsebeza, 2005). One of the defining characteristics of this new rationality of government has been a legal appeal from political parties to introduce a quota representation system in the PR component, aimed at addressing gender inequities. While the ANC-led government avoided mandating a certain number of seats for women, it did structure an indirect contagion\textsuperscript{37} of voluntary quotas through the Municipal Structures Act of 1998, where it was stated that ‘every party ... must seek to ensure that the fifty per cent of candidates on candidates lists are women and that women and men candidates are distributed through the list’ (section 17[1]). In this case, the increased presence of women in public office is frequently linked to the willingness of the ANC, and this appeal emerged during the period of creation of new democratic

\textsuperscript{36} The local government is divided into four categories (category A, B, C, and D), where in categories C and D the ward-based system does not work, and other municipalities even though known to be category B do not have wards; therefore, the PR system applies in order to form a municipal council (see Chapter 6).

\textsuperscript{37} In this study I use this term ‘contagion’, drawing from Duverger’s (1955) understanding of contagion where he defines it as a process by which one party in a multiparty system stimulates other parties to adopt their policies. In this context I call it ‘indirect contagion’, drawing from the reality that the ANC, if it was willing to promote an increase in the presence of women in the public office, would have taken a constitutionally mandated quota, but opted for a voluntary quota where there are no sanctions.
institutions. However, there were no sanctions or enforcement of this provision, and the discourse of descriptive representation of women was more influential in portraying women as a group, but not in enforcing empowerment at the level of individual citizens. In Chapter 2 it was argued that the wider interests of women were compromised; even after the liberal Constitution was passed, there were still only narrowly defined grounds for the empowerment of women, such that they remained largely excluded from the process and arena of public decision-making.

There are two contradictions associated with this quota campaign within the state, which can be discussed broadly within the context of institutional innovation in line with South Africa’s liberal Constitution.38 The first contradiction is that women in South Africa are citizens with equal rights, according to the “equality clause” entrenched in the 1996 Constitution, and they must not be denied participation. Inhetveen (1999: 415) argues that ‘if women and men are equal, there are no specifically female politics or interests that have to be represented’. The campaign seemed to shift or to appeal to political parties to formulate gender quota regulations. This (in)directly meant that political parties had to accept that there were inequalities between genders, and in turn that political office holding was no longer to be impaired by being female ‘if quotas are considered the means to overcome the gender bias in the distribution of political positions’ (Inhetveen, 1999: 416). The campaign was gendered and elitist in nature as it universalised women. The second pragmatic contradiction was that political parties had to employ procedures to address women’s political representation on the PR list, making gender difference unambiguous. However, it was still only women being guaranteed a share on the candidate lists, not a guarantee of actual success in political office holding. Thus, an enduring question in this thesis is why the ANC-led government campaigned for a mechanism that could only contribute to a marginal change in the perception of and opportunities for women? The chapter will later show that this can be partly explained by the lack of internal democracy in the ANC as well as contesting political and gender ideologies. Meanwhile, the next discussion establishes that the shift from transitional local structures to full democratic structures had the effect of creating a group of supporters of political decentralisation who succeed in bypassing political parties in

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38 In this study I used Inhetveen’s (1999) understanding of institutional innovation; she argues that it should be understood as creating a new institution within a pre-existing, intact institutional and cultural context.
obtaining space to participate in the post-apartheid local state. There are thus two patterns emerging: women locked into and dependent on internal party politics for their political opportunities; and an emerging bloc of candidates external to these same parties, forming an alliance around local power-brokering structures, which again serve to largely exclude women (see below).

4.2.4 Principal Actors at Local Level

The process of democratisation and decentralisation introduced new rules of the game in the late 1990s around the territoriality of new municipal boundaries. The transfer of power to new municipalities through the 1996 Constitution, and the institutional life of electoral politics provided by the Local Government Municipal Electoral Act of 2000 altered electoral politics, such that from the 2000 to the 2006 election, there was emergence of new political parties and the presence of old parties in municipalities which were dominated by the ANC and the IFP (see Table 4.1). Even with this increase permitted by decentralisation, local government election results suggest that a number of seats continued to be won by the ANC and the IFP in KwaZulu-Natal. Chapters 5 and 6 will show that traditional political parties such as the ANC became more dependent on other strategies, from floor-crossing to alliances with small parties, in order to protect their territorial hegemony and domination in decision-making structures in other municipal councils. Erlingsson (2008) elaborated that in applying plurality rule in single member districts there tends to be domination by two large parties; whereas PR electoral systems have a propensity of generating a larger number of political parties competing for the votes.

One of the traits that characterises decentralisation is the strong institutional nature of political parties. Moreover, archival evidence illustrates that political parties which contested local government elections nationally increased from 79 in December 2000 to 97 in March 2006. This gradual increase in the number of parties is understandable in that both the ward-based and PR system provided a political environment which allowed a wide range of opinions to be expressed by political parties as long as they worked

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39 In March 2006 23 parties contested elections in KwaZulu-Natal, whereas in December 2000 there were 11 political parties. By 2006 the ANC was able to win by 46.60% (742 seats), IFP 38.48% (713 seats), DA 8.42% (124 seats), National Democratic Congress (NADECO) 1.63% (24 seats) and Minority Front (MF) 1.58% (19 seats) (EISA Election Update, 2006).
within constitutional parameters. Erlingsson (2008: 859) offered three levels according to which we can understand the politics of the emergence of new parties within the context of municipal governance. These are institutional explanations through which formal rules such as electoral systems shape incentives for potential party entrepreneurs; demand-oriented explanations where new parties are expected to evolve in response to value change among citizens; and existing supply explanations through which failures in established parties explain party formation. Institutionalist scholars have suggested that institutional entrepreneurs who start new parties are influenced by institutional settings (Willey, 1998). Other scholars on decentralisation move their analysis from the electoral incentives of territorial spaces and instead argue that issues across which parties must compete have multiplied as the entry barriers facing new leaders and parties have fallen (Sabatini, 2003: 39). Overall, the electoral system is an important factor in the explanation of when new parties enter municipal governance.

This study has found that decentralisation has broadened spaces for electoral competition and generated important experiences of democratic innovation in municipalities. Decentralisation has introduced local competition and injected pluralism where it did not exist before.40 Another trait that characterises decentralisation has been that the post-apartheid government introduced official discourses that allowed individual leaders, known as independent candidates,41 to present themselves as an alternative to the traditional political parties. However, in the local government elections of March 2006 independent candidates did not do well, with only two independent candidates winning in KwaZulu-Natal, only 34 out of 663 nationally, and none of the eight women who contested (IEC Election Report, 2006). This emerging independent candidature finds credence in Willey’s (1998) suggestion that rational activists use the opportunity structure on the assumption that winning enough elective office can give them an opportunity to achieve the goal of affecting public policy. In essence, decentralisation introduced a new dynamic in local politics such that women expressed their agency as independent

40 For example, at Ubuhlebezwe Municipality in December 2000 elections were contested by the IFP and ANC, but in 2006 more parties contested elections in one municipality, such as the IFP, ANC, Democratic Alliance, African Christian Democratic Party (ACDP) and NADECO and also independent candidates. Similarly, in Jozini, besides the ANC and IFP two other parties contested elections in 2006, the DA and NADECO.

41 An independent candidate is someone who was not nominated by a party as a candidate in a ward election.
candidates, rather than waiting to be beneficiaries of functional representation in the process of candidate selection processes. Selee (2004: 20) concludes that even though independent candidates have mixed success, the electoral system allows citizens to develop new forms of political actions at the margin of clientelistic politics.

Furthermore, decentralisation contributed to opportunities for the political presence of women and other local actors to influence how democracy is broadly conceived. The restructuring of the electoral legislation to permit the functioning of independent candidates for the purpose of presenting themselves to office provides an important context in which other local political actors, including women, can bypass the selection procedures of political parties. The primary requirements are less costly and make it easier for independent candidates to emerge. Lodge (2001: 28) observed that the interventions of the ANC central office leading up to polling on 5 December 2000, in imposing and controlling candidate procedures, contributed to the emergence of independent candidates. He noted that the ANC intended to discourage the independence of SANCO in local politics. In so doing, scholars revealed that approximately 172 incumbents in the December 2000 local government elections decided to stand as independent candidates to protest against the ANC deployment committee decisions to give preference to those who were part of local patrimonial politics from the apartheid regime (Lodge, 2001; Prevost, 2006). In this context it appears that local politics and territorial interests, particularly those tied to the construction of the post-apartheid system, helped to revive ethnic sentiments associated with the former homeland polities, which were exclusionary to women’s political representation. We can argue that decentralisation should be seen as both helping to generate local arenas of democratic innovation and reinforcing authoritarianism and resistance to change. The relationship of the political spaces opened from the 1994 era through official discourses and policy are now discussed in turn.

42 Post-apartheid legally any South African citizen willing to become a candidate can do so even if not from any registered political party, but subject to payment of R500-00 and a form containing at least 50 voters from that ward who should be on the voters’ roll, to indicate that the person had been duly nominated as independent ward candidate. Again the electoral system in South African municipalities does not need any threshold, and local elections take place every five years but not at the same time as national elections because of the different system, as outlined above (see Chapter 2).
4.2.5 **Women, New Spaces in Local Politics and Results**

Tables 4.1 and 4.2 show a gradual increase in women’s participation and descriptive representation in local government over the course of two municipal elections under political decentralisation as a result of the opening of political opportunities, the extension of democratic institutions in rural areas from April 1994, and the effect of PR. For example, Table 4.1 shows an increase in the number of women standing in local government elections and winning seats in local government. There are three possible explanations that can be offered for the increase in women contesting and winning seats in the post-apartheid local state. Firstly, from 2000 to 2006 local election data show that there was an increase in political parties contesting local government elections. Secondly, there was also a number of increases in contested wards when comparing election data for 2000 and 2006. Thirdly, it has been demonstrated above that extension of democratic institutions also contributed to the increase in political parties contesting local elections because even those established during the apartheid era to govern urban space have been able to find an electoral market in rural local government following political decentralisation. This can be partly due to the emergence of new local power elites, political incentives and fortunes that political decentralisation reforms introduced. The strategic decision of the National Party Government before leaving office to have strong constitutional principles for decentralising power to subnational polities and the intersection of democratising political reforms had the effect of creating supporters of decentralisation (Oomen, 2005; see Chapter 2). This thesis shows in Chapter 5 that even the DA is found in rural local government, propagating the agenda of nation-building.

Decentralisation also contributed in part to expansion of the political space, which allowed women to articulate gender-specific claims. Beyond the structuring of indirect contagion in the Municipal Structures Act of 1998, the political action of the ANCWL from the early 1990s to advocate for the candidate quota as a strategy for improved political representation of women in politics did have an impact on structural changes, in favour of women in institutional representation in local politics (Meintjes, 1998; Hassim, 2006). For example, evidence suggests gradual changes, where at the December 1997 and December 2007 National Conferences of the ANC the decision about candidates’

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43 One has noticed through historical trace in the nomination of women NEC members changes have been taking place from 1997 to 2007 within the ANC. For example, out of 60 NEC members there were only 15
quota for women moved from 33% to 50%, meaning reforming the party’s constitution after progressive forces inside the ANC demanded increased representation of women in government structures. This was shifting the responsibility of women’s under-representation away from women and re-authoring it to political elites in the territory, to devise new strategies and principles in internal processes for political recruitment. Hassim (2006) argues that in recognition that the most immediate problem to be confronted lay in the traditional electoral processes; the candidate quota was seen as a means of fast-tracking the issue of women’s political representation. This was to influence reforms in the candidate selection methods of the party. Some scholars suggested that forms of electoral systems are not necessarily the crucial point in the increase in women, but rather the number of candidates running for election and the number of representatives in a constituency (Lundell, 2004). The evidence presented in this study seems to confirm that an increase in the number of candidates running for election has been one of the contributing factors influencing the increase of women in political office in local politics in South Africa (see Table 4.1).

However, the legacy of political decentralisation in contributing to the increase of women’s participation and representation varied widely from one party to another as they followed different paths to reform. Therefore, this chapter will later show that the increase of women’s participation and representation cannot only be associated with the gender quota, because not all political parties use it. Thus decentralisation policies did play a role in defining the contents and timing of their reforms, where political party structures were designed to be compatible with territorial governance in order to have the ability to associate and compete for state power. Even with the use of gender quota, it should not be regarded as automatically enhancing women’s access to decision-making power. As results in Table 4.2 show, women still struggle to register an increase of more women ward councillors. I argue in subsequent chapters that the increase in women’s political representation in local politics can benefit them only when they register that increase as ward councillors, because the current development strategies pursued in the local state select and define legitimate actors, and in this the influence of proportional representatives is reduced. This means women are still effectively excluded from having

women, which increased to 19 in 2002 and improved dramatically in 2007 to 40 women in the NEC plus two in the top six (see African National Congress Constitution as amended and adopted at 52nd National Conference Polokwane December 2007).
an influence on the organisational direction of the local state, despite having been nominally elected into it. This thesis argues that a major issue that is neglected is territorial interests and power, which in turn resulted in the type of decentralisation and electoral reform that can contribute to strengthening of local government as a means of retaining political power at state and political party level. This study in Chapter 6 argues that the implication of the increase of women’s political representation as PR councillors has an impact on their sustainable political careers, but also, their election serves as a useful political strategy for party-building and electoral mobilisation beyond political parties’ geographical bases where they are weak in electoral terms.
### Table 4.1: Candidate for General Members of Local Government, 2000-2006

<table>
<thead>
<tr>
<th>Year of Election</th>
<th>No. of Municipalities with Wards</th>
<th>No. of Political Parties</th>
<th>No. of Independent Candidates</th>
<th>Total No. of Wards Contested</th>
<th>Total No. of Candidates Contesting LG Elections</th>
<th>Total No. of Candidates Contesting per Gender</th>
<th>Total No. of PR Councillors</th>
<th>Total No. of Ward-Based Councillors</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Female Candidates</td>
<td>Male Candidates</td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>237</td>
<td>79</td>
<td>689</td>
<td>3 754</td>
<td>30 081</td>
<td>8 562</td>
<td>21 519</td>
<td>16 156</td>
</tr>
<tr>
<td>2006</td>
<td>237</td>
<td>97</td>
<td>663</td>
<td>3 895</td>
<td>45 189</td>
<td>15 718</td>
<td>29 471</td>
<td>21 498</td>
</tr>
</tbody>
</table>

*Note:* The number of general candidates contesting for the first local government elections in 1995/96 was not included due to the fact that it was run using a different formula, which was agreed upon to secure the participation of minorities.


### Table 4.2: Representation of Women in Municipal Councils, 2000-2006

<table>
<thead>
<tr>
<th>Year of Election</th>
<th>Results Per Gender</th>
<th>Results of Women Per PR and Ward Councillors</th>
<th>% of Ward Seats Won by Women</th>
<th>% of PR Seats Won by Women</th>
<th>Overall % Won by Women</th>
</tr>
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<tr>
<td></td>
<td>Female</td>
<td>Male</td>
<td>PR</td>
<td>Wards</td>
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<tr>
<td>2000</td>
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<td>5 753</td>
<td>1 651</td>
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<td>16.9</td>
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<tr>
<td>2006</td>
<td>3 314</td>
<td>5 036</td>
<td>1 889</td>
<td>1 425</td>
<td>37</td>
</tr>
</tbody>
</table>

*Note:* The number of general candidates contesting for the first local government elections in 1995/96 was not included due to the fact that it was run using a different formula which was agreed upon to secure the participation of minorities.

The next section has two objectives. Firstly, it is to elaborate on political decentralisation by focusing on political parties and their political cultures. According to Mainwaring (1988: 98) the construction of political parties that really compete and offer different alternatives is a central task when democracy is to become consolidated. He further notes that ‘parties stand on ideas and policies, and a central component of representative democracy revolves around providing the electorate with a choice between competing ideas and policies’ (Mainwaring, 1988: 97). Secondly, it is to interrogate the internal life and internal processes of political parties in their attempt to increase their electoral support through decentralisation reforms and to discuss factors that affect women’s representation in the process of candidate selection procedures. In this Gallagher (1988: 276) argues that in a study of political processes and political recruitment, ‘candidate selection has to be seen as a key variable, not a peripheral factor whose nature can be largely taken for granted once we know enough about other variables such as the electoral system’.

Moreover, Rahat (2009: 90) proposes that ‘an assessment of quality of democracy must take into account not only easily accessible and highly visible elements, such as electoral system and government systems, but also more obscure and less visible aspects of candidate selection methods’. Some scholars argue that it is in the candidate selection where quotas for women candidates are a visible method for parties to demonstrate support for women’s issues (Tinker, 2004; Krook, 2008). The next section draws the relationship between political parties, women’s representation and decentralisation from the theoretical insights of the recent literature on party politics, using the concepts of territorial decentralisation and functional decentralisation from the works of Rahat and Hazan (2001), in order to advance discussion on the challenges of women in the process of candidate selection in local politics. Implementation of the candidate selection procedure provides a useful lens through which to examine how strategies for increasing women’s representation are creatively implemented in localities by political parties with territorial interests as well as the politics of reform. In sum, I use two political parties – the ANC and the IFP. Most political decentralisation policies are crafted by the former, while the latter also played a significant role in interpreting these policies in the locality, because the form of decentralisation adopted provides an institutional avenue under which political parties have a certain degree of autonomy over municipalities they lead.
4.3 WHY CANDIDATE SELECTION MATTERS

This section examines the candidate selection procedure(s) and investigates the concentration of power, the internal party democracy during the process, and implementation of mechanisms for increasing women’s political representation in public office at local level as well as the influence of women’s wings in the reform processes. This provides an opportunity to explain the implementation of decentralisation reforms through the internal structures of political parties, where in turn different types of locations and selectorates of candidates that are defined territorially and functionally are discussed. This section first outlines the meaning of candidate selection as used in this chapter, and later explores the way in which this discourse informs our understanding in practice of what kind of women are being produced by the relationship of state policies and political parties’ practices. The second part of the section elaborates on who the selectorates are in order to examine the internal dynamics of the parties, the interactions and relationship which shape its decision-making processes, and the way actors invest in the established codes and practices. The principal argument in this section is that the process of governmentalisation has contributed to an authoritarian style of leadership that engenders new dynamics and reorders the relationships which condition women in local politics. Existing evidence suggests that there is an ongoing struggle for access to local politics, and draws attention to the role of local political struggles and territorial interests.

4.3.1 Candidate Selection Defined

The extensive body of literature on political parties suggests that structural features and factors of political parties help to explain how the candidate selection procedure changes women’s political representation. Katz (2001) offers two insights into why candidate selection should prove to be so important for a political party. Firstly, he argues that it serves as ‘one of the central defining functions of a political party in a democracy’ (2001: 278). Secondly, he claims that ‘candidate selection is a vital activity in the life of any political party’ (2001: 277). Schattschneider (1942: 64) makes a similar argument: nomination is the most
important activity of the party: ‘if a party cannot make nominations it ceases to be a party’.\(^{44}\) Gallagher (1988: 1) adds that ‘the way in which political parties select their candidates may be used as an acid test of how democratically they conduct their internal affairs’. These scholars emphasise that candidate selection is one of the functions that political parties perform as a critical part of the political processes for the life of the political party either to flourish or to stagnate. More specifically, the spaces for women to participate depend on party practices, rules and concrete processes guiding the candidate selection process as well as interactions between different organs and groupings competing over different issues (policies, leadership and strategies). In essence, candidate selection is a process that links the electoral system and the mechanisms for increasing women’s political representation because of the historical relationship within formal institutions.

Candidate selection is a complex exercise for any political party, since it comprises formal and informal practices, with the party balancing the public interest while also protecting its interests at times through undemocratic means. Ranney (1981: 75) conceptualises candidate selection as ‘the predominantly extralegal process by which a political party decides which of the persons legally eligible to hold an elective office will be designated on the ballot and in election communications as its recommended and supported candidate or list candidate’. This conceptualisation takes us into two distinctions made by Kasapovic (2001) regarding candidate selection – unofficial candidates and official candidates.\(^{45}\) Much later, other studies draw a distinction between candidate selection and political recruitment. Kasapovic (2001: 4) argues from a party standpoint that ‘the number of candidates often serves as one of the most important indicators of a party’s size and strength’. In essence, there are formal rules and procedures that provide the basic framework for political recruitment. Accordingly, these rules and procedures shape criteria for candidate selection by establishing how many may be selected per constituency or ward, which in turn makes a seat scarcer for women

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\(^{44}\) As he used American terminology, it remains important in this study to specify that I use the European phrase rather than the one used in the United States. What is in Europe called candidate selection in the United States is called nomination (see Duverger, 1972; Kasapovic, 2001).

\(^{45}\) According to Kasapovic (2001: 5-6) unofficial candidates are those selected by their parties through the selection criteria of the party, while official candidates are those that should meet all the requirements stipulated by the country’s electoral laws. It has to be recognised that official candidates do not only mean those selected by political parties but also those who have not gone through political party processes.
since in the context of the present study a political party is restricted to two candidates in a ward – a ward-based councillor and PR councillor. In proportional election systems a respectable party has to have candidates for all multi-member districts and for all seats in the legislative bodies (Kasapovic, 2001). This conception indicates that candidate selection is a controversial function, which involves structural elements and ideological battles. Barnea and Rahat (2007: 375) conclude that candidate selection methods are intra-party institutional mechanisms by which political parties select their candidate in advance of elections.

Some political scientists have theorised the relationship between candidate selection procedure, governmentality, democratisation and decentralisation. On the one hand, Katz (2001: 280) argues that where there is a framework of agreed procedures, candidate selection decision-making shifts from personal to the question of ideology and the policy of the party. He proposes that as the party in public office (public representatives) always seeks to reproduce itself; candidate selection is always an important function. Therefore, party members become procedurally oriented if they recognise that different procedures are likely to advantage a certain group of candidates. Matland (2002: 7) makes a closely related argument that ‘clear and open rules provide women the opportunity to develop strategies to take advantage of those rules’, but ‘when the rules are unwritten it becomes much harder to devise a strategy to break into [the] inner circle of power’. In essence, some of the practices influence other institutions to the extent that aspirant members invest in certain codes and practices. However, this contributes to a situation where knowledge permeates groups organised within the party and gives them an opportunity to create hierarchies of knowledge and power in order to circumvent others, which in turn affect women’s political participation and representation in local politics.

On the other hand, other scholars argue that democratisation of the candidate selection process might be a means to increase the sense of involvement of either members or voters (Rahat & Hazan, 2001). In essence, democratisation of the candidate selection process is a way of widening participation in the process, because inclusive candidacy requirements and either territorial or functional decentralisation may be labelled democratisation, where in turn

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46 Drawing from his other work with Richard Mair, parties comprise three wings: the party in public office (public representatives), the party in central office (party headquarters), and the party on the ground (militancy) (see Katz and Mair, 1994).
women can benefit or lose. According to Rahat and Hazan (2001) decentralisation of candidate selection can limit, maintain or expand the extent of intra-party democracy. They caution that decentralisation might mean that control of candidate selection has passed from the national oligarchy to a local oligarchy. They conclude that ‘only if decentralisation encompasses a more inclusive selectorate can it be considered a democratising process’ (Rahat & Hazan, 2001: 308). This study documents the convergence of the national oligarchy and local oligarchy in protecting their territorial interests and securing power to govern through bypassing even party policies, which are aimed at increasing women’s political representation.

Overall there are three aspects of the importance of candidate selection in the context of this thesis and women’s political representation in local politics. Firstly, over the past few years candidate selection for local government elections has more to do with the importance of local governance itself in the post-apartheid era, but there is little attention to analyses of processes of inclusion and exclusion in local politics. As discussed above, local government is a strategic point which is linked to a specific conception of governance and power, which can best be described in Chandler’s (2008: 356) terms as ‘expediential justification’, meaning to ‘value an activity or institution only to the extent that it serves the purposes of another institution or activity’. As I have shown in Chapter 3, local municipalities are located to secure efficient service delivery on behalf of the national government, but in the ANC ideology political representatives should also play a role in pulling together all social forces at a local scale through ‘invited spaces’ (Gaventa, 2004). This could add to the ANC’s claims not only to govern and run the state, but also to deeply transform the structures of South African society, made up of deep inequalities and discriminations inherited from the past regime. In essence, beyond territorial interests the process is crucial for deployment of cadres who would be capable of mobilising techniques and agents to assist the ANC-led government to govern ‘at a distance’, and to define its hegemonic policies.

Secondly, candidate selection can be regarded as a crucial site of struggle in internal party conflict and contestation. Darracq (2008) observes that the institutional view of the ANC is that it cannot achieve the goal of administration and governance only through the state institutions - rather communities in all sectors have to be constantly mobilised on the ground in a day-to-day struggle for transformation. In 2005, for example, former Secretary General
Kgalema Montlanthe, reported ‘the ANC is a mass-based movement, responsible for mobilising all sectors of society and members of all communities to participate in a process of fundamental social change through self-emancipation’. Therefore, changing candidate selection processes was crucial to the ANC in terms of adapting to new conditions while also being the party in government (Darracq, 2008). For the IFP, candidate selection is seen as one of the legitimate ways of privileging and allocating selective incentive to long-term loyal activists. As Rahat (2009: 77) conclusively argues, parties as voluntary associations have not only the right but also the organisational imperative to sustain themselves as voluntary. In order to encourage more and more genuine levels of activism beyond the candidate selection event itself, they must have the ability to allocate selective incentives. Therefore the candidate selection process in the IFP goes beyond structural underpinning to include structured rules, which promoted masculine domination because of the constituency it courted – the traditional authorities.

Thirdly, candidate selection provides an opportunity to discover where power lies within a party and signifies how power is distributed rather than deciding it (Gallagher, 1988: 277). However, by adopting a middle range approach in this discourse of candidate selection, it is worth considering that there are many components that influence candidate selection: the legal status of political parties, the type of electoral law as presented above, the structure of the party system, and the dominant type of party competition together with the cultural and political traditions of the country and those of political parties themselves. Overall the candidate selection procedure is examined in order to assess the implementation of candidate gender quotas and how political parties respond to the pressure for women’s political representation. This brings this thesis to another central question: how women candidates are chosen and by whom, and how the process operates until they become unofficial candidates.

In this, both parties deploy a selectorate, defined as ‘the body that selects candidates’ (Rahat, 2009: 73). This body can be composed of one person or several or many people up to the entire electorate of a given nation (Rahat & Hazan, 2001), but in our case is reserved to core

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48 Interview, Aoo12, 29 March 2009.
alliances. Historically political scientists have pointed to the disadvantaging role of selection committees for women, since they tend to select men as the candidates with the most chance of winning (Bogdamor, 1984: 113). Bogdamor argued that even if members of a selection committee were not prejudiced themselves, they would nonetheless feel duty-bound to choose a candidate that would maximise their party’s support, which they would view as being a man. The ANC and IFP candidate selection processes are discussed simultaneously here to see if this prediction still holds in this context; differences and similarities will be discussed where possible in order to understand a variety of development patterns.

Using Rahat and Hazan’s (2001: 304) schematic representation, Figure 4.1 summarises the empirical findings regarding candidacy and selectorates in candidate selection for local government councillors. It shows that political parties differ in their restrictions, the type of candidates selected, and the social composition of their selectorate(s), resulting in women being incorporated in different strategies in construction of the post-apartheid local state. The next section discusses candidacy and selectorate in detail for both the ward-based and PR systems under the decentralisation reforms. The aim is to provide an analysis of the challenges facing women in the candidate selection process for local government elections. Studies on party politics acknowledge that candidate selection is one of the difficult issues to understand because it is the function of the political party, but for the purpose of this study empirical evidence is drawn from documentary analysis and in-depth interviews from officials of political parties and councillors.

4.4 CANDIDACY AND SELECTORATE IN CANDIDACY SELECTION: IFP AND ANC

This chapter has shown above that political decentralisation policies have allowed emergence of independent candidates within an electoral law that facilitated organisation of municipal councils. Therefore the issue of candidacy seems to be regulated by party rules and state laws. According to electoral law requirements, potential candidates should appear on a voter’s roll of his or her ward. In essence both the territorial structure and institutional design of local government influence candidate selection procedure. In terms of political parties the IFP Constitution states that every party member can stand as a party candidate,
but it was established through interview data that there are also informal qualifications, which in Muller’s (2000) terms are described as moral qualifications.49 Within the process of candidate selection the inclusion and exclusion of women sometimes emerges, expressed in these moral qualifications. There are also other requirements applied to potential candidates, where there are restrictions such that a potential candidate must have served an apprenticeship for 12 months before contesting a position in a ward-based branch, which in turn can afford him/her eligibility for candidacy. It has become common that members serve in party structures before being selected as municipal councillors, which I discuss later in Chapter 5.

There are few restrictions on eligibility for candidacy in the ANC. In order for party members to qualify for any position within the party structure, such as at branch level, a minimum period of party membership of 12 months is required. There is no waiting period for aspirant eligibility in the candidate selection process of local government, except that a member should be in good standing in terms of paying membership dues. This study on the sampled councillors found that there was a councillor who resigned from the IFP and joined the ANC; because he was a ward councillor and by-elections were conducted within three months, he contested elections in a ward as an ANC member and was able to win.50 He suggested that he preferred to resign from the party, rather than to use the opportunity offered by floor-crossing (see Chapter 5).

This finding is similar to that of the Irish Labour Party in the late 1970s, where it was revealed that one aspirant in the process of candidate selection, rather than serving a minimum period of six months in the party served five and half months (Gallagher, 1988: 121). Gallagher noted that the intervention of the party in the central office (national executive) favoured the aspirant’s motive to join the party in the public office. It is alleged that the Irish Labour Party’s action had more to do with increasing the role of the centre.

