

**GENDER EQUITY IN PARLIAMENT:  
A STUDY OF THE INSTITUTIONAL CONSTRAINTS THAT  
WOMEN MEMBERS OF PARLIAMENT EXPERIENCE IN  
THE SOUTH AFRICA PARLIAMENT THAT HAMPER  
THEIR EFFECTIVE PARTICIPATION**



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## Table of Content

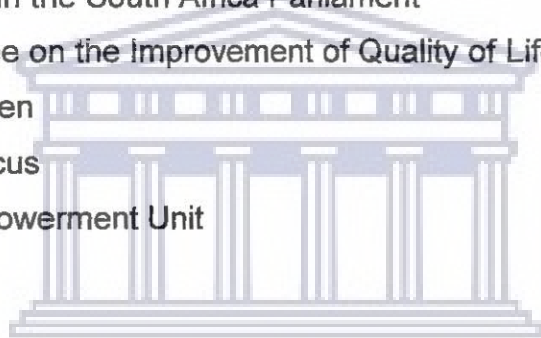
Abstract	iv
Acknowledgements	vi
Declaration	vii
Abbreviations	viii

### Chapter One

1.1	Introduction and Background ✓	1
1.2	Purpose of the Study	2
1.3	Objectives	3
1.4	Statement of Research Problem ✓	4
1.5	Literature Review	4
1.5.1	The Relationship of Gender to the State	4
1.5.2	The public/private debate	6
1.5.3	Gender and Organisation	10
1.6	Key Research Questions	13
1.7	Research Methodology	13
1.8	Rationale/Significance	14
1.9	Structure of Research Report	14
1.10	Ten Key Words	15
1.11	Glossary of Terms	15

## Chapter Two

2.1	Introduction and Background	18
2.2	Functions of the National Assembly and National Council of Provinces	19
2.2.1	The National Assembly	19
2.2.2	The National Council of Provinces	21
2.3	International Instruments	22
2.4	Regional Instruments	24
2.5	The South Africa National Gender Machinery	25
2.5.1	The Office on the Status of Women (OSW)	27
2.5.2	The Provincial OSW and Gender Desks	28
2.5.3	The Commission on Gender Equality	29
2.6	Gender machinery in the South Africa Parliament	31
2.6.1	The Joint Committee on the Improvement of Quality of Life and Status of Women	31
2.6.2	The Women's Caucus	31
2.6.3	The Women's Empowerment Unit	32



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## Chapter Three

3.1	An Evaluation and Assessment of Gender Equity in the South Africa Parliament	33
3.2	Achievements and Progress	33
3.3	Limitations	37
3.4	Constraints	44

## Chapter Four

4.1	Recommendations	47
4.2	Conclusion	52



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WESTERN CAPE

## ABSTRACT

South Africa has undergone a process of dramatic change since the first democratic elections of 1994, notably so in the area of gender equity in public life. The struggles and demands of women during the constitutional process have resulted in an unprecedented 31,5 % representation of women in Parliament, the highest in Africa. Dahlrup (1998) considers this number the "critical mass" that women need in Parliament so as to ensure real impact on policy design and implementation. This report argues that access and representation of women in Parliament represents a necessary, though not sufficient, condition to ensure equitable outcomes for women in Parliament and in the broader society. In this regard, a fundamental transformation of the institution of Parliament would be a pre-requisite to ensure that women's access and representation will, indeed, lead to effective participation in the life of Parliament.

This report examines the institutional constraints that women Members of Parliament face within the South African Parliament. The institutional context of Parliament is assessed