49 In this case moral qualifications refer to a certain amount of professionalism, such as having an ability to deliver a speech, a strong understanding of the institutional environment and a certain level of arguing and being active in discussion. The IFP also argue that it should not be a corrupt person because that can bring the name of the organisation into disrepute. In other words the IFP requires candidates who are able to maintain the reputation of the party, since the brand name seems valuable to attract votes. For a detailed discussion on contract design, see Muller, 2000: 323.

50 Interview, Aoo30, 18 June 2009.
However, the alternative interpretation of the ANC’s flexible reading of its constitution and largesse in allowing candidates to stand on its slate without the requisite time in the party could be seen as the ANC’s aspiration to build a strong opposition on the left of the governing ANC through social forces (Booysen, 2006: 733). This confirms how the ANC can undermine political party rules in order to increase its hegemony and protect territorial interests. Rahat (2009: 77) argues that ‘when the privileges of long-time loyal activists are the same as those of new, temporary and unfaithful registrants, the differential structure of rewards in parties becomes marred’. He asserts that parties should remain voluntary and maintain their organisational strength through party cohesion. Comparatively, in both political parties there are exclusive terms for candidacy, but the finding presented begs the question as to how and when candidacy requirements work. The next section shows that in the post-apartheid local government structures political parties have become important actors, and moreover, in the elected ward system the ward-based branches have become the main ‘gatekeepers’ for local government positions.
Figure 4.1: Candidacy and Selectorate in Candidate Selection

Adapted from Rahat & Hazan (2001: 304)
4.4.1 The Selectorate: ANC Candidate Process

Selectorates in this study are classified according to their inclusiveness or exclusiveness (Figure 4.1). In the context of this study, according to Figure 4.1 the electorate zone is occupied by party members in a ward during the candidate selection procedure of local government elections. This means that citizens at ward level could not participate during the candidate selection process unless they are party members.⁵¹ According to Rahat and Hazan

⁵¹ According to Lodge (2004: 191) after December 2000 the ANC began to reorganise its branches so that their areas should coincide with new ward boundaries. In order to claim their legal existence these branches have to register with the PEC. The PEC also has a responsibility to identity regulations for drawing up a list for
(2001: 302) selectorates in the ‘party members’ zone can be distinguished according to restrictions on party membership and the additional requirements placed on members with a conditional right to take part in the party selectorate. In this context we find that in the ANC candidate selection process for both ward-based councillors and PR councillors, aspirant candidates and the selectorate should have active membership of the party in order to participate. In the selected party zone of the ANC we find various party agencies – the Branch Executive Committee (BEC), Branch General Meeting (BGM), Regional Executive Committee (REC), Provincial Executive Committee (PEC) and National Executive Committee (NEC), where each agency is empowered to play a role during the candidate selection process. It must be noted that at a ward branch level women’s agency (ANCWL), which is an autonomous body within an overall structure of the ANC, should participate (through its chairperson and secretary) and it is granted *ex officio* status. In the context of local government we find that at ward branch level ward-based councillors and PR councillors or candidates are selected in a BGM by only party members with active membership in the party. Most respondents argued that when candidates are selected political party officials from the higher hierarchies are deployed to monitor the process. Respondents suggested that branches can protect their territorial interests through their BECs, by selecting ‘consensus candidates’ or ‘candidates of unity’ to present him or her to the BGM.52 Within these branches seems to lie a challenge of ownership, as former Deputy General Secretary of the ANC Thenjiwe Mtintso once observed, there were some cases where families and friends put together candidate lists in the name of the branches, which had become moribund (quoted in Lodge, 2001: 18).

While all party members can take part in candidate selection at ward level, findings show that officials in branches are “gatekeepers” in local politics for local government positions, and are relatively undemocratic as they restrict participation of ordinary party members in decision-making. It is in light of this that Toerell (1999: 375) once observed ‘how could we trust party representatives to consider the arguments put forward by opposing groups in the public if they ignore the reasoning of their members?’ The Branch Secretary of the ANC selection of candidates for local government. Some respondents suggested that women have potential in recruiting for branches.

52 Interview, Aoo30; 18 June 2009; interview, Aoo15; 21 June 2009; interview, Aoo33, 20 June 2009.
suggested that the BEC has an opportunity to advocate for their preferred candidates to the BGM after they have been endorsed by the BEC.\(^{53}\) In essence these branches do not work outside ANC institutional parameters; as noted, ‘membership would motivate and indicate new and creative things that nominees would bring to leadership collectives ... and a track record appreciated by ANC members’ (Umrabulo, 2001). Some militants with no formal positions within the party structures influence the choice of candidates by promising support for the candidates’ campaign, in terms of canvassing for votes.\(^{54}\) In essence, the BECs serve as an institutional avenue for voicing and protecting territorial demands during candidate selection in favour of political parties in the context of political decentralisation.

Using Rahat and Hazan’s (2001) insights of mixed candidate selection we may conceive challenges that women may face around a convergence of territorial and partisan interests. For example, during the candidate selection process for ward-based councillors and PR councillors in the ANC, decisions are taken by different party agencies in order to balance grassroots support and centralisation of power. In the case of ward-based councillors most respondents suggested that a decision is taken at the BGM. Contrary to this view, the 2007 amended ANC Constitution confirms that the BGM is empowered to make nominations for public representatives, but it is silent about decision-making power on selection of candidates for local government. Katz’s (2001: 280) insights remind us that the candidate selection process itself is a point of conflict within the party, as “it is about the allocation of a scarce and valuable ‘commodity’”. Ward-based councillors in particular are important and have significant power in the post-apartheid local development planning discourse(s) (see Chapters 3 and 6).

Moreover, most respondents suggested that in the case of PR councillors, authority moves from a selectorate at branch level to the so-called regional conference lists, and the majority

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53 The BEC is a structure at a branch level elected at a bi-annual meeting consisting of Chairperson, Deputy Chairperson and other members consisting of not less than three members or ten persons. The role of the BEC is to carry out the publicity and organisational work of its area in furtherance of the policy, programme and decisions of the ANC. The BGM is where all members of a branch meet and make nominations of candidates for elections within the ANC or for public representatives or takes decisions relating to policy matters and it should be paid-up members of the branch (see ANC Constitution, 2007; Interview, Aoo14, 17 June 2009)

54 Interview, Aoo31; 19 June 2009.
of PRs are women. The local government system seems to have an influence in contributing to different selectorates, because PR councillors do not have clear roles in local development activities; rather their roles become clearer for party building and electoral mobilisation beyond political parties’ geographical bases where they are weak in electoral terms. In essence PR councillors can be deployed in any ward within the jurisdiction of the local municipality, while the ward councillor is restricted to his/her ward. Therefore, in practice, ANC ward branches send a mean of at least two delegates to the regional convention for selecting candidates in a closed list for PR. There are no fixed numbers for composition of the regional list conference because decentralisation reforms allowed for establishment of an unequal size of territorial governments with municipalities of unequal wards. Therefore, even the ward-branches of political parties are unequal in size. In the process, delegates of the regional list conference vote by a secret ballot, and are composed of both men and women. As Rahat (2009) argues, where there is inclusiveness, participation and the level of competition are high. There is a conceptual difficulty with the latter, but women and men aspirants share a selectorate as functional representation (or politics of presence) also takes place within branches at the same BGM. My contention is not that women are not selected at ward branches, but I argue that they do not dominate ward-based party lists; rather they are pushed to closed PR lists where there are two contesting sites, meaning the same candidates face different selectorates. Therefore, my claim is that when the decision is taken at ward branches, up until to the drawing up of the comprehensive list it potentially advantages men, because decisions seem to be taken in one site by a singular party agency.

Norris et al. (1992) assert a typology of incumbency, which can explain the bargaining position that restricts women from entering formal politics at local government level during the list process. In 2006 former General Secretary (now Deputy President of South Africa and of the ANC) Kgalema Motlanthe drew on accounts of institutional incumbency developed by these scholars. He acknowledged that even though it was necessary to include women during the selection process of local government elections for March 2006 in order for a clear comparison and evidence (see ANC: 2006 Local Government Candidates List for KwaZulu-Natal). The list also showed that local power elites or incumbents put their names in both the constituency list and in proportional representation list (see Appendix 4).
to implement a special resolution from the ANC Working Committee to apply the 50/50 rule to selecting candidates for the party list, there were weaker branches. According to him these weaker branches did not have strong women candidates to serve either as challengers or inheritors. He provided a gendered account in order to either justify the retention of incumbents or for inclusion of male candidates. In fact, analysis of ANC documents has revealed that weaker branches are due to the nature of the gender quota adopted by the ANC in the 1990s. Feminists pushed for the candidate quota because it was directly related to increasing women’s political representation in government (Hassim, 2006). Therefore decentralisation reforms influenced creation of new institutions, and there was no intra-party quota aimed at integrating women into party machineries in order to increase their number in party structures. The internal party quota was only adopted at the Polokwane Conference in December 2007, meaning branches were male-dominated. This suggests that a bureaucratic based system of candidate selection can be found in a party, but it could be difficult to implement it in favour of women, especially when territorial interests and power to govern prevailed at the beginning of decentralisation reforms. Under this scenario evidence presented shows that candidate selection is a process interconnected to policies and practices in local politics. Overall, the party at national office retained power to draw up a comprehensive list for local government elections.

Do women in practice benefit in the candidate selection process as it stands in the ANC? The evidence presented confirms the ANC position in the document: Through the Eye of the Needle: Choosing the Best Cadres to Lead Transformation, which maintains that a leader cannot select himself or herself (Umrabulo, 2001). This practice in the selection process of the ANC raises some conceptual difficulties on Matland’s (2002: 1) crucial stages for getting women into office, where he argues that women need to select themselves, be selected as candidates by parties, and be selected by voters. The study does not focus on the latter, but the practice and evidence presented about the ANC seem to disqualify the former. The remaining stage seems to cross-cut between a bureaucratic-based system and a patronage-based system, confirming the ANC tradition of ‘democratic centralism’ which emphasises preserving party ‘unity’ (Southall, 2003: 36). We will develop this point further under the education theme in Chapter 6 in order to show how it works in the internal functioning of municipal chambers.
Meanwhile, it is fitting to discuss selectorates in the IFP in order to show some differences and similarities with the ANC prior to conclusion of this chapter.

4.4.2 The Selectorate: IFP Candidate Process

According to Figure 4.1, from the electorate zone to the party members zone of the IFP are similar to those of the ANC discussed above. We find in the candidate selection process for ward-based councillors and PR councillors that potential candidates and the selectorate should have active membership in order to participate. In the selected party zone we also find different party agencies serving as selectorates, such as Branch, Constituency, District, Provincial and National, where each of these selectorates are empowered to play a limited role during a candidate selection process. We find that the IFP has a permanent committee known as the Political Oversight Committee (POC), which is composed of not less than 10 or more than 15 members, and the Chairperson of the IFP Women’s Brigade (IFPWB) becomes an automatic member of the committee. This committee deals specifically among others with deployment and removal of party representatives at all levels of government and in compiling a comprehensive list of candidates.

In the documentary analysis it was revealed that IFP branches do not nominate but are constitutionally empowered to select and propose together with other constitutional structures such as the constituencies and districts, and leave the nomination of candidates to the POC. Interview material suggests that towards March 2006 local government elections, local power elites or “gatekeepers” at ward-based branches and constituencies did not elect more women; rather the initial list was full of male incumbents. In order to ensure functional

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56 Branches of the IFP were established to protect territorial interests prior to introduction of decentralisation reforms. In the late 1970s onwards branches of the Inkatha were established to correspond with traditional authorities (see Southall, 1981; Maré & Hamilton, 1987). It must be noted that institutional legacies played a role in defining the contents of establishing the IFP branches in the era of decentralisation reforms. For example, in the IFP Constitution as amended in 2006 territorial interests prevailed when these branches were established. It was argued that Headmen should be involved, and branches should incorporate their areas. Furthermore, the 2006 Constitution gave a direction of how to reorganise IFP branches so that their areas should coincide with new municipality ward boundaries. In order to claim their legal existence these branches have to be approved by the National Council and the Secretary-General provides a registration certificate. There is no limited number of branches per municipal ward but during the candidate selection process they should come together to propose candidates that can be considered for a closed party list.
representation the POC reversed the process. It was established using interview data with women councillors of the IFP as to how they became councillors that the centralisation of candidate selection does partially address the problem of women’s political participation and representation, depending on the commitment and political culture of the party. The POC of the IFP through their coordination was able to fulfil or ensure minimal representation highly because there were candidates with symbolic capital, from which the IFP was able to draw. This point illustrates that the combination of selectorates in candidate selection does, in part, address the minimal representation of women, even when the gender quota is not used. The IFP decision confirms Rahat and Hazan’s (2001) hypothesis that a high level of inclusiveness in one dimension combined with a high level of exclusiveness in the other dimension would mean that the party leadership retained control over the process. Ballington (1998) concludes that the IFP has a vision of a modern and liberal democratic society in terms of changing the status of women. Overall the IFP does not use the gender quota, but the combination of selectorate(s) and the application of different methods of candidate selection are contributing factors in addressing a minimal representation for women.

What do the decentralisation reforms and alignment of territorial government with party structures tell us about candidate selection processes in practice in the IFP? It must be noted that the IFP started candidate selection processes under authoritarian rule; therefore, administrative power remained with the national oligarchy even under decentralisation reforms. Drawing from Figures 4.1 and 4.2, the method for candidate selection in the IFP is decentralised and exclusive, and also fraught with a patronage-based system as well as an absence of locality measures to increase the number of women candidates. Therefore, the decision remains centralised under which lists to put women - between ward-based and PR lists - because of the patronage based system that predominates.

57 Several women who were PR councillors from the IFP pointed out that their names were incorporated in the constituency list after the list was initially rejected at the national office of the IFP because it did not include women (Interview, Aoo27: 29 March 2009; Aoo18: 19 March 2009).
4.5 CONCLUSION

This chapter sought to focus on the relationship between local government reforms, political parties and women’s political representation in the process of democratisation and political decentralisation. Evidence was presented to show the shift from transitional structures to democratic structures. The section found that transitional structures were influenced by the discourse of racial harmony, but also by the legacy of apartheid structures, which in turn limited women’s influence because the electoral system adopted in the democratisation process was not meant to address women’s under-representation, but rather to facilitate local unity. The chapter has shown that the 1996 Constitution set the initial stages for political decentralisation, followed by creation of new official discourses that made possible the extension of municipalities in rural areas, the increase of political parties, and realignment of political parties with state territorial structures. The chapter has shown that there has been a gradual increase in women contesting local government elections and winning seats at local government over time, but seats which are comparatively emasculated and not influential compared to ward councillor seats, a point we discussed in Chapter 3. These seats cannot contribute much to their sustainable political careers.

The chapter also included a comparative study of the IFP and ANC, tracing their candidate selection processes in order to show that political parties continue to play a role in the governance of modern democracies, by identifying possible candidates, selecting them as their official candidates, and putting them forward to the public for election. The section on candidate selection has found that there are different selectorate(s) in political parties who take decisions, and then use different mechanisms and candidate selection methods to increase women’s political participation and representation. In this context, decentralisation policies strengthened the power of political parties to protect territorial and partisan interests through internal procedures and selectorates. The chapter found that even though the ANC adopted gender quotas in the 1990s in order to address the question of functional representation, it was not meant to integrate women into core party spaces, but rather to address women’s under-representation in government structures. As a result, the decentralised methods of candidate selection and inclusiveness of selectorates disadvantage women because there are many blocs in an organisation, but there seems to be no strategy to
balance their representation. It was also shown that women become exposed to different selectorates in different locations, and the practice carries the dynamics of gender exclusion.

The chapter has shown that the IFP does not use the gender quota, but through the centralisation of candidate selection methods and exclusiveness of its selectorate is able to partially address the minimal participation and representation of women in local politics. As a result, evidence gathered has shown that in the preparation for the March 2006 local government elections the party at the central office reversed the candidate selection process, and rejected the candidates proposed in branches soon after it was found that the initial list was dominated by male incumbents. The reversal was made possible by the decision-making powers, which are centralised to the permanent selection committee in the central office, the POC. The chapter showed that there is patronage-based system in the IFP; therefore, decentralisation has had a moderate effect as it did not alter the power, which the IFP used under authoritarian rule when facilitating the candidate selection process.

In sum, this chapter has shown that decentralisation has fallen short of building identifiable strategies for increasing women’s political representation; but it has brought about positive policy outcomes. There is an increase in women’s participation in new political spaces. This chapter suggests that a process of political decentralisation in which territorial power predominated had an impact on women’s political representation because decentralisation gave selectorate(s) at ward branch level the tools they need to dominate and strategically establish local oligarchies. This chapter revealed that there are conceptual difficulties in the hypothesis of the ‘politics of presence’ (cf. Phillips, 1995), because territorial interests have predominated the decentralisation reforms, which in turn gave little value to the practice of women protecting the interests of other women rather than those of their parties. Overall, women are incorporated through the use of different strategies in the male-dominated structures of the post-apartheid local state. The next chapter focuses on the everyday participation of women in order to explore various factors that bring women into local politics, and their relationship with civil society institutions which, as we will see, have uncivil and illiberal characteristics.
CHAPTER 5: EVERYDAY PARTICIPATION IN LOCAL POLITICS -
- PERSPECTIVES OF WOMEN’S POLITICAL PARTICIPATION

5.1 INTRODUCTION

This chapter builds on previous chapters that have considered the history of institution making, the conceptual framework of the study, and the role of political parties and group agency in conditioning women’s’ political roles (see Chapter 4). Chapter 2 revealed that women were denied political space in local government through legislative force soon after the Union Government, because they were seen as subjects requiring the imposition of order (Manicom, 1992; cf. Mamdani, 1996). The political space for women was made possible after years of economic and political struggle in the margins and during the process of democratisation and decentralisation. This implies seeing the political space for women as defined much more by contestation, negotiation, confrontation, resistance and local and national power relations than by government consent.

This chapter focuses on the everyday participation of women councillors in local politics, and was informed by data collected during the field research. The chapter aims to present more than simply the contemporary participation and representation of women in formal institutions, which was outlined in the last chapter. Rather, field research consisted of 17 oral interviews with women at every level of political space, and these are used here to recount women’s councillors’ life stories and histories. The chapter explores the relationship between the presence of women in political agencies as well as in apartheid and post-apartheid structures or institutions by following these women through one historical regime to the next.

This chapter explores the shifting political and economic environments in these historical periods, and the watershed political events identified and articulated by women in KwaZulu-Natal. The chapter analyses the extent to which women’s testimonies illuminate the construction of diversity through the interests of women in local politics. The chapter concludes by demonstrating where these different voices come from and the role they play in everyday life in these women. In this chapter the researcher argues that these voices illustrate a deep-rooted historical contestation between women in different political
formations and within women as a result of discourses that dominated different historical periods. These voices require attentiveness because they deploy specific constructions of knowledge and power in changing political spaces. Women in local politics emerged in embedded institutions and through different practices of state power, which have shaped their conduct in securing rule through a multiplicity of authorities and agencies.

This chapter draws on in-depth interviews with women councillors from different political parties, namely the ANC, DA and IFP. These testimonies were drawn from two rural local municipalities in KwaZulu-Natal, Ubuhlebezwe and Jozini (see also Chapter 1). Archival material is also used in order to link the relationship between women and institutions in the process of identity formation, social change and articulation in local politics. These sources are important to place the women’s narratives into three broader political periods: 1) the process of state formation through reforms by the apartheid government in the 1980s, which was an attempt to change and reconfigure the local political landscape and urban political space (but not the rural power hierarchy); 2) the introduction of incomplete democratic institutions as part of the process of state formation in the mid-1990s, which also resulted in the emergence of new categories of actors, namely women and traditional authorities; and 3) the second reorganisation of local government to complete the final phase (outlined in the Local Government Transition Act of 1993 (LGTA of 1993)) as a process leading to the introduction of formal public participation in institutions of local politics. These interviews with women in local politics are located within the broader political landscape of liberation struggle, of democratisation processes in rural areas (political decentralisation), and the functioning of local political institutions. Overall, these periods offered arenas in which political space was negotiated, through institutional channels for participation, which were utilised and transformed to represent the diversity of interests involved.

5.2 LOCATING WOMEN’S VOICES POLITICALLY

This section locates women’s voices in the process of state formation through reforms in order to understand the shifting political historical periods and events. Bozzoli (1985) argues that collecting life histories has the potential of occluding certain variables (such as class and
regional differences), which might distort our understanding of the position of women. Also, some feminist scholars argue for the inclusion of women’s experiences and their voices in any study that seeks to eliminate sexist bias and produce value-free knowledge (Burns & Walker, 2005). However, despite these justifications for an oral history approach (or life history approach), the challenge at this juncture is that women councillors within their backgrounds and histories did not mobilise for a single reason. Gender scholars argue that the multiplicity of identities raises difficulties in defining women’s interests in the face of these differences (Walker, 1995; Hassim, 2006). For example, in South Africa these women’s voices confirm that women councillors claim the roots of their participation to be where they served their apprenticeship, namely as students, workers, African, rural women and so forth. Women’s periods of political participation are different, from the apartheid to the post-apartheid regimes and from extra-parliamentary struggle to institutionalised participation after 1994. One of the features is that some of the women who are now serving as councillors were previously anti-state activists who strongly encouraged democratisation processes in the country. In essence, women are a product of diverse ideological influences and discourses such as nationalism, socialism and feminism.

However, it has been shown in Chapter 1 that women are heterogeneous. This chapter elaborates on that understanding in order to show that women come from diverse organisations, which pursue diverse women’s interests. Molyneux’s (1984) conceptual distinction between ‘strategic gender interests’ and ‘practical gender interests’ is useful in ordering these for the purposes of this study, and in the analysis of women activities in politics more generally. According to Molyneux (1984: 63) strategic gender interests are those that women have in common formulated by them based on their position of power inequalities, while practical gender interests are those that arise from their concrete daily conditions by virtue of gendered divisions of labour, with the latter classified as having no strategic goal for women’s emancipation or in challenging gender subordination. From this perspective, it is the politicisation of the latter category and their transformation into the former that constitutes a central aspect of feminist political practice (Molyneux, 1984). This chapter explores the latter category and the transformation of social to political practice through women’s’ testimony.
The study uses an institutional approach, which sits somewhat uncomfortably with this everyday analysis. Therefore, for the purpose of this chapter, and in order to situate these diverse voices, the thesis draws from Squires’ (2004) suggestion that we should use a broader definition of politics that goes beyond institutional fora in order to cover women’s activities outside liberal institutions of representation. In South Africa women organised around a wide range of issues, which fell outside the liberal discourse of understanding institutions of representation, such that Squires and Molyneux’s approaches can assist here. Squires’ (2004: 123) contribution has value, because it offers a conceptualisation and definition of politics that allows an understanding of how women have both shaped and been shaped by the operation of politics in the process of negotiation or struggle over power. This broader definition of politics is also embraced by feminists and by new institutionalists. However, it is also possible to make linkages between institutions where these women came from in their political careers, and where they are now, such that our institutionalist approach is not entirely redundant within the broader conceptual frame.

After 1994 the new regime established universal suffrage, and the country was divided into small administrative units, meaning integration of rural areas and citizens into the jurisdiction of municipal government. Democratisation in rural areas and political decentralisation contributed to the emergence of a new group of women as actors in local politics through legitimate government public participation structures such as ward committees. These structures were put in place in order to institutionalise public participation in democratisation. While the new regime dismantled the racial identity, which compressed South Africans as blacks, Coloureds, Asians and whites, it also opened a political space for multiple identities, which existed in small scales. Therefore, the democratic agenda has made local politics a coalition of conflicting identities and contesting interests, as will be discussed later.58 Skocpol (1995) rightly argues that group identities are grounded in organisational linkages and access to resources. Most importantly, groups are always associated with successes and failures over time in their political activities.

58 Fine (2009) identifies eight different ways of understanding identity. For him identity is constructed, construed, contextual, contradictory, chaotic, closed, contested and collective. Drawing from Fine’s argument it shows that there is always a possibility of forging identity out of common bonds and conflicts.
Moreover, some of these testimonies and narratives cannot be easily construed because most of their orators are translators of contradictory discourses (Merry, 2006). Therefore, women’s testimonies need to be understood within the context of the nature of African women’s participation in different systems (apartheid and post-apartheid), not only as ‘resisters and collaborators’ but as participants in the systems founded on compromises between the oppressors and oppressed, coloniser and colonised, or an accommodation amongst men. For example, the IFP collaborated with apartheid-created structures since its formation in March 1975, whilst the ANC opposed government structures more radically as from the 1960s soon after the ban of political organisations. This is not to argue that the ANC did not collude with apartheid-created structures, as Chapter 2 has shown, rather it is to demonstrate that women from most sections, rich and poor, have collaborated in the local politics for the realisation of their goals and that of their constituency that are conflicting with one another in local government affairs.

The voices of women are different, and are informed by the period of their involvement in politics and relationship with the state, level of education, age, community background, and the interconnection between the upper and local levels of government. The post-apartheid regime made room for a variety of categories as potential sources of political identification. As a result, a number of people identify themselves and their relationship with others in categories such as ethnicity, religion, language, gender, to mention a few, but supporting different political parties, which are now used as a conduit to leadership in local government affairs (see Chapter 4). Political parties serve as a key identity in the post-apartheid state, which meant the ‘competitive coexistence of diverse groups’, mainly the middle class with a smaller group with a low level of education. These identities mean that representatives at local government level claim their political experience from different histories and relations of power. These groups have increasingly resorted to both party politics (while coming from different political parties each seeking to present their discourse as the correct one) and local politics (while coming from different ethnic, race groups and so forth) cutting across their class boundaries, for gaining power and resource control in local government affairs. Pierson (2000) summarises these views that social actors make commitments based on existing institutions and policies.
This section has drawn our attention to Molyneux’s schema and Squires’ reflection on the importance of drawing a broader definition of politics in order to reject the narrow conception, which sets boundaries (cf. Bracking, 2005). As noted in Chapters 2 and 4, the change from apartheid to democracy has opened a political space for women’s formal participation, meaning that they gained access to the old arenas of politics and policy influence. Moreover, Molyneux’s insights have been noted, but the specificity of the post-apartheid structures, and the context of democratisation and political decentralisation give a particular context, both institutionally and more broadly socially based, to what follows.

5.3 THE POLITICAL EXPERIENCE OF COUNCILLORS

This section recounts the political experiences of councillors from the primary interviews. The data shows that there are both councillors with long established political identification and profiles either in national politics or in a dominant local profile, whilst also having experience with local government, and newcomers in local government affairs but with long experience in local politics with communities. There were also councillors who were newcomers as a result of the post-apartheid-created structures established through the processes of democratisation and decentralisation. The tables below use these broad classifications, and also include men, although the voices of these latter are not included in this chapter because the intention is to cover women’s voices. The tables below summarise the political locations of the interview subjects, first for established persons (Table 5.1), second for newcomers (Table 5.2), and third for those emerging from specific post-apartheid structures (Table 5.3) as broadly defined here.

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59 It is generally accepted that women are oppressed due to their ethnic, race and gender and that the oppression if differently inflected for different women, and in some other circumstances women themselves might be positioned in an oppressive relationship to other women and even to some men. In South Africa women were also placed by apartheid in different positions of privilege or abjection.
Table 5.1: Interviews by Councillors’ Profiles

<table>
<thead>
<tr>
<th>Political Party</th>
<th>Women</th>
<th>Men</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANC</td>
<td>2@</td>
<td>1@</td>
<td>3</td>
</tr>
<tr>
<td>IFP</td>
<td>3*</td>
<td>3@</td>
<td>6</td>
</tr>
<tr>
<td>DA</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>5</td>
<td>4</td>
<td>9</td>
</tr>
</tbody>
</table>

Source: Researcher’s interview questionnaire.

@ Councillors with long established political identification with local profile.

* Councillors with long established political identification and national profile.

Table 5.2: Interviews by Councillors’ Profiles: Newcomers with Experience in Local Politics

<table>
<thead>
<tr>
<th>Political Party</th>
<th>Women</th>
<th>Men</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANC</td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>IFP</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>DA</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
</tbody>
</table>

Source: Researcher’s interview questionnaire.

Table 5.3: Interviews by Councillors’ Profiles: Newcomers through Post-apartheid-Created Structures

<table>
<thead>
<tr>
<th>Political Party</th>
<th>Women</th>
<th>Men</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANC</td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>IFP</td>
<td>2</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>DA</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>4</td>
<td>5</td>
<td>9</td>
</tr>
</tbody>
</table>

Source: Researcher’s interview questionnaire.

Both the municipalities (Jozini and Ubuhlebezwe) researched here have councillors with long established political identifications. Councillors who started their political careers in the 1980s associated their political participation and entry into politics with some major political events in South Africa’s political history. This included the contentious Ingwavuma land deal, which involved both the KwaZulu and KaNgwane homeland governments, where
certain portions of land were to be given to Swaziland.\(^6\) This political event dominated political debate in the early 1980s between these homelands and the government in Pretoria, not least because the policy was designed in private by the government, involved sacrificing the citizenship of a group of South Africans to Swaziland, and was a classic act of apartheid governance which took land from indigenous black people.

Other women dated their entry into politics from the Ngoye Massacre in 1983, and their teaching of UBUNTU BOTHO as part of the school curriculum in KwaZulu Bantustan schools. Councillors who identified themselves with these two political events were those who used the IFP ticket in participating in local government affairs. The other group of councillors claimed their history of participation from UDF structures and from the South Africa National Civic Organisations (SANCO). The UDF was formed on 20 August 1983 in a community Hall in Rocklands, Mitchell’s Plain in Cape Town, and disbanded in August 1991 following its final meeting on 14 August 1991 in Johannesburg. The UDF was an extra parliamentary organisation (some called it a front organisation) for local groups, which was established to oppose the apartheid government’s proposed constitutional reforms, and was influential in linking women’s groups into mainstream politics from the 1980s onwards. SANCO was established in March 1992 during the process of democratisation. It became a non-statutory body in the Local Government Negotiation Forum (LGNF) established in March 1993 to integrate and co-ordinate a national framework for the transformation of local government in South Africa (Spitz & Chaskalson, 2000). Currently this group of councillors are representatives of the ANC in public office.

One can contrast these groups of councillors by their long established political identification. The easy way to contrast them would be to understand their interaction, relationship or experience with the repressive state during the initial phases of transition or reform. The group that was associated with the UDF spoke widely of having experienced harassment from state security organs. On the one hand, this was associated with the State of Emergency declared by the South African government on 21 July 1985, which made it hard

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\(^6\) This became public with the Proclamation in the South African Government Gazette of 18 June 1982 of the abolition of the KaNgwane homeland Legislative Assembly and the expurgation of Ingwavuma from the KwaZulu homeland (for more details see Griffiths & Funnell, 1991).
for women’s grassroots organisations to operate (see Chapter 2). The State of Emergency was declared a decade after the founding of the Inkatha National Cultural Liberation Movement (now IFP) on 21 March 1975, at KwaMzimela, Northern KwaZulu. On the other hand, the founding of Inkatha in the 1970s as the governing party provided Inkatha with an opportunity to control resources in KwaZulu Bantustan, including the police force, as well as the use of these resources to suppress opposition forces such as the UDF (Maré & Hamilton, 1987; Hassim, 2006).

From the women’s interviews it is clear that the formation of Inkatha in the 1970s was important to increasing women’s political participation in mainstream politics. Also, archival material suggests that the current IFP Women’s Brigade (IFPWB), which was launched in May 1977, contained senior officials who had been part of the historic ‘secret meeting’ between the ANC in exile and Inkatha in London in October 1979.61 Women associated with the IFP did not face much state harassment. Similarly, among these groups were those with experience in local government affairs that they acquired from both the apartheid and the post-apartheid-created institutions.

The group that acquired experience from apartheid-created institutions shows a political continuity between the authoritarian and democratic eras. For example, some served as representatives of their communities in the Joint Services Boards (JSBs), which were replaced with Regional Councils and Transitional Local Councils (TLCs) during the initial reform process of local government, which started in the late 1980s until the 1995/96 local government elections. The Regional Councils in KwaZulu-Natal were replaced with District Municipalities after December 2000 local government elections, and the latter with local councils (see Figure 6:1). The advantage of women councillors who participated in the identified local government structures such as Regional Councils and TLCs acquired experience of participation in local government matters, which in turn facilitated the process towards the political decentralisation that resulted in the uniform system being introduced after the December 2000 local government elections. This political space for women to

61 The widely held view was that the London meeting was a contributing factor to the political violence and the war against the UDF in Natal in the 1980s. Moreover, Hassim (2006) argues that neither the UDF nor Inkatha had organisational hegemony in Natal even though they claimed political control of certain townships.
participate was significant since it offered them an opportunity to participate in the second reorganisation of local government, following their political exclusion from initial negotiations in the LGNF in March 1993, which concluded the Local Government Transition Act of 1993 (Cloete, 1994; Robinson, 1995).

Quite often, data for this research shows that in some of the municipalities, such as Ubuhlebezwe, the group of women’s councillors with long established political identification have two kinds of experiences acquired under democratic constitutional imperatives. Local government through the Constitution became a site of struggle in itself, as we have seen in Chapter 3. This occurred not just between state and citizens, but because of floor-crossing between elections. The floor-crossing was enabled and permitted by the Local Government: Municipal Structures Act 20 of 2002 and the Constitution of South Africa Fourth Amendment Act passed in February 2003. Basically this allowed for a window period of 15 days during which democratically sitting councillors at local level would switch party allegiances without losing their seats, but with a threshold of 10%.

Floor-crossing has had an impact on local politics in South Africa. One of the opposition parties in Parliament, the United Democratic Movement (UDM), unsuccessfully challenged the constitutionality of electoral legislation in 2002 on the grounds that it contradicted the PR system as the seat belonged to the political party, rather than the democratically elected councillor, thus opening the door to floor crossing. The Constitutional Court declared that the ‘floor crossing legislation’ was constitutional but did not approve the legislation to apply at the provincial and national level for procedural reasons, while allowing it to apply at the local level (Southall & Daniel, 2005). Despite the importance of the floor-crossing in assisting the ANC to consolidate its political power, to forge a strange coalition with the New National Party (NNP), and to allow the emergence of new parties, the amendment remained controversial to other parties including the IFP until it was abolished in January 2009. The floor-crossing took place within the confines of the Constitution, but other political parties continued to question the morality of the constitutional amendment. Nevertheless, floor-crossing was abolished after it had a political consequence for the IFP in changing the party political composition of power. The IFP lost the Ubuhlebezwe Municipality to the ANC in 2004 and through the ballot box in the third local government
elections in March 2006. The ANC became a beneficiary of the municipality from 2004 through the combination of floor-crossing and the ballot box, because it got a mayorship.

The second group of councillors were newcomers who joined local government in the final phase of the local government transformation, which started with local government elections held on 5 December 2000. It is worth noting that these councillors, labelled as newcomers, did generally have a long experience in local politics acquired when communities started to define their new roles and position in society. This followed F.W. de Klerk’s historic speech in February 1990 in the South Africa Parliament, where he announced the unbanning of political organisations (see Chapter 2). This group emerged from development structures in their respective local communities as they mushroomed either before or after the 1990s. These development structures were seen as powerful and viable sources to attract development for communities from development agencies inclusive of the government, and from Non-Government Organisations (NGOs) outside government.

Politically some of these councillors emerged from branches of political parties and union structures increasingly established during the transition to democracy period. Some councillors from this group also had experience from participating in underground structures, particularly those with strong ties with the ANC. Those from IFP participated in the Inkatha Freedom Party Youth Brigade (IFPYB), and other ‘self-help structures’. Accordingly, those with ties with the ANC started to be active during the “third wave of democratisation” and the wave of the release of Mandela in late 1980s as well as in the outbreak of political violence between the IFP and ANC in KwaZulu/Natal (see Chapter 2). This group had joined local government as councillors with some prior knowledge of government operations, but with less experience of the institutionalisation of participation. Some councillors from this group learned about the location of decision-making power in their political parties and its relations with the new system of local government from the process of re-ordering the relationship between the organs of the party, especially as it was spearheaded through local branches. In addition, it remained important for councillors in

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62 Research reveals that the Inkatha used its power in KwaZulu within the education sector to force the establishment of the Inkatha Youth Brigade in schools in the late 1970s, following two incidents in South African politics: 1) the domination of the Inkatha in KwaZulu Legislative Assembly, and 2) student resistance in schools around urban areas in the mid-1970s (see Mdluli, 1987).
this group to advocate the ideas of their political parties, whilst also arguing against the ideas of others.

The third and last group of councillors were newcomers in local government who joined after the elections held in March 2006. This group emerged from a variety of structures, from political parties and from post-apartheid institutional structures as a result of democratisation and decentralisation reforms. These councillors participated in the institutions promoting decentralisation, such as ward committees and political parties’ branches, and have been more active in their political party activities. Most councillors from this group have a strong language of party discipline, and adhere to it. In essence they seem to be confined to policies and institutions of their own parties. The gap in experience and feminist consciousness between the group that emerged from political parties’ structures and those who had become politically involved to address practical gender needs exists and becomes obvious through the interviews.

Indeed, politics have shaped these groups differently (those who acquired experience from apartheid structures, and those newcomers in local government who emerged in structures such as branches) such that they have different understandings about democracy in the post-apartheid state. These differing political worldviews emerged because of the history and expectations of the post-apartheid society they claimed to represent. For example, these groups come from political parties who believe that the post-apartheid state and its democratic institutions should be associated with the abolition of inequalities, while providing greater access to resources to bring equal opportunities. The next section focuses on the profiles of these representatives in public office and their different views of representation and its purposes.

5.4 NATIONAL PROFILES VERSUS LOCAL PROFILES – COMPETING LEVELS WITHIN REPRESENTATIVE STRUCTURES OF GOVERNMENT

This section discusses the profiles of councillors at the various levels of government, and specifically the national and local levels. It suggests that in the institutional context of municipalities these profiles may have special political salience as they differ between
national and local levels.\textsuperscript{63} These profiles are informed by their participation in different events and positions within their political parties, and can be understood in detail when linked with Tables 5.4 - 5.6 below. The issue of profile cuts across all three groups of councillors identified, and shed light on the relationship between the party and government, more particularly at local government level. Most councillors interviewed had party positions before becoming councillors, while others had positions in ward committee(s) and in political parties. Some served in ward committee(s) before becoming councillors. For example, Table 5.4 shows which political parties the representatives come from, either the IFP or the ANC, and the length of service they have in local government affairs. In addition, most candidates with post-matriculation have professional careers as teachers and now gain local government experience in the post-apartheid state as local politicians (see Chapter 6). The political conditions became favourable to the emergence of a local political elite consisting of civil servants. Tables 5.5 and 5.6 show that women had generally been in office for less time than men, but had on average a higher educational achievement level.

\begin{table}
\centering
\caption{Interviews by Political Party and Sex}
\begin{tabular}{|l|c|c|c|}
\hline
Political Party & Men & Women & Total \\
\hline
ANC & 7 & 4 & 11 \\
IFP & 4 & 6 & 10 \\
DA & 1 & 0 & 1 \\
\hline
Total & 12 & 10 & 22 \\
\hline
\end{tabular}
\end{table}

Source: Researcher’s interview questionnaire.

\textsuperscript{63} In this section ‘profile’ is used to refer to the involvement of councillors and positions they have in their political parties. This also involves the length of their service in local government affairs. To be specific, national profile is related to serving at the highest decision-making body of the party such as in the National Executive Committee, whereas a local profile means only serving in a local branch of a political party or at constituency level.
Table 5.5: Highest Education Level of Councillors Interviewed

<table>
<thead>
<tr>
<th>Gender</th>
<th>Less than Matriculation</th>
<th>Matriculation</th>
<th>Post-Matriculation</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men</td>
<td>4</td>
<td>1</td>
<td>4</td>
<td>9</td>
</tr>
<tr>
<td>Women</td>
<td>4</td>
<td>3</td>
<td>6</td>
<td>13</td>
</tr>
<tr>
<td>Total</td>
<td>8</td>
<td>4</td>
<td>10</td>
<td>22</td>
</tr>
</tbody>
</table>

Source: Researcher’s interview questionnaire.

Table 5.6: Interviews by Number of Terms in the Councils

<table>
<thead>
<tr>
<th>Terms</th>
<th>Men</th>
<th>Women</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Term</td>
<td>2</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>Second Term</td>
<td>4</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Third Term</td>
<td>5</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>Total</td>
<td>11</td>
<td>11</td>
<td>22</td>
</tr>
</tbody>
</table>

Source: Researcher’s interview questionnaire.

Most councillors interviewed from the ANC had participated in local branches or ward branches before becoming councillors. These interviews indicated that they only have a strong local profile. Research shows that the ANC-led municipality was an extension of local branches. Councillors from the IFP also had only strong local profiles, despite their length of service in local government and participation in party branches. As one IFP councillor pointed out:

> Despite the fact that I have a potential in serving in any position, above the constituency level, but my full-time job does not allow me to do so, I move carefully, because I am employed by the Department of Education full-time. I do not want to overload myself and do not want my school work to suffer, because of my participation in community work. I cannot allow myself to be overloaded by community work.  

64 This shows that the length of service does not supersede individual interests, and that others do not treat politics as a political career. This is also informed by the nature of political decentralisation, which has not introduced an institutional innovation which allows full-time councillors, especially in rural areas. The local government system has not progressed beyond the maintenance of political functions of mayors and ward councillors.

64 Interview, A0028: 29 March 2009.
Carrim (2001: 7), former Parliamentary Chairperson of the Portfolio Committee on Local Government and now Deputy Minister of Co-operative Governance and Traditional Affairs, argued that it would take a few years after the new system of local government was introduced in December 2000 before local representatives would be considered on the same level as the national and provincial government representatives. Interviews and documentary analysis revealed that most councillors of the ANC in the Executive Committee (EXCO) of the ANC-led municipality did not have a national profile, even in the executive body of their organisation, except one woman who had a provincial profile from serving as secretary of the ANCWL.

Some of the IFP women councillors interviewed, particularly those serving as ‘political office bearers’ at municipality level, have national profiles in their political party. This was an added advantage to them, in that they had been councillors before they were re-elected in the municipality, and had also serve(d) in the highest decision-making body of the IFP such as the National Executive Committee (NEC), and in the women’s wing of the party, the IFP Women’s Brigade. There can be a number of conclusions drawn from the participation of IFP members as councillors with national profiles in local government, beyond what Table 5.7 below shows. Firstly, one can deduce that the IFP is committed to using local government as a service delivery agent in the post-apartheid period. Consider the comments of this councillor for the IFP:

The understanding of the IFP is that local government forms the foundation and it is where it needs to be stronger, because it is where things are happening, whilst in parliament they deal with the formulation of policies, but implementation of these policies takes place at local government level. The IFP feels that women should be there because they are at the face of things, such as poverty, hunger and unemployment and these things hit us back as women and our children ... if our young graduates are unemployed it also hits back to us as women ... crime hits us back as women because we are defenceless and all the social evils hit us.

Although women are marginalised where there are political opportunities to serve as full-time politicians, there is also a strong belief within the IFP that local government office prepares them for other levels of government. This means local government is seen as a first

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65 According to the Local Government Municipal Systems Act (Act 32 of 2000) a political office bearer means the speaker, executive mayor, mayor, deputy mayor or a member of the executive committee. This can be understood in conjunction with the Municipal Structures Act.

66 Interview, A0028: 29 March 2009.
step to government, even though the route is still relatively rare. Secondly, the IFP sees local
government as the platform in which they can increase their political base, considering the
constitutional mandate local government has been given in the post-apartheid state. The
decline in their organisational infrastructure since they lost the KwaZulu-Natal province in
the April 2004 general elections cannot be underestimated; therefore, local government is
taken as the political base for emerging local political elites. Thirdly, one can argue that
because of their performance, which has been decreasing at national level ever since the
1999 general elections, local government is the only base which can be used to distribute
territorial power to their members with national profile, who cannot be catered for at both
national and provincial level because of the limited number of seats to allocate. Thus, this
pattern has the advantage of ensuring their experienced cadre stay in political power, despite
their national and provincial decline in electoral fortune.

Table 5.7: Elections Results for the IFP 1994-2009

<table>
<thead>
<tr>
<th>Election</th>
<th>Votes</th>
<th>%</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>1994</td>
<td>2,058,294</td>
<td>10.54</td>
<td>43</td>
</tr>
<tr>
<td>1999</td>
<td>1,371,447</td>
<td>8.58</td>
<td>34</td>
</tr>
<tr>
<td>2004</td>
<td>1,088,664</td>
<td>6.97</td>
<td>28</td>
</tr>
<tr>
<td>2009</td>
<td>804,260</td>
<td>4.55</td>
<td>18</td>
</tr>
</tbody>
</table>


The interview data revealed that IFP councillors with a national profile had been gradually
progressing through their political party structures, from the local to national level.67 Within
local government these councillors were also acquiring experience within the district levels of
local government. The future of newcomers in local government is more tenuous, however,
given that they are implementing party resolutions which distance them from the
communities they serve while having low levels of education, and serving in local
government on a part-time basis. The question here is: how far they can build on this to
create national profiles, or develop their political careers through local government, a
question we return to in Chapter 6 where we explore the institutional dimension of this new

67 Comparing IFP and ANC councillors as their profiles differ shows that IFP councillors are overloaded.
political space further. The next discussion focuses on the social composition of councils from the two research sites, with the aim of discussing differences in the social composition of municipalities under study.

5.5 BREAK-DOWN OF COUNCILLORS’ REPRESENTATION PER GENDER ACROSS THE TWO RESEARCH SITES

This section focuses on the social composition of councillors of the two research sites, Jozini and Ubuhlebezwe Municipalities. The social composition is discussed with respect to differences between the two research sites. Tables 5.8 - 5.11 below show differences of councillors from the two research sites in order to summarise the social composition of municipal councils as a result of the March 2006 local government elections. After these elections Jozini Municipality comprised three political parties, whereas Ubuhlebezwe Municipality comprised of four political parties. Table 5.8 and Table 5.9 show that because of the ‘politics of presence’, municipal councils are heterogeneous. These tables also show which political party has more women councillors. Comparatively, Table 5.8 shows that the IFP has more councillors than the ANC at Jozini Municipality, and the majority of them are ward councillors. The figures in this table suggest that out of 17 wards, the ANC won only one ward, whereas the DA did not win any. The ANC has councillors who came through both the ward-based and PR system, whereas the remaining party, the DA, only has a councillor, who came through the PR system. Table 5.8 shows that the IFP was a dominant party in the Jozini Municipality as a result of the March 2006 local government elections.

Table 5.8: Political Parties’ Representation in Jozini Municipality

<table>
<thead>
<tr>
<th>Political Party</th>
<th>Male</th>
<th>Female</th>
<th>Ward Councillors</th>
<th>PR Councillors</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANC</td>
<td>4</td>
<td>4</td>
<td>1</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>IFP</td>
<td>15</td>
<td>9</td>
<td>16</td>
<td>8</td>
<td>24</td>
</tr>
<tr>
<td>DA</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>19</strong></td>
<td><strong>14</strong></td>
<td><strong>17</strong></td>
<td><strong>16</strong></td>
<td><strong>33</strong></td>
</tr>
</tbody>
</table>

Source: Jozini Municipal Records for 2006 local elections.
Table 5.9 shows that the Ubuhlebezwe Municipality comprised four political parties as a result of the March 2006 local elections, where three (ANC, IFP and DA) were also involved in national politics. The ANC dominated the municipal council. These figures suggest that out of 12 wards at Ubuhlebezwe Municipality, there were no IFP, DA or SADECO ward councillors. The IFP, DA and SADECO only had councillors who came through the PR system in the municipal council.

Table: 5.9: Political Parties Representation at Ubuhlebezwe Municipality

<table>
<thead>
<tr>
<th>Political Party</th>
<th>Male</th>
<th>Female</th>
<th>Ward Councillors</th>
<th>PR Councillors</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANC</td>
<td>12</td>
<td>5</td>
<td>12</td>
<td>5</td>
<td>17</td>
</tr>
<tr>
<td>IFP</td>
<td>1</td>
<td>3</td>
<td>0</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>DA</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>SADECO</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>14</strong></td>
<td><strong>9</strong></td>
<td><strong>12</strong></td>
<td><strong>11</strong></td>
<td><strong>23</strong></td>
</tr>
</tbody>
</table>

Source: Ubuhlebezwe Municipal Records for 2006 local elections.

Table 5.10 shows the distribution of councillors between PR and ward-based councillors. As a result of March 2006 local government elections, the table shows that there are more men ward councillors. Accordingly, out of 17 wards at Jozini Municipality, 16 wards were won by the IFP and the remaining ward was won by the ANC. The figure suggests that there was a presence of women as ward councillors, and the majority came from the IFP. The figures for ward councillors seem to signal the extent to which the IFP strives to enhance the image of the importance of women as ward councillors or as descriptive representatives. As the figure suggests, there was a slight difference between men and women ward councillors. These figures also show that there were also PR councillors, and the majority of them came from the IFP. Comparatively the IFP did not have a lot of women PR councillors compared to the ANC, whereas the DA only had one PR woman councillor. Overall, as a result of the March 2006 local government elections the IFP dominated the municipal council at Jozini with both PR councillors and ward-based councillors.
Table 5.10: Distribution of Councillors between PR and Ward Councillors at Jozini

<table>
<thead>
<tr>
<th>Political Party</th>
<th>Ward Female Councillors</th>
<th>Ward Male Councillors</th>
<th>PR Female Councillors</th>
<th>PR Male Councillors</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANC</td>
<td>0</td>
<td>1</td>
<td>4</td>
<td>3</td>
<td>8</td>
</tr>
<tr>
<td>IFP</td>
<td>7</td>
<td>9</td>
<td>2</td>
<td>6</td>
<td>24</td>
</tr>
<tr>
<td>DA</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>7</td>
<td>10</td>
<td>7</td>
<td>9</td>
<td>33</td>
</tr>
</tbody>
</table>

Source: Jozini Municipal Records for 2006 local elections.

Table 5.11 shows the distribution of councillors between PR and ward-based councillors at Ubuhlebezwe Municipality. As a result of the March 2006 local government elections, the table shows that there were more men ward councillors. Accordingly, in the course of the March 2006 elections 11 wards at Ubuhlebezwe Municipality were won by the ANC. At the time of fieldwork the ANC had all wards. This table complemented by interview data shows that the IFP won one ward, but the ward councillor resigned and joined the ANC and later contested the ward using the ANC ticket and won it (see Chapter 4). The DA and the SADECO did not win any ward in Ubuhlebezwe Municipality. This suggests that there was a minimal presence of women as ward councillors. The figures for ward councillors seem to signal the extent to which the ANC did not strive to enhance the image of the importance of women as ward councillors. This claim is drawn from the evidence of the candidate selection list of the ANC (see Appendix 4). These figures also show that there were also PR councillors, and the majority came from the IFP and ANC. The table shows equal number of women PR councillors. Overall, as a result of the March 2006 local government elections, the ANC dominated the municipal council at Ubuhlebezwe with both PR councillors and ward-based councillors.
Table 5.11: Distribution of Councillors between PR and Ward Councillors at Ubuhlebezwe

<table>
<thead>
<tr>
<th>Political Party</th>
<th>Ward Female Councillors</th>
<th>Ward Male Councillors</th>
<th>PR Female Councillors</th>
<th>PR Male Councillors</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANC</td>
<td>2</td>
<td>10</td>
<td>3</td>
<td>2</td>
<td>17</td>
</tr>
<tr>
<td>IFP</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>DA</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>SADECO</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2</strong></td>
<td><strong>10</strong></td>
<td><strong>7</strong></td>
<td><strong>4</strong></td>
<td><strong>23</strong></td>
</tr>
</tbody>
</table>

Source: Ubuhlebezwe Municipal Records for 2006 local elections.

These municipalities have unequal geographical boundaries. For example, the Jozini Municipality is divided into 17 wards whereas Ubuhlebezwe is divided into 12. Again the figures in these tables seem to suggest that the ANC has a proclivity to protect these wards through male domination (see Appendix 4). Hassim (2006) argues that there is a tendency in the new democracy to retain group notions of representation, which when institutionalised can be disadvantageous to women by entrenching the power of conservative elites. These tables also show that women are not disadvantaged at a procedural level as they dominate as PR councillors. These figures in these municipalities confirm the national results for local government, which show that men still dominate as ward councillors at local level (see Tables 4.1 and 4.2, Chapter 4).

5.6 WHERE DO WOMEN COUNCILLORS COME FROM?

This section aims to identify the multiplicity of sites where women come from through their everyday participation in order to model their institutional agency. As already discussed above, women in the post-apartheid regime identify themselves with political parties that they use as their political homes for purposes of political identification; however, a close scrutiny of their life histories shows that they come from diverse social institutions with different types of autonomy and organisational structure. According to Molyneux (1998: 225), from the earliest moments of women’s political mobilisation women activists in
political parties, trade unions and social movements have argued that they need a place within which they can elaborate their own programmes of action, and debate their own goals, tactics and strategy free from outside influence. Hassim (2006) argues that autonomy is less valued in the postcolonial countries and contexts because women’s political activism was enabled by larger struggles against colonial and class oppression, which in turn resulted in a highly developed politics of alliance rather than autonomy. In this context the relationship between where women come from with their allies is defined through constant negotiation and reactivation of old networks combined with the negotiation of new ones in a new social, political and economic context.

Molyneux (1998) draws attention to three ideal types of direction in the transmission of authority: independent mobilisations, associational linkage and directed mobilisations, which are crucial to locate where women councillors come from apart from political parties. For Molyneux (1998: 226) independent organisations are where ‘women organise on the basis of self-activity, set their goals and decide their own forms of organisation and forms of struggles’. According to this perspective, the women’s movement is defined as a self-governing community which recognises no superior authority, and nor is it subject to the governance of the other agencies. Moreover, while the idea of independence may be pursued by women’s organisations, it is argued that while they may be formally independent of other political forces and not subject to procedural rules or political direction of male-dominated organisations, their effectiveness may be compromised nonetheless by informal power structures (e.g. cultural bias in favour of men) or by political discourses that are seen as authoritative (e.g. national liberation) (Molyneux, 1998; Hassim, 2006).

Another ideal type is associational linkage, where women’s organisations have institutional autonomy. According to Molyneux (1998: 228), under this conception independent women’s organisations choose to form alliances with other political organisations with which they are in agreement on a range of issues. Under this ideal type women retain control of their organisation and agenda as an effective means of securing reforms. Furthermore, Molyneux (1998: 228) argues that ‘power and authority in this model are negotiated, and co-operation is conditional on some or all of women’s demands being incorporated into the organisation with which the alliances is made’. According to this perspective the process of negotiation from an autonomous base is the key to democratic politics, since it acknowledges that
interests are diverse and sometimes conflictive, and that they cannot be defined in unitary terms and imposed from above.

5.6.1 Independent Organisations

In the context of this chapter women’s testimonies are located within Molyneux’s independent conception in order to understand where women come from, since this is the model which fits the majority of the testimony. Respondents report autonomous organisation and self-help activities of various kinds, which also direct their understanding of governmentality. From this conception we understand how women have been conducting themselves in different state forms and in changing practices of government through their own agencies. This was articulated even in subordinated spaces in order to take charge of their own well-being. As one councillor pointed out:

Before I became a councillor, I had love to put women together in order to encourage them to do things in their own rather than for them to wait for money in their husbands. We used to play [isitokofela] stokvels with other women around the area. In most cases the money that we used to play stokvels with, we used to get it from our husbands, because we needed to impress them after dividing our savings, when they come back home we would have bought new things for our homes.69

This statement can be given three interpretations, which can be viewed from political, economic, and historical standpoints about the role of African women in taking rational decisions to avoid social and economic problems, and in these the role of the migrant labour regime and a common journey out of the homestead are salient. First, the councillor confirmed that women used remittances in order to involve themselves in supplementary activities to support their husbands who were involved in a cheap migrant labour regime. In essence, some women in rural areas were involved in economic mechanisms to reduce expenditure on the part of household members. Bozzoli (1983) questions why women remained in the homestead and men migrated to urban areas. According to her, women for a limited period were able to undertake the tasks of the absent men, which meant that when

68 This is a revolving saving and credit scheme common in South Africa in the black community. Members of such a scheme contribute a fixed monthly fee and give it to one individual, who then reciprocates the following months to other group members. The money has often been used to buy things that are out of reach under normal circumstances.

69 Interview, A0023: 25 March 2009.
the men returned they were able to find additional items in their households, which served as an advantage to their men’s right. This means that women’s activities of being involved in credit schemes in the absence of their husbands had the effect to secure the domination of men in the family as an institution. In another perspective, women seemed to have resisted both economic and racial oppression by embarking on activities that would protect their households against economic risks as a result of state policies. In addition, some women creatively reworked their traditional roles in order to gain organisational skills and self-emancipation in the face of the onslaught of racialised political technologies under apartheid (see Moore, 2005).

Second, the prohibition of women through labour market law in joining their husbands (in)directly placed them as the source of power in their households to confront their marginalisation as African women to ‘sustain the cultural autonomy of rural systems’ (Bozzoli, 1983: 146). The power of their husbands was also enhanced by their efforts, both to impress them and to resist racial oppression and economic abjection. This complexity was, however, lost on some commentators who argued crudely that many women appeared to be collaborating with men in their own oppression in their families (Campbell, 1990: 1). Nonetheless, as Ramphele (1989: 395) argues, the family (in a broader perspective to include extended members) remained a major sphere in which the domination of men was secured at the expense of women and was, and still is, a strong site for individual men to oppress women emotionally, economically and physically.

Third, women were contributing to the continuation of the homestead, if not being principally responsible for its survival. Hanretta (1998: 392), tracing changes in gender relations within Zulu society, revealed that powers were part of the patriarchal society; ‘they [women] emerged out of the same economy of power, which gave men a superior social position’, and ‘women’s powers rested upon the nature of male dominance, because male domination in its reliance on virility remained incomplete and profoundly dependent upon the power of women’. To put it differently, there seems to be an indication that Zulu society largely depended on women for its continuation, but women’s marginality and women’s power were structurally linked. One notices that there was little racial connotation in this structural linkage, but that this marginality and power were embedded in the social contexts of Africans themselves. However, this assertion plunges us into the debate on the migrant
labour system, which seemed to have wittingly and unwittingly resulted in women searching for extra resources to support their households. In addition, the testimony shows that these women were not entirely privatised but shared a common social and group identification on a large scale.\textsuperscript{70}

The interviews confirm these salient features of Zulu women’s experiences and root their road to political participation as one where they were drawn out of their households by the prevalence of deprivation in their communities, often in the context of male migration. In an attempt to face economic hardships women were able to cooperate with each other in order to find solutions within the difficult environment that state policies placed them in as a result of both economic and political structural arrangements. Undoubtedly one important aspect of this was women’s ability to initiate community projects even in difficult environments. One councillor affirmed that:

I used to be involved in agricultural activities and to work closely with communities. I used to work with women in burial societies. I started a burial society because there were people who were not buried in a respectful manner, because of the level of poverty in the area. I used to put women together, for example if someone has passed away we used to divide among ourselves as women on how much money each member would contribute in order for us to be able to bury a family member with respect and dignity. I also discussed with other women that we should make wedding arrangements for our daughters; we then started to play stokvels for blankets (\textit{isitokofela sezingubo}) in order to assist them towards their wedding ceremonies. From there we started to develop love to work with communities on various things. At a certain point we started caring work with other women around our community in order to take care of the sick ones. When we realised that there was an increase of sick people in the area, we came together as women to request for a site from a chief where we could meet, before continuing with our caring work. Most women joined us until we became 15, and from there we realised that we had massive work to do.\textsuperscript{71}

Through this assertion this councillor’s testimony indicates that some of the women councillors come from struggling communities, and were able to use their own capacities to find solutions within communities in order to sustain them.\textsuperscript{72} Apart from this, a point that becomes very clear was that most women who were left to the land responded in a variety of ways in order to try to minimise the burden, such as setting up wider emotional and material

\textsuperscript{70} Campbell et al. (1995) argued that large-scale groups involve subjective identification with groups who identify themselves as ‘women’ or ‘workers’.

\textsuperscript{71} Interview, A0025: 27 March 2009.

\textsuperscript{72} I was able to see the project she refers to and observed its importance to the community.
support with other women in the community. This is expressed in the local language (isiZulu) – izandla ziywa gezana [one hand washes another], the idea of helping each other in a time of need. Furthermore, this assertion points out that there has been a rekindling of traditional principles of reciprocity. As white South Africans rigidly formalised a racially segregated society and legal system, African women used their labour to continue to produce and reproduce communities, while experiencing the devastating apartheid attack, through a reorganisation of the female-male relationship of labour. This is synonymous with taking major responsibility for managing scarce resources, described at length in Wolpe’s (1972) study of the extensive social functions undertaken by women in the Reserves, which allowed women to build skills that would be of use in political life.

The empirical evidence in this research shows that even though women took on the burden of ensuring that reserves absorbed the costs of the reproduction of labour, women’s groups evolved in order to ensure that women ameliorated their severe systemic poverty, whilst also instilling a culture of self-reliance amongst them. In a wider sense women also collaborated to buy blankets in groups in order to ensure that they reduced the burden that came with lobola [bride wealth], a common cultural practice in South Africa among Africans. The assertion illustrated how important lobola is among African women. This illustration serves as a useful anecdote to supplement other research. On the other hand, another councillor pointed out that:

I am a qualified teacher and a school principal in one of the primary schools around. I am someone who is very keen with progress and who cannot stand for unethical issues. Before becoming a councillor, as a teacher in the community I used to assist people by reading for them their important documents and channel them to relevant offices because most people in this community are illiterate, whilst some are partially educated. To tell you the truth and be honest with you, I was not aware that I was getting involved into politics, what I thought I was doing was to help my community, to get what they needed, when we approached local government elections in 2006, I was identified by the community at a branch general meeting of the ANC that this is our leader. The reason why they saw me is because I was worried, that Nelson Mandela promised this community some low cost houses, but, why it was taking too long for such houses to be provided, that troubled me … 73

This illustrates a ubiquitous moral landscape, which motivated respondents to participate in local government, which was rooted in local communities’ needs. From a public policy viewpoint, specific vignettes like this show that the impoverished community needed people

73 Interview, A0024: 25 March 2009.
to negotiate for them in formal public spaces. Some women are brought into local politics by pronouncements of political leaders or elites, thus presenting an opportunity for claiming the distribution of asserts. Housing was a case in point, thereby linking economic and political rights. Section 26 [1] [2] of the South African Constitution Act 108 of 1996 stipulates that ‘everyone has the right to have access to adequate housing, and that ‘the state should take reasonable legislative and other measures, within the available resources, to achieve the progressive realisation of this right’. She took the position to come closer to local politics with an aim to question distributive justice. Pottie’s (2004) study revealed that housing delivery expenditure in South Africa declined even though it was one of the priorities of the ANC manifesto leading up to the first democratic elections in April 1994. Local government was then under pressure to fulfil this national government programme, and failure to do so meant that housing has remained a site of struggle to this day, as the crisis of service delivery has continued and citizens are still struggling to exercise their right to housing.

It was revealed that women who voluntarily participated in community activities which specifically assisted women gradually progressed by introducing a multiplicity of activities. There were instances where some women’s groups filled the vacuum or information gap by drawing the attention of the state to service provision directed at certain target groups, namely the elderly. As this councillor pointed out: ‘as time progressed we formed an organisation, which was sponsored by the Department of Welfare (now Department of Social Development), and continued with our club until we got food parcels from the government in order to assist the elderly people’. This shows that women are involved in a complex alliance with the government, formed around problems arising in a multitude of sites within the social body (Rose & Miller, 1992: 191).

Another councillor added: ‘with the increase of poverty, as women we started to have a crèche in order to relieve the elders who had always been left with children by their daughters and granddaughters in search for job opportunities in urban areas’. This demonstrates two instances that took place and which also suppressed women in the rural areas. Firstly, one of the target groups adopted by women’s groups were the elders, aiming to

74 Interview, A0023: 25 March 2009.
75 Interview, A0025: 27 March 2009.
relieve them from hardships, which might have been caused by a number of sources, such as
government policies, to mention one. Secondly, it seems to indicate that it was the very same
women, which were left in the households by their husbands, which were also left with
grandchildren to look after. This seems to have restricted their movement in order to
undertake tasks left by their daughters on top of those left by their husbands. Around the
domestic sphere, is to ask, where does the power to restrict the movement of women rest?
Evidence seems to suggest that it rests in internal relationships, such as responsibility for
grandchildren and other household responsibilities. This seems to have developed a new
order of restriction to women’s participation. One councillor noted that as work increased in
relation to orphans, women’s groups started to register a Non-Profit Organisation (NPO),
as regulated by the NPO Act. They registered it because they were not profit-driven, rather
to relieve grandmothers from hardship. Thus, the hardships in communities gave birth to
new organisational forms, where there are negotiating bodies at the centre which in turn
gradually link grassroots politics and development to the apparatus of the state.

These women differ in a way in which they progressed with their groups, a pattern which
can be roughly categorised into two types: groups focusing on income-generation on a small
scale; and those specialising in welfare through providing social support to the needy and
affected. Some councillors provided the view that they came together as women in order to
make bricks for sale in their respective areas. One councillor noted that in their group they
met for the purpose of making handcrafts, candles, polish, Vaseline and Starsoft, aimed at
both selling and reducing expenses in their families. Some of these formations resulted in the
establishment of grocery clubs, where women collect money in the course of the year and
later buy in bulk, in order to share out the commodity and reduce the overall purchase cost.
In so doing, this women’s formation cannot only be seen as a defensive response to
deprivation, this should be seen as a deliberate attempt by women’s groups to contribute to
the revival of the rural economy. Grocery clubs are also political, since they challenge those
bodies of knowledge that inform governmental programmes, as women refuse to respond
according to the norms governing consumption and commodity circulation.

76 A Non-Profit Act was passed in 1997, and it officially recognised civil society and created a system of
voluntary registration for its constituents and provided benefits and allowances in exchange for NGOs and
community-based organisations undertaking proper accounting and providing audited statements to the
government.
Most of these activities are determined by the geographical location and corresponding level of income and social deprivation. Apart from this, the space for those whose major focus was on providing social support has also been created by the pandemic of HIV/AIDS, which contributes to child-headed households. Albertyn (2003: 597) argues that the roots of vulnerability of women to HIV/AIDS in South Africa cannot be divorced from apartheid separate development and migrant labour policies, in their role in damaging the social fabric of African families and communities. The prevalence of HIV/AIDS means some women have to divert their time for participation either in income-generating activities or political activities to caring. Budlender (2002: 14) notes that ‘women aged ten years and above spent an average of 32 minutes per day caring for children and other household members, compared to 4 minutes per day for men in this age group’. One woman shared her status and how she started to spend her time as follows:

I started Bamba nani (Home-based Care and Support) soon after I discovered that I was HIV positive in 1990. After observing in my area that there were sick people, I then started to assist them through caring, even though I did not receive any counselling by that time. I was involved in a door to door campaign, when I find that the sick ones had signs similar to those I had, then I used to be very closed to such individuals and share with them information and my life history and status.

This requires a lot of caring, beyond the family level, to the community level as well. The HIV/AIDS pandemic seems to be one of the avenues contributing to the participation of women in local politics. On the one hand, HIV/AIDS has added negative dimensions to the process of participation and its rising complexity by excluding the poor in their government in a moment where they should be exercising their civil and political rights in the post-apartheid regime. On the other hand, HIV/AIDS has given rise to collective action and consciousness, leading to people in communities rallying together in articulating a new vocabulary for defining the discourse of anti-poor policies.

Similarly, among these women are those with an ‘ideological bond’ with faith-based groups such as the Women Manyanos [a Xhosa word meaning to work together] in different churches. Manyanos provide a segregated sphere of female spirituality. Bozzoli (1983: 163)

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77 This is the group with a strong attachment with communities, and they argue that they are not interested in continuing with local government as its time demands conflict with their community activities as demanded by the increase in community problems. They have a strong feeling that the structuring of local government on a part-time basis and benefits associated with it are not equal to the time spent on local government issues and
argued that these separate women’s organisation seems to be conservative in a sense that ‘it seeks to conserve and consolidate the family and the women’s position within it’. Bradford (1987: 308) remarked that women’s prayer unions became a key arena for excluded women from politics and formal organisations to express their views and to develop their self-confidence in order to be able to challenge oppressive social relations to them both as women and blacks. Beinart’s (1987) study revealed that in the 1920s and 1930s manyano groups served as a strong political mobilisation due to a number of works that they were involved in, such as sustaining contacts across location boundaries and linking with other groups as wider church movements.

These interviews indicated that women are heterogeneous, and this heterogeneity goes beyond the often counted categories such as race, class, and ethnicity, but more to do with their political identification or affiliation in the post-apartheid state. Today, in official thought, more women are drawn from manyanos since they have more networks, which can serve as a delivery of votes. It was revealed that the original work that they did before becoming councillors, was not discontinued because the problems still persisted, as illustrated above.

To sum up, local government in the post-apartheid era has some women councillors who had been and some who still are, engaged in ‘developmental activities’ involving income-generation, welfare concerns and protecting their homes. These women have emerged as political leaders from different communities pressing for the implementation of changes at the local level. There seems to be lessons learned by women from the struggle for liberation, such that it taught and equipped them with the experience of establishing organisations (savings clubs, income-generating groups, and self-help associations), and some had moved their activism beyond their family to communities, thus adding more responsibilities.

This does not mean that women from these groups found it easy to take the advantage of new political spaces afforded by the democratic regime. However, it does suggest that it would be an incomplete story to suggest that political skills were acquired only through participating in major political organisations. Instead, these women’s groups, as a result of other problems they encounter. Some of the challenges experienced by women councillors both inside and outside local government are detailed in Chapter 6.
deprivation in reserves, served as a ‘micro-version’ for the participation of women in local governance in the post-apartheid regime. This section has, through women’s councillors’ voices, presented the institutional agency of women, and modelled the most common pathways taken by women into political office holding. It became clear that they are diverse; therefore, the next section discusses what motivates women to enter into local politics.

5.7 MOTIVATION FOR ENTERING LOCAL POLITICS

Across studied municipalities and within the group of women there are two common and sometimes overlapping reasons offered for participating in local politics, and these common responses were in turn mostly bounded by time. Both motivations can be understood against eligibility and aspiration on the basis of morality and ideology. The first motivation that brought women into local politics was a critical view of the level of development, in whatever period, which then prompted motivation in terms of social justice. More explicitly, it was about change in society. The second motivation was that they had been put on the party list as a result of their participation in the party political structures or just in the community more broadly (as stated above). Both responses cut across parties and most depended on the length of participation in politics, itself related to the electoral system. One councillor pointed out:

One thing that motivated me in politics as a black woman was that, there was no future for me in the white government; because the white government was anti-black, and was falling under the category of blacks and the best way for me was to become an ANC activist. I started to be a member of UDF until the unbanning of the ANC, because I found to be the only place where I could find justice. I realised that I would not find justice in white led government, but only in the black government where I could find justice.78

This assertion shows that this councillor has long been in politics, with a political career dating back to the late 1970s, and her motivation was linked to independence and development. The politics of the 1970s in South Africa was characterised by numerous conflicts, which were embedded in racial domination and African women were affected through legal power expressed also in ethnic terms (see Chapter 2). Furthermore, this

78 Interview, A0031: 19 March 2009.
councillor drew from her history of participation in the UDF, and also with her political continuation from the UDF to ANC. Some councillors who identified themselves with the ANC were brought into local politics by the nationalist discourse or ideology and history of the party, and its rhetorical commitment to service delivery and non-racialism. To support their political decisions, councillors from the ANC argued that as much as there were political parties, what was good about the ANC is that it fought for everyone and opened an environment in which even small parties could flourish. These utterances are rooted in the post-apartheid regime, but the common reference point is in the past. Guy (2004: 86), reiterating the ANC’s capacity to articulate popular currents of nationalism, points out that:

This facility continues to this day, and it is nationalism which gives its political discourse both the strength and the flexibility to absorb changes, inconsistencies and failures in policy and postures by presenting a consistent nationally-grounded history and vision of the future. It is an ideology that looks inwards to draw on the culture and community of the familiar, of one’s own people, giving comfort in times of distress and the confidence needed to mobilise and assert national values and achievements on a continental, even a global, stage.

Contrary to that ideological perspective, other councillors were motivated by local events, but which had to do with major decisions from the central state. This councillor pointed out: ‘what motivated me in politics; it was when the decision to incorporate Ingwavuma under Swaziland was taken by the Pretoria Government. Through that I learned that if people have one voice they can achieve something’. These interviews show that if people have one voice they can achieve something. These interviews show that if people have one voice they can achieve something. These interviews show that if people have one voice they can achieve something.

These interviews show that the length of the existence of the party together with its ideology served as the motivation for other councillors to participate in its structures. The councillor who associated herself with the Ingwavuma land deal; it had to do with the hard politics of the territorial struggle in the 1980s, as discussed above. One councillor stated that her commitment was to see her community lifted from poverty through the provision of water and sanitation.

Considering much of these positive motivations, either moral or ideological, and which concern the vision of the community or change in society, the idea is that there are issues, which cement people together whilst also giving them political space within their localities in

80 Interview, A0036: 08 July 2009.
81 Interview, A0025: 27 March 2009.
order to give them a political identification in the process of the political system. Moore (2005: 21) offers a multifaceted approach to power and argues that ‘differences of identity and power relations make places subject to multiple experiences, not a unitary, evenly shared “sense”’. Mettler and Soss (2004: 59) argue that ‘group identification and consciousness do not simply emerge for individuals or social groups; they get organized into and out of the political process’. This illustrates that the diverse economic and social conditions of women when fighting for their individual place in a harsh society, did not prevent them taking advantage of a common basis and moral position from which they could struggle to improve their lives.

For other councillors it has been about power: they started to exercise that power and to commit themselves more into politics after being elected in local government. One councillor pointed out:

Before 2000 local government elections, I had been always attending most IFP meetings. My name was proposed at an IFP meeting…but I did not attend the meeting because I did not know about it, but my name was proposed at it. My name was there until I was given a number to call someone I did not come across that person even today. That person told me that my name had been gazetted [I did not know what it meant], at that time I was already a Head of Department in one of the local schools around. The person I spoke to said I must wear formally to come and attend a meeting at Jozini Municipality. It was in this meeting where the Jozini nominated me to represent them at the district. I did not even know what it meant, but I work willingly and actively.82

This councillor was so surprised that her name was on the list as she was not that active in the IFP structures. However, this could reflect the IFP’s patronage-based system in candidate selection to fill its list with women as discussed in Chapter 4. However, she continued as follows: ‘At first I was motivated to assist my community, but when I was inside nothing motivated me much, but what interested me was the power I gained, because I knew that after I have taken a platform people after me would have a challenge in challenging me’.83 This is more about power and confidence. This also reflects that even though some women are shaped by institutions, they do not want to be subordinated in the new democratic spaces. This assertion seems not to suggest that her participation in local politics provided strategic engagement to articulate feminist agendas within and across

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82 Interview, A0037: 08 July 2009.

83 Interview, A0037: 08 July 2009.
democratic arenas. Moreover, following her victory in elections she created a site for the formation of knowledge to be used to exercise power. This councillor seemed not to see her presence in local government as a victory for feminists or women as a group.

Councillors, who started to be more active after 1994 as a result of democratisation and decentralisation, have different reasons for their participation, but have both connotations: moral and community vision for change in society. Some responded to what they saw happening around their communities. One councillor pointed out: ‘when local government started, we realised that your community can only benefit if you are active and very close to local government activities and structures. Most people who distanced themselves from local government activities ended up being sidelined in service delivery. I focused more on attracting service delivery for my community’. Writing on this from a Gramscian perspective, Marais (1998: 262) commented that ‘the ANC had become adept at a key aspect of any hegemonic project: it managed to deploy an array of ideological precepts and symbols, and assert their pertinence to the lived realities of millions of South Africans?’ Another councillor added:

Before, I became a councillor; I was like any other person searching for a job, but was interested in politics. I was not interested in politics that had to do with involvement in political structures but for the development of South Africa. I later took a decision to join Democratic Alliance, because I realised that the struggle for liberation is over, that we are now in is a new struggle, for development and national building.

This indicates that concepts, the institutions and structures founded after 1994 created their own people and politics. This assertion shows that political reform has also allowed conservative forces like DA to permeate even in rural areas during the process of democratisation and decentralisation (see Chapter 4). In essence, the political discourse of “rainbow nation” was powerful in absorbing moves in the direction of racial essentialism (Guy, 2004: 85). Most councillors argued that they started to realise who they should identify themselves with in order to come out of ‘racial tyranny’. An other councillor started to challenge other people on what they should start to understand about the texture of politics in South Africa. She noted these views thus: ‘now people should start to understand politics

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84 Interview, A0027: 29 March 2009.

85 Interview, A0026: 28 March 2009.
because previously it was for liberation, now it is about governance, development and meeting community needs’. There are, in other words, profound redefinitions of the post-apartheid system built into the society and the re-articulation of the system. For some it was their dissatisfaction with the way local politics was conducted. One councillor argued that ‘I realised after 1994 that other people are no longer working for development but to benefit them and around my area nothing was progressing’. In essence, the territorial reform introduced new actors on the local political scene with a different agenda from the activists of the 1980s who were grounded on nationalist and feminist discourses.

5.8 CONCLUSION

The concern in this chapter has been to use women’s life histories in order to locate them in the process of political participation and the taking of political space. This chapter has identified and discussed three experiences of councillors in two selected municipalities; their national versus local profile; the social composition and social location of office holders; and their motivations for entering local politics and council. The chapter found that because of the changing circumstances of South African politics and competition, most councillors identify themselves with those who were previously disenfranchised. In the period of disenfranchisement the racial dominated state was never based on the notion of participating populations but in socially engineering their exclusion. Some identify themselves with parties that were enfranchised and use concepts associated with the ANC’s hegemonic project such as ‘nation-building’ to justify their participation in the post-apartheid regime. South Africa’s politics opened and transformed its political system, but in the process it created a multiplicity of constituencies who are now compressed within political parties. This seems to paint a broader picture that local government in the post-apartheid state represents a coalition of conflicting interests and has to respond to the ‘elusive society’, defined by

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86 Interview, A0027: 29 March 2009.

87 Interview, A0026: 28 March 2009.
Nelissen as ‘a society that has more demanding citizens with more possibilities of ad-hoc coalitions because of the increase of calculating citizens and parties’ (2002: 17).\textsuperscript{88}

The chapter has modelled the diversity of women’s voices to engage in an understanding of practical gender interests and strategic gender interests in order to locate and link other voices with broader struggles of gender, which were not grounded in the women’s movement. What has been shown in this chapter is that at the grassroots level, although the reconstruction of political identity in the post-apartheid era is in progress, it is possible to identify changes and to discern strands of newly conceived legitimacy and ideology in local politics. The boundaries of women have become contested as parties attempt to co-opt them for their purposes in the post 1994 era. Categories such as ethnicity, class, race and so forth have been reinvented to accommodate and legitimise political divisions and differences, and women come with different constituents in local politics, as one councillor puts it: ‘remember that as a woman I have more influence in my children, and in my husband’.\textsuperscript{89}

What is new is a group grown exclusively from the political technologies of political liberalisation and decentralisation who exist outside the traditional party structures.

It has also been demonstrated that councillors have multiple mandates, either holding party positions or in government as well as working as civil servants. The chapter found that the nature of local government has not gone beyond allowing councillors to serve full-time in other municipalities. Material suggests that those who came through political structures show a generational gap with those who came through grassroots women’s groups. This suggest a possibly cleavage between the new and the old generation, which is embedded in contested discourses – feminism and nationalism - and of course this needs to be considered before any conclusion is drawn or such division is dismissed as an object of analysis. A latter, or third group are the technicists, who are less embedded in ideological discourse but see themselves as professionals concerned with service delivery, according to neoliberal governance discourse.

\textsuperscript{88} Nelissen (2002: 16) argued that the later quarter of the 20\textsuperscript{th} century experienced new development where there was an emergence of ‘elusive society’ from ‘engineered society’. In essence, there is high demand for the role of government in introducing ‘programs for legal, political, administrative and social renewal that attempted to redefine relations between citizens and government’ (Nelissen, 2002: 18).

\textsuperscript{89} Interview, A0024: 25 March 2009
Through the adoption of a broader definition of politics - which went beyond the formal political realm of political parties and institutional agency - discovered that in the new political spaces women have found another form of agency, which operates alongside mainstream political parties. Drawing from the experiences of women councillors takes account of historical variations. The chapter found that most of these councillors come from organisations who worked outside established institutions in attempts to change how society is governed. Some among these women councillors have experience and certain knowledge about the implementation of neoliberal policies at the local state. Moreover, some women come from voluntary associations, which were too temporary in duration and, which were designed to promote specific interests of limited groups. Others were from religious groups. Now that they are in an institution that is non-exclusive, the question thus becomes: what would happen to their specific group or how do they continue to promote the interests of their groups?

This sketch does not ignore that these different groups cannot exert some control over the local state. In favourable circumstances these groups can be able to win some projects that can promote their own interests, but that would be dependent on whether their parties are in support of such projects. The question remains how would women transcend group boundaries in order to play a key role in defining power relations that would always be beneficial to women, rather than party bosses? From women’s life histories, it is evident that broader issues have emerged and new political spaces are opened for women to participate in local politics. The next chapter explores the national policies of local government and the political practices and technologies of power that emerge from the empirical data. Through these, the research links women’s political participation and representation to a broader understanding of how politics is shaped in the democratisation processes and the anaemic ‘participatory exclusion’ of the post-apartheid era.

6.1 INTRODUCTION

This chapter examines the roles that women play within the political spaces that local government reform has produced for their political representation and empowerment between policies formulated at national level and their implementation at local government level. The preceding chapter presented everyday participation and experiences of women in local politics. It situated women’s voices and life histories within the broader political regime changes associated with reforms, and helped locate the responses and voices of women who hold local political positions in the decentralised system within a broader literature on women’s political participation and representation as well as in institutional change. This chapter situates these experiences within the main institutional regime changes of post-apartheid reform and the contemporary discourse of neoliberalism.

The life histories of women and their engagement with one another in the constructed social world post-1994 show that despite suppression of other ideological frameworks, divisions still persist, now as a result of national discourses of participation and representation dominating the national arena in the 21st century. These national discourses position women unequally in the political sphere. As shown in Chapter 2, women succeeded in opening political spaces during the negotiation process at the national level because of the ‘temporary suspension’ of party politics, which in turn resulted in them forming an independent women’s organisation with institutional autonomy (Molyneux, 1998; Goetz, 1998; Hassim, 2006). The position advocated by women was very strong in national politics, but this was missed in the local government system during the transition process, because the focus was less on local government. This in part was as a result of both the liberal and hegemonic discourses which framed the transition, the politics of alliance, and the elite bargaining between women’s organisations and male political leadership, which consequently distanced women at a local level.

This chapter introduces women into analysis of the contemporary municipal chambers. The aim is to engage certain forms of knowledge and political discourses about the participation
of women in the reform processes of state-building, democratisation and decentralisation. The chapter is crucial for the study because it focuses on the power dynamics between policies formulated at national level and their implementation at local government level. It also considers the contradictions in the official discourses about women’s participation and representation in the political space. The approach in this chapter is predominantly analytical rather than descriptive, in order to contribute to an understanding of the nature of women’s political participation and representation in local politics.

The post-1994 regime in South Africa restructured institutions and constructed new political spaces for women to participate. The aim was to establish gender-sensitive modern local structures while producing spaces for governable and disciplined subjects. We find in Chapters 4 and 5 that instead of improving the political representation of women in decision-making structures, the practices undermined the sustainable political careers of women and entrenched masculine domination. In this decentralised system the new positions of local power, specifically representatives of wards and mayors, were introduced in the whole country. Quite remarkably, there are statutory provisions that guarantee women the right to participate, but the power of these provisions and representatives can only be accessed through engaging with adverse structural arrangements in municipal chambers.

This chapter examines post-2000 transformations in local politics in the process of creating stable rule and gender-equal governable spaces. It further discusses the features of the political dynamics of transformation of the local political arena, translation of participatory approaches and the effects of territorial reforms and interests, intertwined with the influential role played by the geopolitics of the province in shaping the discourse of national and local politics. The first section uses the demographics of women councillors in order to throw new light on the legacy of the post-1994 reforms on the progress of women’s political participation and representation. The second section engages the internal structures and dynamics in municipal chambers in an attempt to go beyond descriptive representation and excavate the involvement of women in political decision-making processes. The third section uses the variable of power thus developed to throw light on the dilemma of decentralisation on women’s political participation and representation in local politics.
This chapter relies heavily on in-depth interviews and life histories where information was gathered from councillors, of whom the majority were women. Moreover, the views of male councillors were considered to substantiate the arguments of women councillors regarding their male counterparts. Using these data it appears that national policies are negotiated, disputed and transformed by the actors in the locality, who adopt more participatory rules and practices for their own local structures in order to secure power in the territory. It is necessary to provide an overview of the decentralised government system, since this is the institutional context in which power is negotiated by women.

6.2 DECENTRALISATION REFORM AND WOMEN

The decentralisation processes for South Africa were challenging for women due to historical trends, transition political dynamics and the ambition of devolution, which was to make local government a sphere in its own right for decision-making. As discussed in Chapter 4, local government is no longer a regulatory extension of either the national or provincial government, where it had no constitutional safeguard (Cameron, 1988; Robinson, 1996). Moreover, the absence of a constitutional safeguard or framework limited decentralisation. As a result, post-apartheid reformers were preoccupied with national politics, with a sequence of reforms focusing initially on building national institutions. In Chapter 4 it was argued that the main outlines of the present local decentralised system were incorporated into the 1996 Constitution, which was drafted under the tutelage of the GNU (1994 -1999) after the first pluralist national elections in April 1994. This happened soon after the IFP withdrew from the Constitutional Assembly in April 1995 and before adoption of the Constitution in May 1996. This punctuated the project of local reforms in KwaZulu-Natal, causing delay of the first local elections from the initial schedule in November 1995 to June 1996 (Kotzé, 1996; Landsberg, 2004).

The GNU gained political legitimacy from establishment of interim amalgamated local authorities, which it used in order to build the inclusive local state while dismantling what Mamdani (1996) described as a ‘bifurcated’ state. Notably, however, the question of women was obviously neglected in promulgation of the Local Government Transition Act (LGTA)
of 1993 until it was amended in 1995 to redefine the model for rural local government, which in turn allowed political representation of women. Even then women were defined as an ‘interest group’ along with apartheid old guards in local government such as farmers, landowners, farm labourers and traditional authorities (Pycroft, 1996, Hendricks & Ntsebeza, 1999). The Act gave women not more than 10% representation in an *ex officio* capacity in local government, based on the decision of the Member of Executive Council (MEC) responsible for local government in the Provincial Government. According to Bierschenk and Olivier de Sardan (2003), each change of political regime at national level opens the way for emergence of new local institutions and actors on the local political scene. Creation of a new system of local state contributed to the multiplicity of institutions and sites for political participation and substantive representation of women. The question orienting this chapter is on what basis, and with what information and interpretation the conditions of women in new political spaces can be understood. The question of power remains important in understanding women’s inclusion in the new political spaces.

The space for participation emerges from a legal construction, derived from the conception of a ‘right-based’ approach. In this study the ‘legacy’ of reform refers to the assessment of changes observed with respect to section 19 [3] [a] of the Constitution of 1996, that ‘every adult citizen has the right to stand for public office, and if elected, to hold office’. As a broad theoretical statement of intent, the avenue for participation of women in local politics is influenced by other factors such as legal constraints, agency competition and geographical location. Moreover, the restructured local government was meant to be crucial for the economic and social development of people, while giving municipalities greater responsibility to secure further funding for the purposes of service delivery and development (Carrim, 2001). The Municipal Systems Act (MSA) specified most minimum requirements that municipalities had to follow in promoting the culture of participation. Section 13 [1] of the MSA of 2000 provides that municipalities must exercise their executive and legislative authority within the constitutional system of co-operative governance, with a view to giving meaningful effect to the basic rights of all citizens, especially women, who were historically neglected and excluded. According to the 1996 Constitution and other legislative frameworks, different types of municipalities are determined, where administratively KwaZulu-Natal province is divided into 50 local councils, one metropolitan and 10 district
municipalities. Their significant powers are explained below. At the time of writing there were 10 local councils under women’s leadership in the province.

The 1996 Constitution provided a framework for political decentralisation in South Africa. Accordingly, Section 155 (1) made provision for different types of municipalities in order to deracialise and democratise local government in South Africa. This also aimed at introducing democratic structures in the whole country while dismantling the fragmented structures of local government (Cameron, 2005; De Visser, 2009). Figure 6.1 below shows these three different types of municipality in South Africa, categories A, B and C. Category A is a municipality that has exclusive municipal executive and legislative authority in its area, while category B shares municipal executive and legislative authority in its area with a category C municipality within whose area it falls. Category C is a municipality that has municipal executive and legislative authority in an area that includes more than one municipality. The MSA of 1998 provided MECs with powers to determine the ‘type’ of municipality that should exist within each demarcated boundary. Within these basic types the MEC must then determine whether the executive function of the municipality should be performed by an executive mayor or executive council. The MEC must determine whether municipalities should have ward committees to strengthen local representation. MECs have considerable discretion to influence the viability of each municipality, ensuring the optimum structure for each based on local factors including the political and administrative capacity of the council.

For the purpose of this thesis and this chapter it remains important to discuss the relationship between district and local councils. According to decentralisation reform policies, category B municipalities share executive and legislative authority with a category C municipality. A category B municipality (primary structure) is a local authority that exists within the administrative boundary of a district council (secondary structure). District councils are made up of a number of local municipalities that fall in one district, which can be made up of between four to six local councils. The district council is made up of two types of councillors, namely elected councillors and councillors who represent local municipalities in the areas. The former councillors are elected for the district council on a PR ballot by all voters in the area and constitute 40% of the district councillors, and the latter are local councillors sent by their council(s) to represent it on the district council and
constitute 60%. Power and male domination in local politics are constructed within these institutional arrangements as will be detailed in the third section of this chapter (see also Chapter 1).

Most importantly, district councils have a supporting role to play in planning and co-ordinating activities within their boundaries. It is therefore imperative that allocations between district and local municipalities are resolved during the period of consultation on the budget. The relevant provincial government also supports co-ordination and monitoring of these plans and programmes. The district municipality has to co-ordinate development and delivery in the whole district, and has its own administration. However, this does not mean the local council no longer has the right to govern, on its own initiative, the local government affairs of its own community as described in the 1996 Constitution and other decentralisation policies – the 1998 MSA and 2000 Municipal Systems Act.
Figure 6.1: Overview of the Government System in South Africa

National Government

Provincial Government (Nine Provinces)

- Northern Cape
- Eastern Cape
- Free State
- North West
- KwaZulu-Natal
- Mpumalanga
- Limpopo
- Gauteng
- Western Cape

Local Government

- Metropolitan
  - Metropolitan Wards
  - Ward Committees

- Districts (Category C)
  - District Management Areas

- Local Councils
  - Local Council Wards
  - Ward Committees
The brief history of the legislative frameworks presented above already points to some important sources of fragmentation within the local state, which have continued to condition women even in their presence in political spaces. Firstly, the diverse history of the local state constructed largely by the Afrikaner Nationalists in order to build the capacity to govern haunted the post-apartheid state builders under the ANC-led government. As a result, post-apartheid state builders were also preoccupied with building support amongst the actors in local politics, while also building the capacity to govern. Secondly, motivated by territorial interests in state building and the project of dismantling the ‘bifurcated state’ amongst others, the process of constructing state power has imagined women in different identities. Following this schematic representation, the second democratic local government elections took place under the framework shown in Figure 6.1 in an attempt to re-establish a new relationship between the state and the citizens.

The discussion in the rest of the chapter focuses on the existing local decentralised structures in an attempt to understand how the ‘third wave of democratisation’ of the 1990s made way for undemocratic practices that condition the influence of women in local politics. The next section pursues the discussion of demographics in order to understand the shift in political discourse about women in the democratic period.

### 6.3 BACKGROUND INFORMATION ON ELECTED WOMEN MEMBERS

This section uses the demographics of women’s councillors in order to throw new light on the post-1994 legacy of reforms on the progress of women’s participation. This section covers various themes, including the background of the elected councillors; their age, education, and marital status; and how such categories are important to participation in institutional politics. Procedurally, the decentralised political system requires municipalities outside council chambers to consult with traditional leaders so as to establish inclusive structures in their communities to be part of broader local government forums. Furthermore, women have to be included on various committees and provided with opportunities to contest elections. Similarly, internal procedures require municipalities to elect an executive committee (EXCO), employ personnel that are necessary for effective performance of its functions, and passing of by-laws as well as approving of budgets (see section 160 of the Constitution of 1996). The point that has to be made from the outset is that councillors in most municipalities in South Africa serve on a part-time basis unless stated otherwise (see section 6.5.1). The former chairperson of the Portfolio Committee in Local Government and currently serving as Deputy Minister of Co-operative and...
Traditional Affairs points out that financial resources do not allow the councillors to be paid salaries like public representatives in the national and provincial spheres, but acknowledged that there would be unhappiness in the local decentralised system with this ANC decision (Carrim, 2001). As shown above, post-December 2000 constitutes the first in-depth change in local power relations since 1994 as a direct consequence of rapid democratisation. I argue in this section that decentralisation was confounded by ‘street-level bureaucrats’ through use of power and knowledge to put in place an official discourse for imagined communities.

6.3.1 Councillors’ Age Distribution

According to South African law a councillor can be anyone above the age of 18. Rules are designed in a way that anybody can be a councillor subject only to certain disqualifications specified in section 158 of the 1996 Constitution. As Table 6.1 indicates, women elected councillors came from different age groups. In order to respect the privacy of women’s ages, the ages of the respondents were calculated in different groups, starting from 18 and below and going through 19-29, 30-35, 36-40, and 41 and above. The data in Table 6.1 indicate that women from the age of 40 are most likely to have access to political office. The study revealed that some women between the ages of 19 to 35 were selected to the party list after intervention of the national office. This intervention points to a series of vertical relations eminent in drawing up the party list, a clear indication of structural constraints. This was explored in detail in Chapter 4, which discussed candidate selection procedures.

Furthermore, it was revealed that some women between the ages of 36-40 who held seats in the highest decision-making body of the party were able to have access to public office. One important finding was that women from the age of 41 took up their responsibilities and combined these with their long experience in community projects, regardless of their municipal positions. This finding effectively contradicts Lekorwe’s (1997) findings that the age structure of councillors was from 40-49 and that there were no councillors in the age band 20-29. To support his finding, he claimed that people from the age of 20-29 were either advancing their careers or disinterested in politics, because of the view that politics was a career for retirees. However, he

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90 The age group of the councillors was determined from 18 because in South Africa each and every citizen exercises voting rights from 18 years. The age 19-29 is considered on the basis that on legal documents, before the age of 21 one still requires a guardian. The age groups of 30-35 and 36-40 were determined because political parties use different ages to define youth in their structures. For example, in the ANC after 36 you cannot participate in the ANCYL, and in the IFP one cannot participate in the IFP Youth Brigade after the age of 40.
acknowledged the silence of clear policy positions on what is promoting young women in political parties, and minimal political representation of women in local politics.

The demographics were reflective of the seniority system in society more generally. Chapter 5 in this study discussed the fact that those who accessed public office had prior experience in community organisation(s) and political party structures. They were always eager to accept challenging tasks in the council and work very closely with the grassroots groups. This can be defined in relation to the politics of the 1980s, where there was a mushrooming of community organisations (see Meintjes, 1998; Hassim, 2006; Sitas, 2008).

Table 6.1: Age Distribution of Councillors’ Interviews

<table>
<thead>
<tr>
<th>Age</th>
<th>Men</th>
<th>Women</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>18 and below</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>19-29</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>30-35</td>
<td>4</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>36-40</td>
<td>2</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>41 and above</td>
<td>4</td>
<td>7</td>
<td>11</td>
</tr>
<tr>
<td>Total</td>
<td>10</td>
<td>12</td>
<td>22</td>
</tr>
</tbody>
</table>

Source: Researcher’s interview questionnaire.

6.3.2 Education

Three different categories are used to indicate the level of education of councillors interviewed in this study: “less than matriculation”, “matriculation” and “post-matriculation”. Education for councillors is important, considering the tasks they have to perform as representatives of the people and to fulfil the constitutional status of local government as well as legitimise various resolutions put in place in the official discourses of the state. For example, councillors have to perform duties as decision makers at local level and to promote the concept of ‘co-operative governance’ endorsed in Chapter 3 of the South African Constitution of 1996. Councillors are not only there to represent the community, but also to protect people and interpret the constitutional guarantee of citizenship rights. As Hassim (2003) points out, the 1996

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91 ‘Less than matriculation’ refers to all those who completed elementary education but did not pass matriculation, while matriculation refers to those who completed matriculation at least with a certificate that they can use as an entry into higher education. Post-matriculation indicates those who completed secondary education and graduate studies.
Constitution imposes particular responsibilities on government to address socio-economic inequalities as part of the realisation of human rights.

Currently there seems to be no official discourse that specifies the educational requirements of those who become councillors; rather, there are administration practices that put more emphasis on electoral politics (see section 2 [a] and [b] of the Constitution of 1996). The ANC in 2001 used its historical dominance and power to adopt the document *Through the Eye of a Needle: Choosing the Best Cadres to Lead Transformation*, which allowed it to put up its representatives in public office in an attempt to contribute in construction of the “imagined community”. The document states that “you become a candidate after the proposal has been accepted by the branch or any other relevant constitutional structure … once a decision has been taken on the basis of the majority’s views, it binds everyone, including those who held a contrary view” (Umrabulo, 2001).

This was sought to institutionalise the national liberation norms and procedures in the new institutions of democracy, thereby increasing the extent of dependency amongst its members of the party, including women. The document was founded on Leninist practices of ‘democratic centralism’ and the need for ‘absolute party discipline’ on the part of the membership and lower party structures (Crook & Manor, 1995; Lotshwao, 2009). It was found that both men and women with matriculation and post-matriculation are likely to be councillors and teachers respectively. Others were likely to have been pursuing their business interests while also serving as councillors. However, most councillors interviewed in the study areas with post-matriculation were teachers. This suggests that conditions are favourable in the era of political decentralisation for a local political elite consisting of educators to capture the political space. Both men and women capture or participate in this political space, meaning that women also work outside home. This supports Aviel’s (1981) earlier findings that education levels do correlate with political participation, updated in the contemporary era.

Historically there are three reasons which can be drawn from political history to explain the dominance of educators in local politics as actors to occupy the positions of what Gramsci (1971) termed ‘intellectuals’. Firstly, under the official discourses of local government politics councillors should represent people in the territory where they reside. Therefore, teachers derive their power from jurisdictional boundaries of the state and are supported by the structural advantage that in the current decentralised system, representatives serve on a part-time basis, and some work within their areas of nativity. Some in their political parties do not have to contest
with many members in the process of nomination because they have what Bourdieu termed ‘symbolic capital’, and they bring such to political parties. Gramsci (1971) sees teachers as traditional intellectuals representing a social model with a conscious line of moral conduct that can bring into being new modes of thought. This study shows that the new system of local government has contributed to the horizontal spread of the mass base, which in turn is amongst the contributing factors that influences women in local politics, as shown in Chapter 4 on how the process of nominating unfolds over time.

On the one hand, if it is not that the post-1994 government still battles to close the gap between educated and uneducated as a result of apartheid institutional design, it can be argued that educated people belonging to those areas still do not see politics as a career for progression, but rather see politics as a dirty game. Moreover, local institutions are complex and multiple, such that there are some battles to understand different rules for the political game. On the other hand, most of the post-2000 municipalities – irrespective of reforms made under decentralisation to administrative and financial autonomy in the official discourses – still do not attract women as representatives as they conduct business at weekends, when many are away at remote rural homes. For example, a woman councillor describes how when she was nominated “one man withdrew because he indicated that he will not always be around the area because of the working conditions, but made a request in the meeting that those who had an interest of voting for him must give their vote to me”. Patashnik (2003: 209) supports this assertion, where he distinguishes between private property rights and political property rights. He claims that the former are generally secured and the latter are fragile because they are attached to public office whose occupants are subject to turnover, perhaps more so when the logistics of attendance are so difficult. In addition, the assertion suggests that there is historical continuity of exclusion of women in local political arenas.

Secondly, in the conventional theory of democracy the principle of political equality infers that decisions should be taken by elected representatives regardless of their educational level. A study undertaken among parliamentarians in South Africa and in provincial legislatures found that not all of them had post-matriculation qualifications (Budlender et al., 1999). These findings are consistent with those in this study. For instance, in one municipality studied there was a mayor who had less than matriculation. Moreover, she had been serving in this ANC-led municipality for more than two terms. The recursive relationship between education and representation is

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92 Interview with female councillor (Interview, A0027) 29 March 2009.
illustrated in the ANC document, as it states: ‘to be an ANC leader is not an entitlement. It should not be an easy process attached merely to status, rather a person should have desire to serve the people and track record appreciated by ANC members and community alike’ (Umrbulo, 2001). In the battle for status accumulation for control the document Through the Eye of a Needle: Choosing the Best Cadres to Lead Transformation is their main weapon alongside other bureaucratic regulations of the party that carries an official discourse for entry to public office or political recruitment. Notably, it was revealed that for some without matriculation or less than matriculation, gaining their positions as councillors served as their source of income. Inside council chambers men or women with post-matriculation have seats on important committees such as EXCOs, while others serve as speakers of municipalities. Education and positions inside council chambers do not have a strong relationship to each other, but the former serves as an advantage.

**Table 6.2: Highest Education Level of Councillors Interviewed**

<table>
<thead>
<tr>
<th>Gender</th>
<th>Less than Matriculation</th>
<th>Matriculation</th>
<th>Post-Matriculation</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men</td>
<td>4</td>
<td>1</td>
<td>4</td>
<td>9</td>
</tr>
<tr>
<td>Women</td>
<td>4</td>
<td>3</td>
<td>6</td>
<td>13</td>
</tr>
<tr>
<td>Total</td>
<td>8</td>
<td>4</td>
<td>10</td>
<td>22</td>
</tr>
</tbody>
</table>

Source: Researcher’s interview questionnaire.

### 6.3.3 Marital Status

The question of the marital status of women has undergone a massive transformation through the increased mobilisation and deconstruction of historical state discourse, but is still contested even now among different actors in the corridors of power. However, history matters to develop a broader understanding of the relationship between women’s marital status and their participation in the public space. Women were constructed differently within state policies and practices prior to 1994 and until now. In a neo-traditional society, as in other parts of KwaZulu-Natal, the marital status of candidates in the local decentralised system can be both a specific political resource that can help women enter into a circuit of symbolic exchange, and can adversely prohibit them from participating in political activities in the political space.
On the one hand, during elections marriage can be a sign of change in perception about women in politics and add respectability to the representatives of community work. In the context of rural KwaZulu-Natal, the constructed political space for women through the Natal Code left a legacy of complex mediations and a gendered ‘unbelonging’ of unmarried women in the national polity (Manicom, 2005). The code was first enacted in 1891 as the Natal Code of Bantu Law, Law No. 19 of 1891 to concretise customary law, and reproduced under the Native Administration Act of 1927, which sanctioned tribal marriages and set up a separate court system consisting of chiefs and commissioners (Walker, 1990; Huges, 1990). According to section 27[2] of the code, a native female was deemed a perpetual minor in law and had no independent powers save to her own person. The provisions of this official discourse meant African women in Natal and KwaZulu were under the guidance of their natural guardian for life, if not emancipated. Therefore, there were four major areas that severely disadvantaged African women: legal capacity, property ownership, marriage and ownership of men. These official discourses institutionalised and legitimatised the patriarchal ruling relations.

The process of deconstructing the historical state discourse started in the 1980s, with a reform in KwaZulu of the Code in 1981 – albeit motivated arguably by labour force constraints (see Hassim, 1991; Manicom, 1992), and continued struggle, which lead to the Customary Marriage Act of 1998, which legalised customary marriage and largely ended the legal infantilisation of women. However, the ideas of the historical forms of control over women, which developed in the colonial period and which were reproduced after the union, were already vernacularised and indigenised in different sites of moral and gender regulation.

Research shows that the legal status of women under the present decentralised systems is still deeply rooted in ‘a patchwork quilt of patriarchies’. This study has revealed that the ideas about the participation of women in local politics are still associated with their marital status. As one male councillor contrasted, ‘if you are a married women you seem to have an acceptable status to

93 These concepts are borrowed from Merry (2006), where she notes that “vernacularisation” was developed to explain the process by which national languages in Europe separated, moving away from the medieval transnational use of Latin and creating new and new differentiated senses of nationhood in Europe, whereas “indigenisation” refers to shifts in meanings – particularly to the way new ideas are framed and presented in terms of existing cultural norms, values, and practices.

94 According to Bozzoli (1983: 149) a patchwork quilt of patriarchies is a system in which forms of patriarchy are sustained, modified or entrenched in a variety of ways depending on the internal character of the system in the first place.
represent the community, but with males they are acceptable either married or not'.95 The new processes seem to have enormous power to erode some other forms of patriarchies (defined as a system of male domination) in favour of women in electoral politics. Historians confirm that during the migrant labour regime even unmarried younger men were under the control of their fathers or obliged to obey rules of their fathers until they were able to challenge older patriarchy in order to assert their own interests (Guy, 1990; Bank, 1994). Marital status is not something given in an African community, but a process that goes through indigenous or customary law and such work as a mechanism of power in the legal process. The fact that there are legal processes of recordings taking place in both formal and informal institutions, the transfer of property in the form of cattle and rituals that legitimate legal rulings, all represent fundamental material and moral constructions of gender integral to the local decentralised system.

Hassim (2005) draws attention to the taken-for-granted aspects of democratisation of the public sphere. She notes that the women’s movement was pulled into prioritising the democratisation of the public sphere while devaluing attempts to deal with social and cultural norms. She contends that ‘while the country has an advanced constitution and widespread protection for women’s rights, these are difficult to translate into practice because of deeply held patriarchal views in civil society’ (Hassim, 2005: 180). This suggests that the argument in Chapter 2, that political space for women was opened through pact politics at an elite level, was not deep-rooted in civil society. As a result, the enormous power, authority and independence of older patriarchies re-emerged in the process of participation in contemporary forms of governance.

Even within the process of democratisation, however, women activists were increasingly challenged during the process of construction of the Constitution. The issue of gender equality and the processes of customary law opened a heated debate amongst ‘people in the middle’, as Merry (2006: 39) terms them. In this study, the most significant ‘people in the middle’ were, on the one hand, women activists who acted as intermediaries between the negotiators and national party leadership and their local constituencies. On the other hand – and sometimes overlapping with party politicians – we found neo-traditional chiefs situated in an intermediary position between Bantustan Administration and their local subjects. Both categories of actors – women activists and hereditary leaders – are of particular importance for the translation of democracy and its transformations in local politics in KwaZulu-Natal. In the process of negotiation we find people in the middle arguing as follows:

95 Interview 0032, 18 June 2009.
We are in Africa we remain in Africa. We are not prepared to give up and sacrifice our Africanism, one
traditional leader declared. Chief Mvelo Nonkonyana agreed, rejecting the notion of equality for women as
‘foreign to us’. The whole impact of equality was having an impact on the lobola custom, Nonkonyana
complained. ‘Who must lobola whom, if we are equal?’ he asked. ‘If we say “we are all equal”, then the
custom of lobola is threatened’ (quoted in Walker, 1994: 348).

Merry (2006) has noted that local leaders in many parts of the world resist the human rights
claims of subordinated groups by asserting that this is an alien, Western import not suited to
local normative systems. Archival material shows that during the process of reforms under Chief
Buthelezi in KwaZulu, his focus was directed to African unmarried women, and those married
under customary law continued to be minors under the guardianship of their husbands. Sapiro
(1981: 702) has pointed out this contradiction, where she argued that ‘by marriage, the husband
and wife are one person in law: that is, the very being or legal existence of women is
incorporated during the marriage, or at least is incorporated or consolidated into that of a
husband: under whose wing, protection, and cover, she performs everything’. She concluded that
women constitute a marginal labour force whose status and specific status fluctuate according to
patterns of production, reproduction and consumption (Sapiro, 1981: 706).

Opponents of customary law argue that it would have been appropriate in the post-apartheid
state to specify the legal future of polygamy or lobola (bride price). They argue that these customs
are cornerstones of women’s subordination and entrench ‘rural official patriarchy’, not only in
rural areas but even the institutions of local government (Walker, 1998; Geisler, 2000). In
essence, they were also concerned about the impact of household patriarchs in electoral politics,
and in the ability of women to perform council duties given the context of male-dominated
structures that were constitutionally made part of local politics, such as traditional authorities,
and within an essentially unreformed, patriarchal bureaucratic authority intact from the pre-
reform period.

In the post-1994 period the convergence of pact politics and decentralisation of ideas of the
pragmatic school have afforded the bureaucratic hierarchy strong powers to extend local
government in rural areas and into former homelands. Section 81 [3] of the Municipal Structures
Act of 1998 constrained the municipality from taking any decision on a matter that affects areas
under the ambit of traditional leaders, prior to giving traditional authorities and leaders the space
to express their views on the matter. This clause, while clearly showing that the local state is not
a unitary structure, also sanctions relations amongst a different set of institutions and agencies.
This is a public participation exercise which falls within the duties of the municipal speakers.
This study confirms that a relationship between age and marital status constrains access to and dialogue with the institution of traditional leaders, regardless of municipal position and political party affiliation, but old and married women are given special status in the traditional structures. One female speaker argued that some men who form part of the traditional structure turn a blind eye to women’s comments. She further argued that traditional leaders use their age and gender status, together with the traditional bureaucratic authority from customary law, to impose their informal rules as to what kind of women that they are prepared to accept views from. Interview data suggest that married and old women were more accepted than young women in traditional structures. This could serve as a mere reflection of the kind of women members who are likely to be both socially and politically accepted as representatives in some municipalities. This shows that some rural African women are disadvantaged due to the fact that some discourses of tradition, custom and African culture were legitimatised in the modern state, no matter that they disadvantage women.

Table 6.3: Marital Status from Councillors’ Interviews

<table>
<thead>
<tr>
<th>Marital Status</th>
<th>Men</th>
<th>Women</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single</td>
<td>2</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Married</td>
<td>7</td>
<td>5</td>
<td>12</td>
</tr>
<tr>
<td>Divorced</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Widow(er)</td>
<td>0</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>9</td>
<td>13</td>
<td>22</td>
</tr>
</tbody>
</table>

Source: Researcher’s interview questionnaire.

The study revealed that through political developments there seem to be constant renegotiations among individuals and family members which take place under social and material conditions. In some instances, tracing life histories back in time revealed that material constraints on the practices of customs presented some challenges; as a result it contributes to the continuity of women heading households. The challenge to traditional cultural values can be found in informants who, through their economic independence, lead lives as unmarried and as never married but with children. As interview data in Table 6.3 show, obstacles to participation of unmarried women councillors were removed in the election, such that after 1994 they are increasingly able to run for election. It also emerged that among respondents there were those who had separated because of political differences, but still considered themselves married.

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96 Interview, A0037, 08 July 2009.
Women who are separated still consider themselves belonging to the family side of their husbands.

This section has covered three broad themes about women in local politics in order to show how state discourse has historically and hierarchically organised institutions. Most recently the official discourse that controls ANC representatives are traditions of ‘democratic centralism’. This point was developed in Chapter 4 and will be discussed later in this chapter to show that not only does this tradition weaken councils, rendering them incapable of exercising their institutional mandate; it also limits the ability of women to influence decision-making that contradicts the constitutional status of local government. The combinations of these categories are important because of the legal power of local councillors in municipalities under the new institutional and procedural arrangements of the state to consult and to ensure participation. The next section presents the existing local decentralised system in detail in order to specify the forms of women’s political participation and representation.

6.4 FEATURES OF THE POST-1994 REFORMS

This section explores the internal structures and dynamics in municipal chambers, to go beyond numeric representation and understand the roles women have in political decision-making processes. Cleaver (1999) argues that in the development discourse the inclusion of women in committees is seen to represent a form of female emancipation, representing women’s assertion and control over their lives. One of the features of the negotiated democratic transition is that it superseded the centralisation of power within councils and party structures, the expansion of political spaces and a shift from democratic practices to a disguised authoritarianism. This section argues that the compromised internal democracy within the ANC, the geopolitics of the 1990s and the strategic position of the province meant that the new system of local government and its policies undermined the gains women could make from formal participation, and distanced public representatives from sites of power in political parties and the local state.

6.4.1 Executive Systems

There are a variety of executive systems that were promulgated by central government to empower local government and task it with the pressing mandate of redistribution and service
delivery. However, this does not mean actors do not discuss policy issues and persuade and bargain in favour of their interests. Pierson (2004: 34) elaborates that politics involves struggles of authority to establish, enforce and change rules of government and social action in a particular territory. In this context, the main agenda for institutional innovation was to completely overhaul the structures of apartheid, and this was shared by some actors at both levels of government.

The impact of decentralisation at an institutional level was strong, and decision-making power is decentralised in multiple sites. The Local Government Structures Act, 1998 (Act 117 of 1998) in compliance with section 155 (2) of the Constitution 1996 offers different types of municipalities that may be established within each category of municipality. Section 155 (5) of the Constitution requires provincial government to determine which of the defined types of municipalities may be established in the province. Cameron (2005: 333) argues that in line with global trends, the strong executives were preferred in order to reduce bureaucratic red tape in South Africa. To fulfil the legislative mandate there were two major types of executive systems for metropolitan municipalities to choose from and seven types for local councils (category B) to choose from (refer to Figure 6.1 above). In this regard executive systems are divided into two broad categories: the mayoral executive system and collective system.

The mayoral executive system is a system of government that allows for the exercise of executive authority through the executive mayor in whom the leadership of the municipality is vested and whom the mayoral committee assists. In this the mayor is assisted by a strong mayoral committee nominated by him or her at times not including opposition parties, and this gives him or her political party substantial power. The collective executive is a system which allows for the exercise of authority through an executive committee in which the executive leadership of the municipality is collectively vested. The mayor is available in the system as he or she presides at meetings of the executive, and he or she is elected by the council, and this allows for a representation of political parties. This means the mayor is weaker and all powers are vested in the council. The current local decentralised system is constructed around the second model in KwaZulu-Natal. We now discuss why this was chosen, and how this particular decentralised model works in practice in terms of gender composition.

The MEC of Local Government in the province has a legal capacity to decide on the type of local government structures for each municipality. The KwaZulu-Natal Determination of Types of Municipalities was adopted in 2000, under a coalition government as an official discourse to provide a model for municipalities in KwaZulu-Natal. The IFP used its structural political power
and dominance in the province to force its preferred model – the Executive Committee (EXCO) system. The political elites in the province had different political purposes and motives for introducing this model; it was not about the question of women, rather it was about how the population should be ruled in the territory and how power would be exercised. Contrary to this view, and in order to increase its dominance, the ANC chose the executive mayoral system in metropolitan municipalities such as Johannesburg, Tshwane, Ekurhuleni and Nelson Mandela, which were under its leadership (Cameron, 2005). On the one hand, the mayoral executive system, where a mayor is not under obligation to appoint a mayoral committee on a proportional basis, is one in which the mayor has an advantage, along with his or her political party for absolute power and space for hegemony in nominating preferred candidates. On the other hand, it deprives the council of its function of debate and deliberation on development policies of urban governance (Benit-Gbaffou, 2008: 5).

Most municipalities in KwaZulu-Natal use a collective executive system, although empirical evidence suggests that there are also municipalities that use the plenary system, because of the geographical boundaries and size of the population. A path dependence analysis shows that Ethekwini is the only metropolitan area in KwaZulu-Natal that has not changed the collective executive system, regardless of the reality that the province is under ANC leadership. The existing institutional arrangement still has to be informed by the reality that figures in EXCO support the ANC. In order to avoid its policies from being blocked by a coalition of losers, the ANC has used its power and devised strategies to manage the opposition. As Low et al. (2007) confirm, the ANC in the municipality (Ethekwini) was able to use small parties such as the Minority Front (MF), by providing projects in the MF’s respective areas, in order for the ANC to maintain its dominance. Pierson (2004: 158) espouses the view that small parties are important because they support the formation of a governing majority, and should not be underestimated because they have potential to block change. For example, Chapter 5 showed how floor-crossing terminated the local pact, and the co-operation of the ANC with small parties because it benefitted from the official discourse that ‘there is no need to offer compensation to losers’

97 The simplest system of municipal government is the plenary executive system. "Plenary" means "full" or "complete". In a plenary system, executive powers are exercised by a full meeting of the municipal council. In other words, the municipal council takes all executive decisions regarding the business of the municipality. It may not delegate executive responsibilities to any individual councillor or to any committee. Like all municipal councils, municipal councils with a plenary executive system must elect one of their members as chairperson of council. In this system the chairperson of council is called the mayor. Plenary executive systems are best suited to small municipal councils or to municipal councils with a limited range of powers and duties. If a municipal council is small, it will be able to reach decisions quickly and effectively by discussing issues in plenary.
This institutional arrangement throws a feminist challenge to the legitimacy of constructions of justice and fairness, because this structural arrangement in practice is not conducive for women to represent their constituency.

An advantage of the collective executive system is based on its composition. It allows for the representation of political parties that are part of the municipality to be represented in the EXCO subject to their proportional representation in the municipal council. From a broader perspective, the collective executive system allows for the establishment of political alliances across diverse interests. However, in both municipalities (Jozini and Ubuhlebezwe) there were small political parties or opposition parties such as the DA and SADECO who expressed their frustration about their exclusion from the decision-making body – EXCO. This was due to their low representation or proportion in the municipal council and their lack of historic political legitimacy in the jurisdictions of these municipalities.

Atkinson (2002: 18) observes that in the post-1994 period council meetings have become caucus-driven rubber-stamps for a series of decisions by EXCO, without any real accountability. The advantage for the participation of parties in an EXCO is that it closes the information gap as members are able to receive information quicker than those who are unrepresented. Interview material suggests that unrepresented parties can only access information through council meetings that are only held quarterly. Contrary to this view, Atkinson (2002: 70) notes that caucus structures are critical for disseminating information to ordinary councillors. Thus, the chance for minority parties to challenge decisions in the powerful structure of the municipal council is constrained, considering that they do not receive information in time. The structure of the council increases the party’s power and control over and above the council’s decision-making processes. The growing decentralisation discourse in the context of power to control leads some scholars to argue that in the decentralised system local power structures have been facilitated by the desire of ruling elites to create and sustain their power base (Crook, 2003).

On the one hand, the ‘collective executive committee’ system separates powers between the speaker and the mayor in the municipality. Field studies show, however, that other municipalities like Jozini opted for the co-option of their speaker at their EXCO as ex officio member. The speaker’s co-option increased the proportion of women councillors in the EXCO of the municipality, but she was not given any portfolio committee to lead as normally EXCO members are. She was co-opted based on her symbolic capital for the benefit of the municipality in its decision-making structure, but gender issues remained at the margin as a result of
budgetary constraints. However, she had some power as her views were automatically adopted in council once voiced in the EXCO.

On the other hand, for some councillors interviewed their absence in EXCO is a great loss either to them or their political parties, because there are delegated powers of council within this structure. From a different viewpoint, research by Benit-Gbaffou (2008: 8) suggests that opposition parties criticised their exclusion within the mayoral executive system. The participation of women in the EXCO is not given, rather it is a decision given by a political party depending on the proportion of them, because they were also distributed in municipal committees. In addition, educated councillor members are likely to be considered in the establishment of EXCO, but not lesser educated councillors.

Moreover, the main political changes introduced in the political decentralisation were positions of ward councillors, proportional representation councillors and mayors, but rather than increasing their power it increased that of political parties. There is no direct election of mayors in South Africa; rather political parties nominate and announce their candidates prior to or after elections and communities thus have no direct voice. Evidence suggests that after the declaration of results by the IEC for each and every municipality, a party that has won elections elects the mayor at the first council meeting through political directives from senior officials of the party. To be more explicit in this discourse, by 2001, after the IFP won elections in different municipalities in the province, prior to first council meetings, Chief Buthelezi as President of the IFP sanctioned a meeting for all IFP councillors where he gave instructions to newly elected councillors as follows:

> "I wish to give a clear notice to IFP councillors", he emphasised, ‘those councillors who in various municipalities, allegedly did not vote in accordance with party and caucus directives when electing office bearers of municipalities’, he added, ‘those who violated party and caucus directives stand to lose their membership in the party, which would cause them to lose their positions in municipal councils’.98

It was established that the executive committees are empowered to recommend and take some of the daily administrative and business decisions of the municipality. EXCO meetings where decisions are taken further close the gap between administrators and politicians. As Cameron (2005: 334) argues, one of the priorities for the introduction of the executive system in municipal councils was to dismantle white-dominated bureaucracies, which always enjoyed policy-making powers. Moreover, binding and collective decision making are defined in the women’s presence

98 Chief Buthelezi’s Speech to IFP Councillors, January 2000, Ulundi.
because the entry of women into formal politics ‘challenged gender norms and institutional practices at every level of governance’ (Walsh & Scully, 2006: 4).

A significant challenge emanates from the construction of these EXCOs to condone one-party dominance within municipal boundaries and the increase of the multi-agency system in municipal governance, which in turn increases the scope for women to challenge gendered power. In general, other municipalities were not a product of the apartheid regime, but rather of the post-1994 regime with no white-dominated bureaucracies, but with a weak relationship between administrators and politicians. Political strategies are negotiated within these new structures. According to some councillors from opposition parties who were interviewed, EXCOs are used as a platform for political ambitions, rather than community priorities. However, one recognises a shift and fusion of power to political parties, which contributes to a lack of accountability and the relative disempowerment of women in this multi-layered governance system, not least because the exercise of accountability per se is difficult.

Thus, the mechanisms for increasing women’s participation and representation are challenged by the centralisation of decision-making power and political control. Most recently, Low et al. (2007: 252) in their interviews with councillors at Ethekwini Municipality revealed that debates took place behind the scenes and the municipal manager did not account to the mayor or the EXCO because he was deployed by the ANC when the city began to lose political and administrative direction. Some observers argue that the centralisation of power is an attempt to prevent the crisis of the dual system model, which contributed to political and fiscal difficulties in the late 1990s (Benit-Gbaffou, 2008). Overall, the political battles between actors for political space contribute to a power shift, which exacerbates the historic exclusion of women.

### 6.4.2 Municipal Committees, Representation and the Involvement of Women

Who has legitimacy enabling them to participate and lead? The presence of women in local politics has created linkages between them and the state, and ended their practical exclusion from mainstream politics – but not their exclusion from effective power. The marginalisation of women persists, even though municipal committees, generally known as portfolio committees, are in theory led by those who form executive committees, of which women are a part. As noted earlier, executive committees are at times aimed at accommodating political conflicts through compromise. In practice, Ubuhlebezwe is an example of one of the municipalities where the IFP was represented in the EXCO, but did not lead any portfolio committee. The dominant force in
the municipality is the ANC, which excludes the minority force - the IFP. Small parties which are represented by women do not benefit because some do not even constitute a party caucus. Geisler (2004: 173) observes that women’s presence in politics imposes on them conflicting and contradictory expectations. Central to the exclusion of other political parties was to distance women from opposition parties from forming relationships with associations through the ANC-led municipality.

From a gender perspective, municipal records show that in both municipalities women lead some municipal portfolio committees. For example, out of six committees that were found to exist in Jozini three were led by women councillors, while the remaining three were led by men councillors. Contrary to this finding, out of three that were found in Ubuhlebezwe, two were led by women; however, one was left to a male councillor. Similarly, in both municipalities committees that are empowered to make business decisions on financial and human resource matters were led by mayors, who were both women. Surprisingly, even though women led these committees, they did not prioritise gender issues, even though such activities fall within their portfolios. Htun (2004: 173) reminds us that ‘women’s presence in decision-making is no guarantee of liberal policy. Not all women are liberals’. Most noticeable women were minimally distributed in other committees such as infrastructure, housing, water and sanitation and so forth, due to their low proportion in municipal councils. The low proportion of women in municipal chambers, however, leaves a space of dominance for male councillors, even in portfolio committees led by women councillors. Quite clearly, decisions made from these portfolio committees do not have to serve either political party interests or ward councillors’ interests; rather they should contribute to an overall vision of the municipality.

It was established using interview data that discussions by councillors from these portfolio committees contribute to IDP processes. In essence, this partly shows the overall representation of women in local government decision-making processes. The council structure contains a built-in bias towards the centralist form of party politics, which seems to render a virtual absence of women from all decision-making fora, despite there being women chairs of some portfolio committees.

6.4.3 Political Parties’ Caucuses in Municipal Chambers and Women’s Participation

Some of the institutional channels are not working for women as a group when they are in municipal chambers. The post-1994 participatory institutional channels have unwittingly created
new spaces in which political parties use party caucuses in local governance to actively subordinate local politicians for increasing the hegemony of political parties. In general, the local governance structure empowers party caucuses to impose party positions over municipal council decisions. Political party caucusing takes place regularly and is always oriented to developing common positions ahead of upcoming council meetings, which undercuts the ability of women to articulate their interests against the official position of the party leadership. In essence, the party caucuses is a space in which political ideas in favour of the party are constructed by party representatives within the council, but strongly directed by the broader ideology of the party.

Empirical evidence from archival material shows that in December 1997, two years after the first democratic local government elections were held, the ANC took a resolution of strengthening political power at local government level through branches (see Chapter 4). They emphasised that caucus positions have to be informed by party policy guidelines and have to be secured through the relevant constitutional structure of the party. Hassim (2006) has argued that the ANC developed strong centralised structures in exile that facilitated the reform processes and later became deeply entrenched in democratic institutions. Low et al. (2007: 250) revealed that the ANC councillors maintained that in their caucus if they fail to agree on the issue, the matter should be referred to more senior leadership in the ANC. Similarly, the IFP favours that party positions be taken prior to the council meetings. Thus, the space constructed within the caucuses does not always favour either women or municipal councils, and runs counter to notions of generic public accountability.

According to Geisler (2004: 173), women entered government in the context of clearly defined rules and expectations set by men. Some councillors interviewed noted that women are allowed to raise their positions in caucuses, but their views should be in line with party ideology and the manifesto of their party. The practice of concentrating on caucus positions was viewed by other councillors as subverting them from using their powers outlined in municipal laws in relation to their positions in municipal governance. For example, it is decided in caucuses who will present and second a motion. The democratic opening allowed men to exploit the heterogeneity of women in politics. This claim does not qualify that caucuses are exclusively women’s problem; rather it argues that the presence of women in politics is different from that of men and their demands for representation are a form of group-based claim (Hart, 1991). The democratic opening allowed men to exploit the heterogeneity of women in politics. As Walsh and Scully (2006: 7) observe, ‘although democratic polities invite all citizens to be engaged in public life, women (and especially feminists) often find their reins of power remain firmly in the hands of
others’. It appears that the hierarchical marginalisation of women through multiple complex and contradictory spaces persists in the post-1994 era, rooted in the political history of the country.

On the one hand, caucuses have left women councillors dependent on political party positions, a dependency that restricted their strategies to ‘endless negotiation and lobbying’ and individual struggles for survival in advancing their political careers. The process arrests independent voices, reduces dialogue in municipal council chambers, and contributes to status gaps. Women have to concentrate on defending ideological party interests, to their exclusion and that of other subordinate groups. Some analysts such as Hassim (2006) have argued that political parties as an institution have not been comfortable homes for women, because of compromised internal democracy. On the other hand, some councillors expressed the view that there are influential positions in municipal governance (such as being a mayor or a speaker), but these do not allow the office holder to forge policy outside the caucus. One male speaker interviewed even argued that if there are low-performing councillors within municipal chambers, no actions could be taken until the political party gives a mandate to act.99

In both municipalities 2009 IDP reviews show that gender issues were on the margins due to budgetary constraints and a lack of effective agency to force their higher authority. As Geisler (2004: 174) remarks, ‘parties have not appreciated their female members setting their own agenda particularly when it clashes with party lines, and gender has never been a favourable subject of party whips’. This resounds with Kothari’s (2001: 147) observation that a purification of space can be built by the exclusion or rejection of certain people and certain forms of knowledge. The next section analyses public participation structures in local politics, not least because there is a dearth of feminist theoretical literature about the experience of women in public participation structures established in the decentralised local government system after 2000, because of the influence of critical mass theory. Literature on women in local politics is scanty and unduly influenced by the descriptive representation agenda, with little attention on the interplay and multiplicity of structures in local politics and on how women have accessed new spaces. In short, the problematic of government has not been analysed in terms of political rationalities and governmental technologies.

99 Interview, Aoo33: 19 June 2009.
6.5 PUBLIC PARTICIPATION STRUCTURES

This section uses the concept of power to explore the dilemma of decentralisation of women’s political participation and representation in local politics. The post-apartheid local government has made legislative provisions under which one can assess how municipalities have interpreted the way in which they intend to work with citizens within their respective boundaries. This thesis is interested in the way legal traditions were interpreted and the effect this had on the quality of democracy that evolved in both municipalities; the distinctive forms of democratic representation, communication and accountability that emerged locally; and how these newly developed institutional arenas affected the influence of women in local politics. The section focuses on ward committees because they were recommended by the ANC-led government to be ‘instruments of participatory democracy’ and to serve as a representative body in municipal government (Cameron, 2005: 335).

This section presents how ward committees were established according to municipal laws. The purpose is to show how the concept of political space, which has become the discourse of the new system of local government, is a contradictory notion when applied to the participation and representation of women in local politics. There are tensions in the ward system, as it proves to be inefficient as a tool for women to advance their political careers. The adoption of the ward committee system and its practices challenges the electoral system that was chosen in South Africa in an attempt to ensure women’s participation in politics. I have argued in Chapter 4 that the electoral system served as a political technology to guarantee the participation of the white minority; it was not rooted in increasing women’s political participation and representation. As a result, it has provoked and facilitated the centralisation of political power in the hands of political parties, which in turn largely undermine women’s empowerment. The central argument in this section is that there are forces of informal or patriarchal institutional factors which are disempowering women in local politics.

6.5.1 The Continued Political Marginalisation of Women

The post-2000 local government system, through the notion of ‘developmental local government’, adopted a committee system to guide local government activities. As described above, KwaZulu-Natal adopted the ‘executive committee system’ alongside a ‘ward participatory system’. According to Cameron (2003) the ANC was in favour of this political rationality (ward
committees) as it was seen as the best structure for public participation in South Africa. The ward committee system is applicable in metropolitan municipalities and local councils but not in district municipalities. In the present system of local government there are two kinds of local government councillors, namely ward councillors and PR councillors, which contribute to multiple forms of legitimacy. There are also two electoral systems that operate in the local decentralised system: the ward-based system and PR as discussed in section 6.2 as well as in Chapters 2 and 4.

In theory, the mixed system allows for half of the councillors to be elected on a constituency basis as representatives of wards, where these representatives are not only voted for by members of their political parties but also by community members living within that ward. Other councillors are elected using the system of PR, where seats are allocated to parties proportionally according to the votes they receive. As I will discuss later in this chapter, the practice of this system has implications on institutional participatory channels as well as on women’s presence in local politics. There are three separate votes recorded on the ballot, especially in category B municipalities: one for a person to be councillor of their ward, the second for a party without reference to the individuals who might become councillors, and third and lastly for a political party to represent local councils to district municipalities.

6.5.2 Political Deployment and the Balance of Power

In practice, the existing local government system has overloaded ward councillors in South Africa. Chapter 5 has shown that the institutional innovation of local government has not gone beyond a part-time organisational form. On the one hand, ward councillors have extended responsibilities of representation and interaction with a number of actors for implementing a variety of local government policies. It was established that some of the ward councillors are employed full-time, but most of their counterparts, the PR councillors, are employed part-time in the local decentralised system. Some PR councillors are not working and mostly tend to be women, as shown in Chapter 4 (see Tables 4.2 and 5.10-5.11). In Jozini Municipality, for example, no councillors were found to be full-time, including the mayor. Contrary to that, in Ubuhlebezwe Municipality it was found that there were only two full-time in the system, the mayor and one member of EXCO. On the other hand, to reduce the burden of most ward councillors, PR councillors are deployed to wards in order to occupy the space for ward
councillors who are said to be full-time in other workplaces. Most of these deployed PR councillors are women, but there are also a limited number of men.

Local councillors interviewed from main parties within these municipalities underlined the problem of being deployed in more than one ward, which would either be led by their party or by another party. This confirmed that their role in wards that are not led by their political parties is to fill a vacuum in the political space. However, when deployed to wards led by their parties, it would be to play a monitoring role as well as to develop a political linkage between the community and the political party. The workload of ward councillors and PR councillors is thus made up of local government business, some in their full-time employment, and work within their political parties.

There are several challenges associated with the political deployment of PR councillors. On the one hand, the intention is to reduce workload and link the party to communities, but they do not have legitimacy on development activities. It appears that in practice the current system of local government assigns the development mandate to ward councillors. One local politician interviewed confirmed her frustration with the deployment system as largely contributing to an information gap, implying that when the municipality allocates development projects, consideration is given to the views of ward councillors as they represent the whole ward. Ward councillors then construct boundaries in relation to deployed PR councillors, under which the latter would not be invited to the project launch. Therefore, PR councillors are distanced from project implementation and from community members in service delivery, which contributes to a negative status gap for women.

It was apparent that most work in the new local government system is done by ward committees to reduce workload to ward councillors. On the other hand, ward councillors have access to power and authority in local politics, which contributes to latent conflict among democratically elected representatives. The practice of the local system leaves PR councillors vulnerable to both communities and to male-dominated political parties. Also, the authority enjoyed by ward councillors can be divisive, and is likely to make positive social change difficult.

The national results in Chapter 4 show that the critical mass of women councillors is elected through PR. The material from studied municipalities confirms the minimal representation of women as ward councillors, as shown in Chapter 4 as well as in Chapter 5. The political system,

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100 Interview Aoo27, 29 June 2009.
as formally constituted, favours ward councillors to deploy technologies of government, and the majority of these are men. They are the only recognised locally elected politicians to represent the views of communities in municipal councils in South Africa, giving them a special status and level of responsibility. It is around the formation of ward committees that local power relations are exclusionary to women, who form the majority of PR councillors. The subsequent section discusses these relative power bases.

6.5.3 Ward Committees

Ward councillors form ward committees in their respective wards and automatically become chairpersons of these committees, charged with enhancing participatory democracy in local government under Sections 72-78 of the MSA 117 of 1998. The interpretation of these legislation sections illustrates the centrality of public participation in the composition of ward committees, and requires both the municipality and ward councillors, while not excluding other community structures. Up until July 2005 ward committees did not exist in Ubuhlebezwe Municipality; through council resolution 056/05 it was approved that the national guideline should be put into practice, through establishment of 12 ward committees in order to facilitate the process of public participation. Similarly, a policy was approved for establishment of ward committees in Jozini. The national legislation encouraged up to 10 members of the local community to form a ward committee, but ‘street level bureaucrats’ in Ubuhlebezwe translated this and recommended from 10 to 13 members, justified by the diversity of interests and vastness of wards. However, the existing institutions of power were not rejected, as in both municipalities’ policy was very clear that the new structures would work with traditional structures as an integral part of the ward committees. Thus, the process was influenced by the national hegemonic discourse, as well as a historic compromise with sites of local power. For example, in Jozini Municipality the unity discourse justified inclusion of traditional structures even before the establishment of the wards. In this regard the local political dynamics of history, as already discussed in Chapter 3, and the concern to retain existing centres of power enforced accommodation of elite structures through undemocratic means, even though this decision contradicted the advancement of gender equality.

Most importantly, in order to avoid the establishment process becoming a site of sectarian turf battles, Jozini Municipality identified certain institutional channels for establishment of ward committees. Firstly, ward councillors were given leverage to purify the political space by
identifying reputable interest groups that had a proper constitution and were committed to working for their communities. This invited participation was supposed to avoid continuous changes of membership in the ward committee, while ensuring that it would serve the interests of the community as a whole. Rose and Miller (1992) pointed out that when the government is influenced by the liberal discourse, the fostering of the self-organising capacities of civil society is understood as a government obligation. Secondly, the municipal speaker together with the ward councillors was empowered to select 10 interest groups, which would later form a ward committee, after a discussion with the municipal council. Research by Benit-Gbaffou (2008: 5) in Johannesburg City Council reached a different conclusion about the formation of ward committees, revealing that they were formed through calling civic movements, residents’ associations and willing individuals to work with a councillor. However, in Jozini Municipality the ward councillor and speaker were placed in a powerful position by the policy, and could select from interest groups those that would fit the needs of the municipality. As Rose and Miller (1992) note, in such invitation processes the task of shaping and nurturing the civil society that is intended to hold government accountable is undertaken by the very same government.

In the process of selecting interest groups, ward councillors were discouraged from selecting those supporting their political parties, and the policy was clear about the participation of women and consideration of ‘diverse interests’. In this case diverse interests meant those constructed constituencies which were already ‘known’ to municipal departments and established municipal portfolio committees. This means that women had to struggle to be part of ward committees, at the same time as certain sectoral representations were automatically included, since they were in line with municipal strategic interests as outlined in the IDP.

Pierson (2004: 163) argues that political organisations at times pursue their goals through ‘venues’, which are constituted by different institutional settings. In this regard the municipality structured opportunities for different political actors to be contained within ward committees. In the absence of interest groups, ward councillors with the support of the speaker were given the right to call a public meeting for a ward where ward committee members could be elected by popular vote. The number was still restricted to 10 members, while also reserving a space for a representative from a traditional structure. This was to avoid any disproportionate influence by traditional leaders on the composition of ward committees - as Piper and Deacon (2008: 72) nonetheless found happening in Vulindlela rural areas in KwaZulu-Natal.
There was a centralisation of power to municipal structures. Quite clearly, in the Jozini Municipality the speaker could establish the ward committee with the ward councillor, while excluding the PR councillors in the process, the latter being largely women. Ward councillors from opposition parties had to suspend their ideological differences and work with the speaker for the establishment of ward committees. Pierson (2004: 79) observes that ‘actors who are disadvantaged in one institutional venue often have strong incentives to pursue [a] shift in political activity to alternative venues, if the relationships among institutions make it possible’. The municipal council has power to restrict interest groups which could not make any contribution to the municipal council’s core business areas, such as in local economic development, infrastructure and so forth, as noted above. That is not all; it also restricted PR councillors to party political activities ‘not to be allowed to interfere with the functioning of ward committee’. Thus, the political fields were structured differently, presenting different constraints and opportunities for women and other political actors.

Since both PR and ward councillors’ terms of office are restricted to five-year terms, they must work with an already established ward committee, particularly since the allegiance of ward committees could not change if a ward councillor vacates her or his seat. From an institutional development viewpoint it appears that these municipalities prevent the destruction of ‘asset specificity’ in ward committees in their areas of jurisdiction (Pierson, 2004: 147). As Pierson (2004: 149) observes, politicians and political organisations develop site-specific assets in travelling and talking with geographically concentrated voters, and the development of expertise and reputations associated with particular issues that are important largely within a specific geographic area. Accordingly, ruling political parties in these municipalities are involved in a project of defining the territory of rule in order to administer the lives and activities of those found within the territory.

Municipalities further provide ward committee members with prepackaged training in order to shape their conduct and aspirations, and to protect the reputation of the municipality. However, the time frame for ward committees and their engagement with municipal activities gives a wide scope for members to extensively invest in specific human assets of value to the municipality. Piper and Deacon (2008: 74) in their study on ward committees revealed that those who bring their own specific human assets find it difficult to accept some of the municipal council’s

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101 Asset specificity refers to a situation where actors are likely to become more committed to the continuation of activity where those assets are applied (see Pierson, 2004: 147-149). There are three types of asset specificity: site specificity, physical specificity and human specificity.
governance technologies, such as capacity building programmes. As shown in Chapter 5, there is a bloc of newcomers emerging from ward committees through policies informed by the discourse of gender mainstreaming, in part as a result of the municipalities’ commitment to providing them with specific human assets. Thus, ward committee members were reimbursed in accordance with the municipal councils’ subsistence and travelling policies.102

Ward committees have leverage over the revision of IDPs prior to their adoption to municipal council as well as influence over their implementation at community level. However, PR councillors can intervene on the IDP only during council meetings. Not only are they restricted from ward committee decision making and in their input on expenditure, they are also restricted in access to information. The clear distinction between the political party and municipal structure certainly contributes to PR councillors being disempowered, as do the ward committee establishment procedures.

Moreover, the ward committee system, which was designed to increase the level of public participation in municipal governance, has instead opened an undesirable status gap through the ambiguous demarcation of authority between PR and ward councillors. In reality women dominate as PR councillors, and are thus disempowered in the local decentralised system. Basically, they operate in a complex institutional environment that promotes an everyday reproduction of structures of patriarchy in different institutional arenas, in both government and communities. This thesis will argue in Chapter 7 that the problem of the contradictory position of women is also embedded and wrought in these political rationalities and governmental technologies of ‘reform’.

6.5.4 Are Ward Committees Party Politicised?

According to Pierson (2004: 109) institutions are not produced because a single function motivates designers. Archival material shows that the municipal laws from the national government did not aim to establish partisan structures in the form of ward committees, but rather to build constructive relations between municipal council and the local community (see Ministerial Notices 2649 of 2003 and 965 of 2005). The purpose was to introduce major changes in power and information distribution inherited from the apartheid regime. ANC MP and former

chairperson of the Portfolio Committee on Local Government (currently Deputy Minister of Co-operative Governance and Traditional Affairs), Yunus Carrim (2001: 5) argues that ‘the ward committee should be used to mobilise the broadest range of interests in community behind progressive goals as part of the overall national democratic transition’. As discussed above, ward committees were designed as an ‘official municipal participatory structure’ to protect the image of municipal councils by serving as formal but unbiased communication channels. However, Benit-Gbaffou (2008: 28) argues that the ward committee system consolidates political parties’ influence on local democracy. This research shows that ward committees enable a contradictory political space for women.

However, local power struggles and inter- and intra-party competition impacts directly on ward committees. This study has found that several municipal councils do not have uniform policy directives and this contributed to party competition. For example, several ANC ward councillors interviewed at Ubuhlebezwe Municipality argued that it remained crucial to work with people from your own political organisation in ward committees, whatever their general representative function, in order to form a cabinet-type structure that would not be distanced either from the political branch or the municipality.103 This was both to demobilise political competitors, while containing factions from alliance partners. Atkinson (2002: 19) confirms this, observing that some councillors use ward committees as a source of political patronage, and exclude key spatial, economic and racial communities. Carrim (2001: 6) argues that ‘for ward committees to work we need to have strong ANC branch and other structures, in turn, strong ward committees must be used to strengthen ANC branch and other structures’. By December 2002 it was argued at the ANC National Conference that branches should take and perform all functions of ward committees for the purpose of building the political party. Carrim’s conviction and the ANC resolution illustrate the ANC’s political preference for controlling structures that might have leverage in local politics.

Atkinson (2002) argues that well-managed ward committees and political parties can benefit from each other. Piper and Deacon (2008: 79) state that a close relationship between political parties and ward committees might well be good for the mobilising role of ward committees, especially where community and party interests coincide. However, it also underlines that the making of these structures was embedded in a historical hegemonic project that produced and reproduced inequalities and domination in local politics.

103 Interview, Aoo30, 18 June 2009.
Many municipalities thus appear to have attempted their solutions to depoliticise ward committees in South Africa. This can be further illustrated using the examples of Jozini and Ubuhlebezwe Municipalities. In each of these cases diverse solutions have been found, due to the fact that these municipalities were led by different political parties with different ideological discourses. For example, the ANC-led municipality discourages discrimination on the ground of race, culture, sexual orientation, disability and so forth in the functioning of ward committees, seeing these as destructive to the overall project of nation-building [as first espoused by Nelson Mandela]. The ANC has also advocated that ward committees should promote co-operation between ward councillors and PR councillors. Meanwhile, in the IFP-dominated Jozini Municipality, PR councillors were told that they do not have to intervene with ward committees’ responsibilities, but could use an institutional channel such as the municipal council meeting, where they felt the need to express strong reservations. However, as we saw above, space here was in turn constrained by the workings of caucuses.

6.6 CONCLUSION

This chapter has analysed governance structures at local government level that are available for women to participate in. The chapter has found that political history and territorial interests contributed to the model chosen for the internal functioning of municipalities in KwaZulu-Natal. Local government requires interpretation of national policies in order to manage multiple networks that connect to the lives of individuals and groups, and translation of political capital here to the aspirations of authorities in the pursuit of a neoliberal agenda. Inside the two municipal councils studied in this research it was found that women do lead internal committees known as portfolio committees, but differ on political party lines in taking women’s position, as they could not manage to unite in caucuses. Despite women’s presence in internal committees, it was evidence that those who sit as PR councillors outside the municipality are excluded from direct interaction with communities through certain techniques of rule, which are gendered. In short, patronage-based resources are still controlled by ward councillors, the majority of whom are men (see Tables 4.2 and 5.10-5.11).

This chapter has found that the power to establish public participation structures is centralised in the IFP-run municipality. Similarly, it has found that there is a centralisation of power into party structures in the ANC-led municipality. This chapter has revealed two implications for the
centralisation of power in municipal structures. Firstly, while the intention was to prevent the domination of the ANC at municipal level, the limited powers of ward councillors consign them to the bureaucratic field. Even where the ANC governs, it limited ward councillors’ powers to political party structures, thus fragmenting local power structures and providing little space for constructive opposition, while undermining the political careers of women. These limitations also exclude parties which are not dominating municipal structures, let alone parties with no space at the EXCO and without ward councillors, who cannot then interact with communities through the municipal agenda.

Secondly, the establishment of other layers of municipal structures such as ward committees limits PR councillors in municipal and development activities and, as demonstrated, means that women councillors are always outnumbered by their male counterparts. The silence of the legal framework about the relationship between PR and ward councillors disadvantaged the former and advantaged ward committee structures. Thus, women’s political space is still relatively thin, a fact that challenges the efficacy of critical mass theory and the gender quota mechanism as the principal theory and practice of increasing women’s representation.

It was also shown that municipalities have sponsored arenas for community participation from above in order to meet their legislative mandate. Ward committee structures are a powerless institution by design, and existing empirical evidence suggests that ward councillors access more information than PR councillors as they operate on a clear institutional channel, but with no power. It was also revealed that the conservative nature of local politics pushes women representatives into male-dominated structures for accountability, rather than out to communities where they could build trust. PR women councillors, under these circumstances, are left with the burden of finding a place where they can articulate their views. This problem is rooted in the municipal structure and in the electoral and party systems.

It has been revealed that women representatives do participate in local power structures, but that the local state established in the era of democratisation and decentralisation - and the process of constituting ward committees – drew on local political capital from the apartheid regime, and shares a distinct centralising tendency with these older structures of governance. Meanwhile, the modern practices of civil society working in invited spaces seem to be questionable in terms of their ability to represent the views of local communities, or further women’s agendas in particular. Thus far the empirical evidence gathered in KwaZulu-Natal from different municipalities and dominant political parties has shown a strong structural proclivity for
women’s exclusion in favour of traditional sites of male power, even where new representational mandates for formal women’s inclusion have been won. The next chapter reflects on the advantages of using an institutionalist approach combined with the insights of critical theory in explaining the influence of women in contemporary politics.
CHAPTER 7: CONCLUSIONS AND FUTURE RESEARCH AGENDAS

7.1 INTRODUCTION

This thesis investigated the extent to which local government reforms, designed to empower women in local politics have actually done so, given the context, constraints and contested discourses in the historical meaning of ‘women’, as well as the history of institution making in South Africa. The thesis has focused on the agency of the government, political parties and traditional authorities, as well as the linkages between them, and in particular, how they have been able to contribute to the opening and closing of spaces for women’s political representation and empowerment in local politics, in the context of institutional reforms and democratisation processes in the post-apartheid era. On the one hand, the gender sensitive construction of a new democratic system and institutions over an authoritarian past has been central to our understanding, not only to the survival of historical political actors, but also to the continued amplification of the gendered social order and the marginalisation of women. On the other hand, the thesis has demonstrated that the convergence of historical political factors and contemporary politics help reinforce the existing power relations and exacerbating forms of exclusion for women. This was due to the manner in which the transition was negotiated locally, and the particular role played by traditional authorities, and the weakness of the post-apartheid local state in the context of a wider neo-liberal order. The diversity of actors and hegemonic strategies has contributed to the shifting of decision-making power from the local government through informal means to the consolidation of alliances between local political elites. Often this has resulted in the exclusion of certain groups of elected representatives, and the occlusion of gender issues.

This thesis has contributed to policy-related debates about the participation of women in processes of participatory local governance and the negotiated formation of the local state in the post-apartheid era. Since the early 1990s, academic debate about participatory development and women’s political representation have had a tendency to focus on national level politics, while neglecting, and rendering less visible, the participation of women at the local government level. Studies that contributed to scholarly debate and development policy agendas sought to relocate the participation and representation of women within critical grand theory, including notions of citizenship, rights and democratic governance, and neglected issues of power and politics. By using concepts of political space, this study contributed to the debate around integrating
historical political analysis, institutions, power, governmentality and hegemony to our understanding of women’s representation to pre-existing scholarship in international development. The conceptual framework was informed by these perspectives; which captured the challenges of women’s political agency in local politics in the post-apartheid state. The key question that the study has addressed is: how does the history of institution making in South Africa influence women’s participation and influence in local politics in KwaZulu-Natal in contemporary politics? The answer is difficult, depending on the level of government, the nature of the political space, and the depth of agency assigned to historical legacy in the theoretical narrative.

The study consists of two parts – historical background and field study. Chapter 1 provides the historical context and theoretical framework; in other words, the justification and the importance of this thesis. The chapter also outlines the aim and objectives of the thesis, and list research questions, as well as the methodology adopted in this thesis to address the research questions. This chapter provides a clear statement on why and how the research methods chosen channel the responses to the research questions. Chapter 2 provides the historical material in order to establish a clearer timeline and historical narrative for the thesis. It would have been impossible to understand the dynamics and political developments on the role and presence of women in South African politics, as well as their challenges in the post-apartheid era without the historical narrative. The chapter tackles the history of institution building of the modern state in order to show how the previous government systems operated and why these have changed. The transition literature was used to connect the rationalities of rule of the 1920s that facilitated political engineering and bureaucratic authoritarianism, and how their persistence during negotiation processes in the late 1980s contradicted the position of women’s participation and representation in politics in the post-apartheid era.

Chapters 3 to 6 present the empirical core of the study with particular attention to democratisation and decentralisation, which formed the main object being to investigate the participation of women in local politics, considering that local government was the last to be reformed according to the post-apartheid constitutional framework. Chapter 3 analyses the influence of technologies of government in opening up political spaces for women in the institution of traditional leadership, but also rendering meaningless channels, which left women with little power to influence the gendered political order and gendered experience of democratisation and decentralisation. Chapter 4 explores electoral reform to explain the relationship between political parties’ and government and associated discourses, which
influenced the participation and representation of women in local politics. This chapter was derived from the secondary literature, grey literature and primary government documents collected in the field and analysed by the author for the purposes of this research. Chapter 5 examines different voices of women, which were born from the infusion of government into many aspects of social life, and contains comments and recollections directly collected by the author in field interviews with key informants. In the light of these voices, the chapter explores the relationship between formal and informal institutions, and how women personally negotiated the political spaces that presented themselves, and how they were pressured to open up contingent ones. Chapter 6 examines the relationship in the political spaces produced for women’s participation and representation, as well as structures within the context of historical rationalities of rule. The linkage between the three principal agencies (government, political parties and traditional authorities) were discussed, as each played a role in the policy subsystem in framing the new system of local government and institutions. The institutional arrangements did not favour women’s political participation and representation.

This chapter concludes the study by drawing from the empirical findings. The role of historical legacy in contemporary politics is a complex interaction between women’s political agency and the opportunity structure in which it is embedded. The next section explores the nature of this conditioned pathway, and the challenges it presents to participation and representation of women in local governance. Finally, the chapter concludes with some implications of the research findings for the role of women’s political agency in local politics and as individuals in their political careers, and make recommendations for future research, based on the current state of knowledge in the area.

7.2 PATH OF WOMEN TO FORMAL POLITICS

The orthodox political science literature on democratisation, which takes the form of a contest between mainstream (mainly liberal) and radical (mainly Marxist) scholars, drew attention to the adoption of integrative approach to analyse the democratic transition in order to explore women’s representation in transition politics. The integrative approach or contingency choice theory, in the words of Karl (1990) relates to structural constraints and actors’ choices. According to her, the democratisation process can be examined well by combining an agency of elite actions and structural and institutional constraints, which determine the scope of options
available to decision makers. Snyder and Mahoney (1999) argue that studies of democratisation have been less concerned with political institutions such as electoral laws, constitutional rules, and party systems than with socioeconomic structures and contingent elite choices. They also argue that institutional variables can help bridge the structuralist and voluntarist extremes, which have dominated works on democratisation. According to them, old regime institutions, as well as socioeconomic structural forces, have an important impact on the capacities and behaviours of incumbents. The contributions of these scholars assisted in providing a framework for an in-depth historical retrospective of South Africa. This provided an understanding of the main driving and inhibiting factors of women’s representation and the emergence of women’s political agency during the negotiation processes.

The historical context describes how the political space that conditioned women was historically produced, contested and later shaped to contribute to women’s contradictory legacy in politics, using the hypothesis proposed by Beetham (1994: 163), that the mode of transition affects its subsequent consolidation. The historical context engages specifically with his question: how the transition process is initiated or its particular sequence of development, how broad and deep does it run, how inclusive or exclusive is it, who comes to ‘own’ the transition process? We saw how contests within the transition period conditioned an outcome, which partially disempowered women relative to men and traditional sources of authority in particular.

The negotiation process was investigated using a broader definition of politics in order to specifically discover how women’s agency was shaped in the transition process. Some post-structural observers such as Squires (1999) argue that the concentration on formal political participation alone have a tendency to reproduce masculine assumptions that have worked to erase the significance of women’s informal participation. Existing evidence gathered in Chapters 2 and 5, by adopting the broader definition of politics, shows that women have been historical political actors against the apartheid state, and were later critical in the construction of the post-apartheid state. Even so, the findings discussed and evidence gathered in Chapter 2 show that the involvement of women was problematic and contradictory as the power struggle was waged in multiple institutional sites during the negotiation of a post-apartheid state. While they were at the forefront of the struggle they were also subject to deeper historical legacies and institutional influences, which critically limited their power.

More specifically, by exploring the transition process, the evidence gathered reveal that it was women’s exclusion from pact-making, which explains how their agency was restricted to a
procedural focus (women’s exclusion from negotiations). The evidence gathered conditionally concurs with Baldez’s (2003: 255) systematic comparison of factors critical to the mobilisation of women in democratic transitions -- organisational networks, direct contact with international feminism, and exclusion from the processes of decision-making within the opposition. Moreover, women who ‘created spaces’ during the negotiation process were from several historic blocs – there were those who are from exile, those who joined the struggle nationally, and from different party agencies (Hassim, 2003). Women as a group; their shared experience of oppression utilised their fear of exclusion from the transition and their uncertainties about the future to form the WNC as a political power base for women’s political agency outside elite structures in order to put more pressure on the political parties to respond to women’s constituencies during negotiations. The transition was crucial for constitutional making, and for addressing the history of gender subordination in both the private and public sphere.

Baldez’s (2003) last factor is problematic in the context of the present research. This thesis revealed that during the beginning of the transition period women were excluded from all negotiations (even women from the opposition were excluded). Such processes therefore, did not favour women. The institutions, which were initially mandated to facilitate the political transformation, enhanced the exclusion of women from early negotiations, even though they were part of the delegation of foundation pacts, while legitimatising the positions of the political elites in the process. The South African case about the exclusion of women confirms Cooke and Kothari’s (2001) insights that one can be a participant on the one hand, and ultimately be excluded through practices and the exercise of power on the other. The challenge for women in both the regime and opposition forces was that they did not occupy top positions in these structures – party agency and government; rather they occupied lower positions in these structures. Habib (1995: 61) acknowledges the tyranny of structures, stating that ‘structures generate contradictions and social tensions; which, under certain historical circumstances establishes a dynamic that enables human agencies to alter them, opening up new possibilities and limit to change’. Similarly, in support of Karl and Schmitter’s (1991: 281) insights, women’s exclusion in the decision-making institutions, following some initial foundation pacts was due to the fact that the very nature of foundation pacts restricts the scope of representation in order to reassure traditional dominant classes that their vital interests would be respected. The integrative

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104 I borrow this term ‘created spaces’ from Gaventa (2006: 27), meaning that such spaces are claimed by less powerful actors from or against the power holders.
approach and institutional approach provided a framework to understand how women’s representation was conditioned by the history of institution making.

The historical context analyses the transition process, suggesting that the new elite structures and institutions which kept emerging during the process of democratic transition forced women to organise collectively, while avoiding what Waylen (1994) described as a dilemma of ‘autonomy and integration’. As a group, women needed to have systematic input in the decision-making processes of the new spaces due to their realisation that formal procedures of engagement were necessary, but not sufficient conditions. The tensions emanating from political participation of women and their operation in the transition process are well described by Beckwith (2000) hypothesis of ‘double militancy’. According to her, double militancy refers to the location of women activists into political avenues, with participatory, collective identity, and ideological commitments. Moreover, this conception of ‘double militancy’ describes multiple locations of the role of women in the struggles when working with men in their identity group or nation to gain democracy and when working against the men within their identity or nation to challenge patriarchal control. Beckwith (2000: 443) notes that one implication of double militancy amongst others is that ‘feminist activists have to negotiate their feminism within non-feminist organisations that nonetheless provide resources, contacts, and scope for feminist activist goals’.

More importantly, women worked with male leadership during the height of the racialised rationality of rule using political technologies to advance different ideologies and discourses, and only later demanded the advancement of gender equality in party agencies. Some other analysts argue that when women’s groups find themselves having been excluded from critical decisions regarding the formation of the new polity through their shared experience, they transcend their substantive differences and seek commonalities of their subordination under patriarchy (Meintjes, 1998; Baldez, 2003). Historical evidence in South Africa confirms this proposition. The clearest example was when the ANC and the IFP were involved in political violence in the present day KwaZulu-Natal during the struggle for territory -- women’s minimal representation in negotiation structures of these forces and political conditions forced them to coalesce in the WNC in order to advance their political agenda. Indeed, women’s agency is, to some extent, driven by a combination of knowledge and raised awareness, a lack of decent living conditions

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105 According to Waylen (1994: 340) this means a situation where women movements come to be confronted with a choice of whether to work with the new institutions and parties and risk being co-opted and losing autonomy, or to remain outside and asserting their independence and risk marginalisation and loss of influence as power tends to be geared toward political parties.
and laborious patriarchal processes of mediation and building trust by making leverage on the
network society where trust tends to be founded.

The emergence of women as a unitary political constituency during South Africa’s transition
from apartheid to democracy has posed a challenge to social scientists using Huntington’s (1991)
model of transplacement to analyse transition politics. Accordingly, this model points to the
bargaining between leaders of dominant groups in government and the opposition forces, who
share the common knowledge that neither the dominant force nor the opposition force has the
power to determine the future alone (Jung & Shapiro, 1995). Gramsci (1971) describes this as
‘reciprocal siege’, where one side could not contain resistance, but that resistance was
insufficiently powerful to remove the incumbent government. This type of coalition and collision
with apartheid based power blocs was evident in South Africa, and reduced the political space
for women’s representation, but does not fully or accurately describe the whole of women’s
experience on this. In contrast, Marxist scholars argue that the mainstream transition literature
on elites leads scholars ‘to misunderstand the role of popular movements and struggle in the
origin, development, and outcome of actual transitions’ (Adler & Webster, 1995: 76). Thus, the
racialised technology of rule did allow women the space to mobilise and in the absence of
conventional politics allowed them to develop new ways of doing politics and achieve greater
visibility, which was later translated into influence over the outcome of the negotiation process.
Overall, Huntington’s model was not rooted in social change; rather on elitist perspective on
democracy, which in turn cannot help the analysis of the relationship between gender relations
and transitions.

Therefore, this thesis revealed, through women’s life histories that the use of a minimalist
definition of democracy and politics virtually excluded those activities in which women played a
role. Further, the role women played did have an ultimate effect on the formal institutions of
politics emerging from the struggle, and to a more limited extent on the policy emanating from
them. Thus, the orthodox work on democratisation cannot provide an adequate account of
women’s participation in the informal arenas of politics, or on the effect of this. Some critiques
of this model argue that it draws from the minimalist definition of democracy, which emphasises
procedural or formal institutions as democracy’s core feature. Therefore, this model draws
misleading conclusions because the trajectory towards democracy also involved autarchic social
forces working outside these institutions. This allowed for a continuing struggle, not least
because even the reformers and moderates were not fully grounded in democratic values. This
observation is validated by political space scholars, who argue that within the minimalist
conception of democracy the missing dimension is the attention given to local politics and its relationship to the political system as a whole (Engberg-Pedersen & Webster, 2002: 14). Contemporary scholars are encouraged not to leave women out when exploring the ways in which new democracies can be sustained and consolidated, as well as in re-examining the established theories that provided analysis of the third wave of democratisation. This thesis confirms the view that continuity with the orthodox cannot help the analysis of the relationship between gender relations and transitions. Instead, women’s political representation in local politics and the conditioning influence of institution making to women in contemporary politics are required, in order to provide a localised and proximate framework of analysis.

7.3 TERRITORIAL INTERESTS, POLITICAL PARTIES AND POWER

In order to interrogate proximate factors and the role of local agency in the construction of the post-apartheid state, Howlett and Ramesh’s (2003) classification of actors in the policy process was applied from Chapters 3 to 6. This study has shown that the institutional reforms appeared to have been pursuing diverse strategies at once -- aimed at ameliorating institutional collapse, to open institutional channels for participation and political representation, and to extend democratic institutions in rural areas. Drawing upon the ideas of Schönwälder (1997) on political perspectives on decentralisation, one may confirm these strategies, to decentralisation, on the one hand, means viewing decentralisation as the democratisation of the state, opening up channels for participation in the political system through administrative reforms, and new avenues for direct participation. Paying close attention to the wider political processes, the reforms themselves may be regarded as an outcome of the influence of different agencies. Therefore, the identification of political parties provided an opportunity to apply a ‘sequential theory of decentralisation’ in order to analyse the interactions among different government policies and the consequence of their timing and evolution in opening up political space for women’s participation, representation and influence. According to the proponent of the ‘sequential theory of decentralisation’, this theory can explain when and why decentralisation policies are likely to increase or to decrease the power of sub-nationals (Falleti, 2005). As the theory assists in understanding different types of decentralisation, territorial interests and sequences of reforms, in this study it was also used to understand how state policies influenced the restructuring of political parties. The political space concept of institutional channels was
discussed in tandem with this theory in order to examine electoral reform, and more especially, the attempt to build public participation in local governance.

The reforms were still part of the democratisation process, which intended to strengthen the political autonomy of the local government sphere in line with the 1996 Constitution in order to produce governable spaces. Likewise, there was no uniform political decentralisation policy prior to the 1996 Constitution as well as an enabling legislation to put decentralisation into practice. It emerged that the first local government elections in 1995/96 were informed by a combination of the apartheid and democratic regimes electoral norms and rules, which were informed by a discourse of racial harmony. Women’s political agency was constructed as an interest group in local government after several amendments of the LGTA of 1993. Similarly, in support of Piper and Deacon’s (2008) insights, local government was the last sphere to be reformed, due to the fact that it only underwent institutional reforms between 1994 and 2000. In the light of the diversities in the discourses of transition, it is important to argue that municipal democratisation might have preceded national democratisation in many parts of the country. However, the ANC prevented the initial locally-driven democratisation, which they claimed would be uneven, while the evidence suggested that they feared that their hegemonic agenda would be tainted.

By using the ‘sequential theory of decentralisation’ and political space concept, some interesting insights on how the history of institution making affects the influence of women in contemporary politics emerged. Distinguishing the process of democratisation from political decentralisation led to the discovery that political spaces were monopolised by political parties and traditional authorities, owing to their territorial interests and electoral calculations in the absence of state agencies in ‘brown areas’. In short, the state’s instrumental capacity was relatively weak with implications for women’s empowerment (see section 7.5). The fully-fledged modern local authorities in the rural areas came into effect in December 2000, following the completion of the policies for an ‘imagined’ uniform system of local government (see Chapter 6).

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106 I draw this concept from O’Donnell’s (1993) three typologies about emerging democracies. He used different colour-coding schemes to differentiate polities produced by transitions and the social reach of democratic rights, where he notes that there are “blue areas”, where the state enjoys a high social presence and public authority through effective bureaucracy and rule of law, “green areas”, where the state’s territorial penetration is high but its functional penetration is not, and “brown areas”, where the state’s presence is virtually nil on both indices.

107 I describe these policies imagined uniform system of local government, as I have shown in this study that these policies are interpreted differently by local authorities.
transformation because they shape processes of decentralisation in order to respond to political imperatives induced by the territorial structure of the state. Hopkin (2009: 182) further argues that political parties do change their organisational structures in response to institutional reforms but these changes are filtered by the established procedures, structures, and traditions of political parties themselves. The history of the bifurcation of the state into rural and urban with their divergent rules and legitimating discourses, elites and constituencies were central in the manner in which women were included in the political space.

In the context of reorganising the state, there was a monopolisation of political space by political parties due to their vested interests to decentralisation. This challenged women’s political agency, and later contributed to women operating in a complex political environment. It emerged from the evidence gathered from political parties under study that the over-reliance of women’s groups in their parties for party positions has limitations. As examined in Chapters 4 and 6, when political parties started to restructure along the lines of the territorial structure of the state, some parties such as the ANC did not have party quotas to facilitate the establishment of gender sensitive party structures until as late as December 2007. This was partly due to the fact that feminists focussed on candidate quotas during the initial phases of negotiation and consolidation of democracy, rather than party quotas, which in turn left local party structures dominated by men. In short, the spatial strategy of institutional design provided strategic opportunities for party-political manoeuvring, such that local party branches became sites for capture by political elites. This means political parties responded to new forms of territoriality by establishing political party structures in the newly defined structural boundaries. Existing evidence suggests that local structures are dominated by old elites such as teachers or school principals and local businessmen. The small number of women who are taking control of political parties’ branches as political recruiters later used them as conduits to access state resources, where they themselves become councillors, but with little power to represent women’s interests.

The IFP was not in support of gender quotas, but did consider the representation of women in local politics through centralising the candidate selection process (see Chapter 4). This empirical evidence supports the view that the original Inkatha of the 1920s (now IFP) was a project of the conservative black middle class with its strong constituency of chiefs, which was formed to protect the patriarchal ideologies through ethnic consciousness (Langner, 1983; Maré and Hamilton, 1987). In essence, the Inkatha movement of the 1920s represented the middle-class alliance, whose economic prospects were threatened by the segregationist policy of the colonial state. However, it is the controversial nature of the gender quota technique that divides forces
and reduces the support of women’s representation because ‘some conservative[s] oppose quotas because they strongly support the equality of opportunities, while others defend quotas owing to the fact that they believe that women and men are essentially different ... some progressive[s] oppose quotas out of fear that these essentialise gender differences, while others defend quota due to the fact that they favour equality of results’ (Krook, 2003: 22). Evidence here confirms Hassim’s contention (2003), that the institutional channels for the representation of women’s interests within political parties are weak, because of the confusion and failures of women’s wings in these parties to provide political leadership. In essence, there are difficulties in entering the invited participatory spaces linked to the plural nature of political historical change, because political leaders from the beginning of the transition sought political technologies ‘to institutionalise blue and brown areas of democratic expansion in order to secure their own political advantage and to shape the long-term political sensibilities of their supporters’ (Munro, 2001: 296).

This study found that there are two closely related contributing factors to the failure of women in political parties to provide leadership, which are also critical to consider when assessing the influence of women in contemporary politics. On the one hand, it has been observed that in the context of political historical change women in political parties developed on the basis of directed collective action, and power in local politics was constructed and extended through tribal lines as well as through wider associational institutions involved in everyday life. Harries (1993: 106) has shown that the Bantustan system produced local political parties, which employed myths and symbols that provided a self-imagery to a largely no literate population. Molyneux (1998) argued that under the institutionalised agency of directed collective action women serve as instruments for the realisation of the higher authority’s goals. In essence, the symbols masculinised the political arena, and influenced the directed collective action because the goal was to overthrow the apartheid regime. These symbols were also important for the protection of territory and institutional space; however, such histories were not challenged in the post-apartheid era, as they are still serving as a political resource for political elite. Molyneux (1998) further argues that in this ideal type women can gain greater autonomy provided they acquire more political resources and influence over political processes. This study noted that the IFP’s women’s wing, the IFPWB, is increasingly under the control of the office of the President and directed under broader ideas and policy programmes, despite the IFP’s commitment to support decentralisation.
Much later, women were mobilised through the decentralisation process, and decentralisation process increased women’s political power to an extent that they ended up forming structures in the branches. The literature review found that women’s activities are not easily sidelined and only confined to political party branches; rather the political party agenda of the older generation of women in the public office has been to maintain the horizontal relationship between them and the community. Moreover, the study has revealed that in the informal arenas there are older generation of women councillors with insufficient educational base, but with interest in a political career in local politics who seem to be able to sustain themselves through the implementation of welfare activities in order to develop a strong bond with the community under their respective municipal wards. Therefore, there is a relationship between women’s desire to assist local communities and the conversion of this into a more generalised willingness to command power through public office at a local level. Heller (2001), for instance, concludes that the increasing support of decentralisation by opposition forces is aimed at countering the ANC’s control of national government.

On the other hand, historical legacies and historic blocs are constantly troubled and dissembled through the process of struggle in contemporary South Africa, as participants seek and make new identities and fortunes. The history of institution making in other parts of the country, alongside the post-apartheid environment, has weakened solidarity amongst women. Some of this confounding of solidarity is found in the politics of the local government system. This study has revealed that in the formal political arena (such as in council meetings), there are fewer spaces for women to collaborate, owing to the fact that institutional rules are made in such a way that women’s representatives would pay allegiance to their political parties, and not to other feminists or even citizens. The proportional representation system is highly detrimental since it weakens the relationship between representatives and their constituencies, as from the onset voters choose parties and not candidates. In this case women become a social force that has to defend party caucus decisions or positions in councils, while being disempowered to defend women’s political gains from erosion. These practices illustrate the complexity of gender relations within the formal arena of politics: even though women participate in the new spaces and gain new opportunities for leadership and learning, these committees do not automatically translate to the representation of women’s interests. Instead, they advance the agendas of political parties and perpetrate the dominance of elites and clientelism that may favour individual women, and replicate patterns of class exclusion, but at the expense of the wider women’s interests. In support of Rose’s (1987) insights, the protection of existing hierarchies legitimates
any alternative forms of group solidarity even in the construction of democratic life. Cornwall (2003: 1330) argues that installing women on committees may be necessary to open up space for women’s voices, but is not sufficient due to the fact that it may simply serve as a legitimating device for perpetuating inequitable gender relations between women. Overall, there are multidimensional reasons that are deep-seated in conservatism, paternalism and patriarchy that affect women’s opportunities to influence decision-making.

7.4 TERRITORIAL INTERESTS AND INSTITUTIONAL DESIGN

The institutional design of local government makes a difference between the presence of women in politics, and a legitimate and substantial form of participation. For instance, the intersection of the political representation of women, the electoral system and the design of local government taken together with territorial interests produce different kinds of connections between the construction of democracy and citizenship, which in turn curtail women’s representation in local politics. As shown above, and as discussed in Chapter 4, electoral reforms influenced the structural arrangements of political parties, where they were reorganised in line with processes of both democratisation and decentralisation. The ‘mixed electoral system’, introduced in local government where there is a combination of constituency and proportional representation that applied to urban areas was extended to all municipalities with wards even in rural areas, and this provided the centralisation of administrative power to political parties in order to secure territorial power. Evidence gathered in Chapter 4 and 6 showed that despite the increase in the number of women in political office as councillors elected through proportional representation, women’s influence in politics did not necessarily increase. This is because there are hierarchies of knowledge and power, which set developmental boundaries for public representatives in local politics. The findings of the study, largely informed by interview data from councillors themselves, indicate that ward councillors elected in single member wards are legitimate actors and instrumental in practices associated with development activities in local government. However, the majority of them are men, and the distribution of development projects is attached to their positions. In essence, the main difference between the PR and ward councillors is that the latter is accorded fully-fledged powers of carrying out development activities. This means that the legitimacy of women as proportional councillors in the public sphere is reduced due the fact that they do not have any direct say on official development activities or the distribution of
resources and benefits to constituencies. In support of Robinson’s (1997: 382) study, history matters as to how much influence women enjoy in local politics, because the combination of ward and proportional representation was a result of a compromise forged during the transition period between rationality of rule to accommodate both the black majority interest in most cities, as well as the wealthier and more geographically dispersed white ratepayers. One may argue that the proportional representation system showed a constrained and unwillingness to devolve formal authority at a local government level by the ruling party and government. The system serves to build in ‘participatory exclusion’ within democratic processes, which challenges the sustainable political careers of women in local politics.

Accordingly, the Municipal Structures Act of 1998 and the Municipal Systems Act of 2000 gave institutional life to participatory local governance in the form of ward committees, as they work in favour of ward councillors. The majority of these are men. As examined in Chapter 6, in reality, ward councillors are responsible for ward committees, which in turn are representative structures with participatory role, but not a participatory forum for the public, because they are comprised of few people. They are formed in sectors. PR councillors confirmed that ward councillors exclude them in the process of establishing these committees. This thesis points to a slow development of policy of ward committees in municipalities, which in turn resulted in their late establishment in municipal wards. The research findings revealed that there is a slow implementation of policies for invited participatory spaces of governance in South Africa. Therefore, the institutional channels are contradictory for women in local governance -- on the one hand, they open spaces for inclusion in the public realms of decision-making, from which women were excluded, while placing restrictions within the different processes of local government functioning and in the implementation of strategies on the other hand. The design of the system reduces their opportunity to start up as incumbents and to use the resources of the office to promote their re-election (Goetz, 2003).

Moreover, the study found a contradiction in this hegemonic design of this multi-layered governance system of local government. There is a grave hazard in the system that accountability cannot be sited institutionally, but participatory exclusion was more in evidence. Accordingly, women constitute the majority of PR councillors such that they are excluded through the design of ward committees, which in turn have a duty to transfer their deliberations through ward councillor to the council. In essence, ward committees’ deliberations are irrelevant if a ward councillor is marginalised and incompetent. On the one hand, ward councillors’ posses the power due to the fact that they serve as a legitimate actor in development activities. When
combined with ward committees they become a strong voice to disempowered local politicians who are largely women. The study also notes, on the other hand, that due to the electoral system, local senior politicians dominate the party list, which in turn puts them in key positions such as municipal executive committees, where they remain with no ward committees but with a strong voice in the municipality through leading municipal committees known as Portfolio Committees. The rationale for maintaining this current practice includes the argument that if the EXCO can be dominated by ward councillors it could result in a situation where EXCO members could only allocate development projects to their own wards. On the overall, simply increasing the numbers of women in the local government system will not change the fact that women participate in institutions born of diverse interests that remain relatively weak. In support of Cornwall’s (2003) insights, increasing the number of women may serve instrumental goals, but will not necessarily address more fundamental issues of power.

7.5 COMPETING FORMS OF REPRESENTATION: THE POLITICS OF THE POST-APARTHEID STATE IN THE COUNTRYSIDE

There are competing forms of representation in rural local government system that strengthens the position of traditional authorities. A series of institutional reforms, a significant component of which included the recognition and protection of traditional authorities, facilitated the establishment of a political space that permitted political expediency on the part of prior power holders. Thus, newly created structures connected with existing institutions became significant in reproducing existing relations of exclusion for further marginalising groups such as women. The findings of the study revealed that women’s influence in the process of fostering democratisation and decentralisation was affected by the fact that competing forms of power and legitimacy between the state and traditional authorities took place within the context of the institutional weakness of the local state in rural areas. This appears to concur with Crais’s (2006) observations that the state was confronted with its own weakness in the former homelands, either in terms of sheer political will or institutional capacity, constituting ‘brown areas’, where the state is neither functionally nor territorially present (O’Donnell, 1993). In these brown areas the state’s ‘components of democratic legality and, hence, of publicness and citizenship, fade away at the frontiers of various regions and class, gender and ethnic relations’ (O’Donnell, 1993: 1361). The results here also confirm O’Donnell’s colour-coding, whereby the state is characterised by a ‘low-intensity of citizenship’ in ‘brown areas’. This tends to describe the inability of the state to reach
into rural areas, and reflects how women’s political representation and empowerment was thwarted by governmental inefficiencies.

The study has also attempted to shed some light on how institution making affects the influence of women in local politics within the development planning processes that were adopted by the post-apartheid state. The thesis explored processes of democratisation and decentralisation within the wider provincial dynamics of IFP’s political position, and its support for traditional authorities’ participation in local government structures (see Chapter 3). The findings indicate that there was a great deal of confusion on the ground, where municipalities were caught between service delivery agendas on the one hand, and traditional authorities re-asserting their power in rural spaces through the control of land on the other. The result was a male-dominated pact with traditional authorities. The study revealed that the rural local state found it difficult to come to terms with the indigenous patriarchal structures. This cannot be blamed on local officials alone, but should rather be seen as a result of the historical pact between the Zulu King and the state. This confirms the observations of new institutionalist writers that the creation of new institutions, procedures and rules are highly political acts, and where the structure and shape of the governing institutions might be guided by the interests of the parties negotiating the new dispensation (Thelen et al., 1992). In essence, the local power structures that have been established through the state framework are the main avenue for thwarting women’s empowerment.

The findings also indicate that the institution-building strategies of the post-apartheid regime that were shaped by constraints and opportunities confronted on the ground while extending democratic institutions in rural areas are historically embedded in the former regimes’ practices. Marks’s (1978: 175) understanding about Natal as a former British Colony is very relevant to the recent case on traditional authorities—since she argued that ‘the forces of colonialism were weak and had to come into terms with existing structures’. Similarly, traditional authorities were also co-opted in the post-apartheid era due to their initial opposition to the establishment of modern institutions in rural areas, which transformed into a creative negotiation with the process and ultimate benefit to themselves. Moreover, the alliance with the Zulu Royal Family in KwaZulu-Natal was concretised by the ANC-led government through the KwaZulu-Natal TLGFA of 2005, which marked the clearest evidence of the agreement between the ANC in April 1994 and the Royal Family. In terms of a broader theoretical consideration, the political developments that involved the Royal Family appears to be influenced by the Gramscian hegemonic discourse, where the Zulu Kings were seen as a political resource for collective mobilisation due to their
unique symbols for promoting unity (Marks, 1978; Cope, 1990; 1993; Mahoney, 2003). In the meanwhile, these symbols are important when both the local and national elite use them to bargain for a share of the political power at state level, and this in turn constrains women’s empowerment.

Serote et al. (2001: 169) argue that the major stumbling blocks in implementing gender-sensitive reforms have been the active nature of traditional leaders who were supported by the IFP. They criticised the government for the double agenda it has in KZN with regard to failing women in enjoying citizenship rights by protecting traditional leaders. They reiterated ‘government is reluctant to begin dismantling this institutional patriarchal system because of unstable politics in particular regions. The government continues to engage with traditionalism in the province of KwaZulu-Natal and gives credence to traditionalists because of the needs to gain political control’ (Serote et al., 2001: 170). The claiming of political space by traditional authorities was seen as one of the contributing factors for the ineffective participation of women. However, there are serious weaknesses with this analysis--its focus was on traditional patriarchy, which has more to do with traditional authorities than with modern patriarchy from political parties. These scholars draw their conclusion by reading the IFP - ANC clash, which became a complete misreading of the debate around the traditional leadership structures. This misreading resulted in the equating of the government with the ANC. On the other hand, these scholars completely ignored the history of institution making, the development planning technique and the conditions in the post-apartheid local state as well as the reality that the issue of traditional authorities did not differ from any other part of the country. Overall, the changing political context seems to have strengthened indirect rule, whilst also changing power relations in rural politics.

7.6 CONCLUDING REMARKS AND IMPLICATIONS FOR POLICY

This research highlights the need for an understanding of women’s political representation in local politics in the post-apartheid era that views the challenges of women’s political agency in light of the history of institution making that had provided diverse meanings to women. Contemporary political developments and international development discourses added layers of institutional conflict and contestation, which in turn called for the need for additional processes of boundaried negotiation during processes of democratisation and institution building in rural
areas. Therefore, the post-apartheid ‘developmental local state’ agenda is constituted in the context of complex political histories, and an already existing political landscape of power relations and conflicts. The concept of power has drawn the attention of the thesis into the interrogation of the participation of women in decision-making processes in municipal councils. This in turn has important implications for policy, suggesting that a dual approach to interventions is required, to simultaneously improve the sustainable political careers of women, as well as their decision-making power in local politics.

The challenge to those charged with improving the position of elected actors in the local government system is to look at how electoral politics expressed through the electoral system positions elected representatives differently, building different types of constituency. A successful development policy initiative that is aimed at strengthening women’s political participation and representation should build on the realities that the convergence of the electoral systems that operate in local government, particularly in the IDP strategy, select who is a ‘legitimate’ actor for development activities. In other words, the IDP works as a Foucauldian technology of power. This research emphasises the importance of dismantling the dual electoral system in local government, owing to the fact that it uses an official discourse that undermines women’s interests. As Chapters 2 and 4 have shown, the electoral system that was adopted in South Africa did not have a gender lens. Chapters 3 and 6 also showed how sustainable political careers and decision-making power require women to be positioned as ward councillors in the electoral process so that when opportunities for projects allocation come they should also be able to benefit or have something for their constituencies, rather than be part of the system, but still have no influence. With the contemporary policy, the environment influencing women’s political representation through proportional representation and closed party lists - ideas that are in accordance with national political transcripts, new forms of subordination are taking place at local level. The reality in contemporary local politics is that ward councillors as elected representatives (the majority of which are men) serve as transmitters and mediators of information between government and citizens. As PR elected councillors, women have a lesser degree of power, and the manner in which representation and participation are structured and facilitated affects their participation in terms of relative power.

Thus, the current institutional arrangements in local government facilitate men to dominate, using patronage politics and cultural clientelism. Meanwhile, the potential for women’s political mobility is dependent on the inner circle of elites in political parties. The dominant views about women’s political participation, supported by critical mass scholars leave unquestioned the
political environment in which women operate. In essence, the formal structures of inclusion and participation in the post-apartheid state are in question; although de jure frameworks enshrine the participation and representation of women in local governance -- local government laws, constitutional rights for participation and monitoring -- the de facto the facilitation of women’s participation and representation in decision-making process and structures is flawed.

The structural arrangements of local government opened a space for contestation as to who is to participate, on behalf of whom, on which issue, and through which organisational affiliation. The formal processes to membership or representation in different committees are restricted on the basis that it is the party in the national office, rather than the party on the ground or in the public office that has the final decision-making powers. This renders the issue of gender equality irrelevant as well as that of women’s interests, due to the fact that the emphasis is placed on accommodating diversity not in terms of gender equality, but in relation to political alliances or affiliation. Therefore, the new construction of local authorities as a key point of development has enabled other forms of power to have a strong influence on the allocation of positions, which in turn render even qualifications irrelevant in determining representation. Together, the process of horizontal decentralisation, which is generated by national and provincial centralisation, results in a small agency of the enlightened minority dominating the distribution of political opportunities—using different political discourses to construct hierarchical knowledge in favour of specific individuals. These processes mean that feminists’ struggles for women’s political participation and representation have to be fought in different sites using a wide range of strategies.

More recently, the direct consequence of rapid democratisation and decentralisation is that the existing local government system has become lucrative due to the ANC emerging as a clear winner. As Sitas (2008: 90) argues, there is no inch in the contested province of KwaZulu-Natal, where there is no councillor, or defeated councillor, or a councillor-in-waiting; and by implication a branch and differential branch activity pregnant with its own local dynamics. Therefore, strong political decentralisation has generated invented and invited spaces which, while ultimately challenging gender hierarchies, have in the meantime built contradictory processes that provide further obstacles to women, owing to their contemporary exclusion from decision-making processes -- in favour of localised personalities (who are not generally advocating for gender issues) and party power play and patrimonial distributive dynamics. Thus, while one aspect of the decentralisation policy, together with the corresponding institutional reforms were promulgated with the specific intent to improve women’s political representation in local politics, there are minimal grounds for considering such policies as guarantees for
women, because they are contradictory and bounded. For example, constitutional democracy and traditional authorities co-exist in complex ways; and this, as has been demonstrated in Chapter 3, is a central site in which the complexity of gender politics is compounded and confounded.

At a local level, in one case study – Jozini Municipality has shown that the capacity of the state to effect change in rural areas and tensions over service delivery contributed to a local pact with traditional authorities. Taken all together, historical examination revealed that the local pact was partly a result of the convergence of transition politics (ANC’s organisational structure in the 1990s and powerful interests especially capital) and political decentralisation, which was dominated by territorial interests. In short, the political issue of traditional authorities has been translated as a technical problem that local authority has tended to accommodate along with gender equality. There were interesting and parallel contradictions -- on the one hand, municipal officials are appointed by politicians to direct programmes and schemes in the local authority-- and on the other hand, municipal officials defined the spaces and membership in the local pact for politicians. The result was that the technocratic rationality produced a new by-law, which fostered ‘double movement’ of simultaneous exclusion and inclusion. There are certain spaces opened to grant citizenship, when other spaces are closed. In this, technocrats and traditional authorities dominated the forum in the name of service delivery, while contributing to complex gender dynamics. What this suggests is that technocrats (who are civil servants) are adamant in exerting political and bureaucratic control, rather than in enabling institutional spaces for democratic participation. Agarwal (1997: 1373) argues that, as new institutions, rights and new social relations are being fostered, many old gender inequalities are not only perpetuated, they become deeply entrenched and additional ones are being created. In short, this questions the strategies of representation by women themselves and their agency both outside and within municipal councils, and the dominance of technocrats in shaping development decision making in rural local governance.

These findings have important implications for policy, and contribute to a ‘second generation reform perspective’ to a burgeoning literature on local political dynamics, including the problematic of democratisation and decentralisation. Furthermore, the study contributes to an emerging literature on negotiated state formation by unravelling the ways in which the post-apartheid local state was negotiated, constructed and gendered. Until recently, policies have focused on opening spaces for women’s political representation in local politics in order to ensure that bureaucratic institutions inherited from the previous authoritarian regime become
open to the participation and representation of women. Although these political decentralisation policies opened political spaces in a number of patchwork patriarchies, they are enacted in a set of diverse practices, and implemented by a weak local state. In support of Heller’s (2001) observations, the democratic decentralisation processes accommodate strongmen when a weak state devolves power, as was the case in KwaZulu-Natal. This becomes more evident when territorial interests prevail in the beginning of the process of decentralisation. As shown in this thesis, the enterprise of remodelling, which began in the post-apartheid era allowed for the emergence of new power structures, significantly due to the penetration of the hinterland by parties, which were historically rooted in protecting the urban space, who persisted in rooting power in (re)formed racialised political technologies.

7.7 AREAS FOR FUTURE RESEARCH

This thesis has investigated the extent to which local government reforms that were designed to empower women in local politics actually do so, given the context, constraints and contested discourses in the historical meaning of ‘women’ as well as the history of institution making in South Africa. In recognition of constraints and contested discourses, the analysis has focussed on the relationship between macro and micro-politics, investigating multiple actors that are involved in the construction of the post-apartheid local state. The micro-level analysis of the political actors and their contributions to the construction of the post-apartheid local state, all constitute and form the local politics of development. The political mechanisms and the strategies of increasing women’s political representation in local politics are embedded in the complex and contested realities of local dynamics, where diverse forms of representation and competing understandings of inclusionary politics come into play. The weakness of the post-apartheid local state, the territorial interests and the streamlining of administrative functioning by municipal street level bureaucrats generates a site where notions of women’s empowerment are seen to be contributing to ‘participatory exclusion’ built into democratic processes. This contributes to challenges to women’s sustainable political careers, since the majority of them are distanced from influential positions that connect them with the agency of community and even from bodies formed through state discourse. Ultimately, this analysis advances our knowledge of the linkage between the history of institution making and ingrained factors shaping women’s participation in local politics, in spite of reforms in KwaZulu-Natal, South Africa.
There is further scope for extending this research both within and outside South Africa. Within South Africa, knowledge can be further deepened both historically and in a contemporary frame. A historical analysis of the dynamic relationship between political structures and gender relations from the early 1990s would offer further insights into how social actors become subjected to multiple matrices of power (cf. Moore, 2005), as well as how these contribute to the exclusion of other elected representatives. Significantly, this thesis has shown how the political discourse of democratic equality, driven by the state marks continued exclusion in practise, when it meets localised sites of entrenched power and alternative social formations. Moreover, knowledge can be deepened through the understanding of the convergence of both historical and contemporary constructions of different groups of women for purposes of policy-making, and how such classifications serve as a technology of power (see Foucault, Discipline and Punish) that contributes to the dissembling of women’s political agency. In a contemporary frame, moving the micro-level analysis to other provinces that use both a collective executive system and a mayoral system would also provide further insights into the relationship of actors in the new spaces and women’s political representation. The main focus of such research should look at whether actors involved in the process of democratisation are aimed at enhancing women’s political representation, and whether they do this in practise. While this research has illustrated that local authorities do not interpret national frameworks equally or even similarly, it is local political dynamics and dictates from political parties that are influential in defining what local authorities should do, both in creative response to national policy, and in order to contribute to consolidating alliances in the locality. A dynamic understanding of women’s participation and representation is required to explain how gender quotas contribute, not only to addressing women’s under-representation in local politics, but also to ‘modern despotism’ or ‘modern patriarchy’ over time. In sum, a gender quota is a cheap technology or technique for increasing women’s political representation in a proportional representation system, but it is not adequate for women’s empowerment; especially where women are invited to participate through political party agency in a one-party dominated state. While this technology or technique increases women’s participation in local politics, it is also disempowering owing to the fact that once women are in the echelons of power there seems to be less ‘power to’ manoeuvre in order to strategically deploy the power notionally deriving from the elected position, in favour of women’s generic political agency. In short, there is a sense in which a group of dependent subjects of the party list have been created from the democratisation process.
A comparative study could also be conducted to explore the role of multiple actors in the institutional reform process using this research as the starting point. Opportunities and challenges facing women in invited spaces in rural local government can be compared with experiences of urban governance, where spaces of participation made available by the powerful are discursively bounded, and permit predominantly malleable women. The research would provide insight into whether the barriers to women’s political representation are similar to rural politics. Chapter 1 illustrated how KwaZulu-Natal’s political history and official discourses constructed women differently, while Chapter 3 showed that the weakness of the local state contributed to the forging of alliances with contradictory forces – traditional authorities, irrespective of their patriarchal nature - which in turn favoured certain groups of women at the expense of others. Extending this research to urban governance could investigate which other forces affect women in their ability to express their agency. Also, research can be conducted on the role of women’s wings of political parties, in order to understand what approaches they would deploy now, in the knowledge that earlier gender strategies were flawed. This thesis assists this understanding by showing how political strategies for increasing women’s representation exposed them to the disciplining mechanisms of liberal representation and other sources of power, which in turn adversely affected the sustainability of their political careers. Such research should also be conducted in new spaces for citizen agency in order to understand the practices of technologies of power in managing them. This thesis has shown how local politics in development and the historical and institutional legacies of a society can confound any blueprint or development plan for women’s empowerment -- successful future policy must be far more cognisant of these contextual complexities and the role of power in reworking and redefining policy objectives in favour of previously privileged groups.
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APPENDICES

Appendix 1: List of Respondents Across the two municipalities and political parties

List of Interviewees: Municipal Councillors

<table>
<thead>
<tr>
<th>Reference</th>
<th>Gender</th>
<th>Nationality</th>
<th>Institutional Role</th>
<th>Date of Interview</th>
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<td>Female</td>
<td>South African</td>
<td>Municipal Mayor</td>
<td>19 June 2009</td>
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<td>Aoo36</td>
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**List of Interviewees: Political Parties**

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Appendix 2: List of Questions-Semi Structured Interviews for Councillors and Political Parties

Interview Questions

Research Topic: History Matters: Exploring Women’s Political Representation in Post-Apartheid KwaZulu-Natal, South Africa

Interview Number :....................................................
Name of Interviewee (Optional) :....................................................
Name of Municipality :....................................................

A BIOGRAPHICAL DETAILS/DEMOGRAPHIC INFORMATION

Gender

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Age structure

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<td>18 and below</td>
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<td>19 – 29</td>
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<td>30-35</td>
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<td>36 and above</td>
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Marital Status

<p>| | |</p>
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<tr>
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</tr>
<tr>
<td>Married</td>
<td></td>
</tr>
<tr>
<td>Divorced</td>
<td></td>
</tr>
<tr>
<td>Widow (er)</td>
<td></td>
</tr>
<tr>
<td>Other</td>
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</table>

If married, type of marriage:...........................................

Who do you live with?

<p>| | |</p>
<table>
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<tr>
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<tr>
<td>Children</td>
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<tr>
<td>Elderly relative (s)</td>
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<td>Other dependents</td>
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<td>Specify:.................</td>
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Race

<p>| | |</p>
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<tr>
<td>Coloured</td>
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</tr>
<tr>
<td>Black</td>
<td></td>
</tr>
<tr>
<td>Position</td>
<td>Full-Time</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Proportional Representative Councillor</td>
<td></td>
</tr>
<tr>
<td>Ward Councillor</td>
<td></td>
</tr>
<tr>
<td>Represent Traditional Authority</td>
<td></td>
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<tr>
<td>ANC Official</td>
<td></td>
</tr>
<tr>
<td>DA Official</td>
<td></td>
</tr>
<tr>
<td>IFP Official</td>
<td></td>
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<tr>
<td>Other</td>
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**Total Number of Councillors**

<table>
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<tr>
<th>Councillors</th>
<th>Full-Time</th>
<th>Part-Time</th>
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<tbody>
<tr>
<td>Male</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Female</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proportional Representative</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ward Councillors</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Independent Councillors</td>
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**Levels of Education**

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<tr>
<td>A level</td>
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<tr>
<td>Diploma</td>
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<tr>
<td>University</td>
<td></td>
</tr>
<tr>
<td>Postgraduate</td>
<td></td>
</tr>
</tbody>
</table>

**Place**

:..................................................

**Date of Interview**

:..................................................

**Ward Number**

:..................................................
B. QUESTIONS FOR COUNCILLORS

1. Entry in Politics: Motivation and Expectations and Participation (Internal and External)

1. Can you tell me more about yourself before becoming a councillor?
2. What motivated you in politics and your expectations?
3. How did you become a councillor?
4. How long have you been serving as a councillor?
5. What problems do you face?

2. Participation in council

1. Which committee (s) do you serve at in this municipality?
2. What positions do you serve at outside the municipality?
3. How influential and demanding are those positions?
4. How often do you have council meetings?
5. At what time of the day are those council meetings held?
6. What challenges do you face as woman councillor?
7. How do you deal with those challenges?

3. Relationship with other structures and support system

1. How is your relationship with the community you represent?
2. How do you balance your political activities in the municipality and that of the family?
3. How do you balance your political activities and that of the municipality?
4. How do you relate with other structures and a woman?
5. Who serves as your support?

4. Benefits

1. Do you have benefits in your position as a councillor?
2. If yes, name those benefits?
3. How often are these benefits offered?

5. Broad Challenges

1. What challenges do you face as a woman in politics or leadership?
2. Why there are few women in local government politics?

6. Policies, practise and way forward

1. Do you think there is a need for women to participate in politics?
2. How do the structures established after 1994 relate with women in local politics?
3. Do you think having more women in politics has made a difference (a) how it is carried, (b) outcomes from political process?
4. What would you suggest to encourage women in local government?

7. General Comment

1. Do you have anything else you would like to add?
QUESTIONS FOR OFFICIAL IN POLITICAL PARTIES

1. Entry in Politics: Motivation and Expectations and Participation (Internal and External)
   1. Can you tell me more about your political history in your party?
   2. What motivated you in this political party and your expectations?
   3. How did you become a member of this political party?
   4. How long have you been serving in this party and position?
   5. What problems do you face?

2. Women Participation in Political Party Structures and Functions
   1. Can you comment about the status of women in your political party?
   2. Who set the agenda in your party?
   3. What is the criterion for promoting women within your political party internal structures?
   4. Which committee(s) do women participate at in this party?
   5. What are the daily functions of those committees?

3. Demand and Supply of political party members
   1. What is the recruitment strategy in your party?
   2. Who draws the lists of candidates, and how it is designed?
   3. What kind of party list does your political party use?
   4. Do you have a minimum threshold in your party?
   5. Who has final voice on the party list?
   6. How do political party members qualify to represent in local government?

4. Relationship, Feedback strategy, Conditions and Support
   1. What is the relationship between the political party and women’s wing of the political party?
   2. Which other political formations do you have relationship with?
   3. What drives these relationships?
   4. Who has the final voice in these relationships?
   5. What is the relationship between the political party and those deployed to local government?
   6. What is the criterion for accountability?
   7. What conditions are given to political representatives at local government?

5. Comments
   1. How would you comment about the participation of women in local government?
   2. Do you think people respect the rules and structures or abuse them?
   3. Do you have anything else you would like to add?
RESEARCH PROJECT: HISTORY MATTERS: EXPLORING WOMEN'S POLITICAL
REPRESENTATION IN POST APARTHEID KWAZULU-NATAL, SOUTH AFRICA

INSTRUMENT

PROTOCOLS FOR CONDUCTING WOMEN'S POLITICAL REPRESENTATION IN
LOCAL GOVERNANCE IN KWAZULU-NATAL: RESEARCH CASE STUDIES

1. PROCEDURES

- Identification of case study municipalities
- Scheduling of fields visits
- Determining stakeholders to be interviewed
- Designing the case study protocol and instruments.
- Arranging research equipment.

2. CASE STUDY PROTOCOL TOPICS AND QUESTIONS

- Participation Background information (size of structures they represent, different histories of participation, how gender sensitive were those structures, reasons for participation in new local government system)
- Assumption of roles (this relates to the roles that different stakeholders had to assume after the 1994)
- Setting of the municipality rules (identify municipal rules or by-laws that are set and how these are set, communication strategy and how such rules promote relations in different structures, and open space for women to participate in local government politics)
- Municipal need for survival (comments on how the basic needs in the municipality meets women’s needs)
- Conflict management (what is the source of conflict in different structures and how do stakeholders handle conflict, and how such conflict affect participation in local politics)
- Source of income (what is the source of income and how is the income spent)
- What is the support network of the municipality? (what is the relationship between the municipality and significant resource systems i.e. church, traditional leadership institutions)

3. Observation made during the municipal visits (sitting arrangements in council and public meetings, language usage who dominate in discussions, and any proceedings that lead to resolution)

4. Analysis plan and case study report

- Individual municipality case studies (descriptive information and explanatory information)
12th October 2008

Dear Sir or Madam,

To whom it may concern

Sithembiso Lindelihle Myeni is a doctoral student at the Institute for Development Policy and Management, University of Manchester in his second year of full-time study. He is a conscientious and hardworking student who has the integrity and professionalism that we would expect form a member of our University. In this regard, we would appreciate any assistance you may consider giving to him in terms of access to library resources and archives, or in consenting to giving an interview. Sithembiso has undertaken a review of his ethical procedures before beginning his field research and I can assure you that we take issues of integrity, honesty, confidentiality and responsibilities in research seriously.

If you do assist Sithembiso, please accept our sincere thanks and appreciation. If you have any questions or concerns please contact me at the address and telephone number below.

Yours faithfully,

Sarah Brackling

Dr Sarah Brackling
Programme Director, International Development
Sarah.Brackling@manchester.ac.uk
+ 00 44 161 2752928
Dear Sir or Madam

RE: REQUEST FOR INTERVIEW APPOINTMENT - DOCTORAL DEGREE

I am registered student at the University of Manchester in the United Kingdom (UK) in the School of Environment and Development (SED), more specifically in the Institute of Development Policy and Management (IDPM). I am currently pursuing a PhD in Development Policy and Management and the primary component deals with research-based investigation which necessitates, inter alia, field work and data collection. I intend securing an interview appointment, honourable mayor anytime between 15 February and 15 April 2009 in your office.

My topic is entitled: ‘History Matters: Exploring Women’s Political Representation in Post Apartheid KwaZulu – Natal, South Africa’. In order to successfully complete my Degree, the latter part of the empirical framework involves conducting interviews with some of the municipal councillors in South Africa together with traditional leaders. Your municipality has been identified as the municipality where the study on examination of women’s participation in local governance in post apartheid South Africa can be conducted. This study aims to answer corollary research questions, of a lesser magnitude, to inform the core hypothesis. These include the effect of political institutions (both formal and informal structures of power), history of social struggle, local government policy and practice on the foremost questions.

The objectives of the study can be summarised as follows:

- To understand how the sustenance of historical local governance institutions affect the influence of women in politics.
- To explore the role local government plays in the restructuring of institutions and power relations underpinning power in post apartheid.
- To explore the ways in which political power dynamics that operate in local power politics add to our understanding of national debates.

Your co-operation in assisting me with this important component of my study is highly appreciated and I look forward to a positive feedback. If there are any queries, please do not hesitate to contact me at the above address and cell number. I take this opportunity of again thanking you in advance in order to enable me to complete this research project.

Sincerely

Sithembiso Lindelihle Myeni (Mr)
Attention: Honourable Mayor – Jozini Municipality
Honourable Speaker
Municipal Manager

Dear Sir or Madam

RE: REQUEST FOR INTERVIEW APPOINTMENT - DOCTORAL DEGREE

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Sincerely

Sithembiso Lindelihle Myeni (Mr)
Appendix 4: ANC 2006 Local Government Candidates Lists – KwaZulu-Natal Breakdown across the two Research Sites

Table: 1: Jozini Municipality ANC Proportional Representation List: 2006 Municipal Elections

<table>
<thead>
<tr>
<th>List Number</th>
<th>Name</th>
<th>Surname</th>
<th>Gender</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Gladness</td>
<td>Fakude</td>
<td>F</td>
</tr>
<tr>
<td>2</td>
<td>Phumzile</td>
<td>Mngomezulu</td>
<td>F</td>
</tr>
<tr>
<td>3</td>
<td>Lindy</td>
<td>Khumalo</td>
<td>F</td>
</tr>
<tr>
<td>4</td>
<td>Bethuel</td>
<td>Mthethwa</td>
<td>M</td>
</tr>
<tr>
<td>5</td>
<td>Raymond</td>
<td>Gumbi</td>
<td>M</td>
</tr>
<tr>
<td>6</td>
<td>Zakaria</td>
<td>Mpontshane</td>
<td>M</td>
</tr>
<tr>
<td>7</td>
<td>Mpume</td>
<td>Marthenjwa</td>
<td>F</td>
</tr>
<tr>
<td>8</td>
<td>Mveli Dunford</td>
<td>Nyawo</td>
<td>M</td>
</tr>
<tr>
<td>9</td>
<td>Ntombikayise</td>
<td>Nkabinde</td>
<td>F</td>
</tr>
<tr>
<td>10</td>
<td>Zeblon</td>
<td>Tembe</td>
<td>M</td>
</tr>
<tr>
<td>11</td>
<td>Fikile</td>
<td>Mngomezulu</td>
<td>F</td>
</tr>
<tr>
<td>12</td>
<td>Gcinile</td>
<td>Mngomezulu</td>
<td>F</td>
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<tr>
<td>13</td>
<td>Nozipho</td>
<td>Mbhamali</td>
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<tr>
<td>14</td>
<td>Sipho</td>
<td>Mthembu</td>
<td>M</td>
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<tr>
<td>15</td>
<td>Getrude</td>
<td>Buthelezi</td>
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<tr>
<td>16</td>
<td>Nonhlanhla</td>
<td>Gina</td>
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</tr>
<tr>
<td>17</td>
<td>Mavis</td>
<td>Mabuyakhulu</td>
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Table: 2: Jozini Municipality ANC Ward List – 2006 Municipal Elections

<table>
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<th>Name</th>
<th>Surname</th>
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<tr>
<td>1</td>
<td>Gladness</td>
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<tr>
<td>2</td>
<td>Irvin</td>
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<tr>
<td>3</td>
<td>Bethuel</td>
<td>Mthethwa</td>
<td>M</td>
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<tr>
<td>4</td>
<td>Herbert</td>
<td>Ndlanzi</td>
<td>M</td>
</tr>
<tr>
<td>5</td>
<td>Ntombikayise</td>
<td>Nkabinde</td>
<td>F</td>
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<tr>
<td>6</td>
<td>Vusi</td>
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<td>Thabani</td>
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<td>Lindiwe</td>
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<tr>
<td>11</td>
<td>Thomas</td>
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<td>12</td>
<td>Zanele</td>
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Table: 3: Ubuhlebezwe Municipality ANC PR List – 2006 Municipal Elections

<table>
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<tbody>
<tr>
<td>1</td>
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<td>F</td>
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<td>2</td>
<td>Sikhosiphi</td>
<td>Dlamini</td>
<td>M</td>
</tr>
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<td>3</td>
<td>Noleen</td>
<td>Peterson</td>
<td>F</td>
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<tr>
<td>4</td>
<td>Nkosiyezwe</td>
<td>Vezi</td>
<td>M</td>
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<tr>
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<td>Busisiwe</td>
<td>Mdlalose</td>
<td>F</td>
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<td>Muzi</td>
<td>Ngidi</td>
<td>M</td>
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<td>7</td>
<td>Celiwe</td>
<td>Mazeka</td>
<td>F</td>
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<td>8</td>
<td>Vumindaba</td>
<td>Mahlaba</td>
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<tr>
<td>9</td>
<td>Mnikazi</td>
<td>Shoba</td>
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<td>Nonhlhanla</td>
<td>Khoza</td>
<td>F</td>
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<td>11</td>
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<td>Jaca</td>
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<td>Agnes</td>
<td>Dlamini</td>
<td>F</td>
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Table 4: Ubuhlebezwe Municipality ANC Ward List – 2006 Municipal Elections

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<th>Gender</th>
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<td>Phuphuma</td>
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<tr>
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<td>Emarald</td>
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<td>Thokozani</td>
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<td>M</td>
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<td>Themba</td>
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<td>Felizwe</td>
<td>Ndlovu</td>
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<td>Bhekukwenza</td>
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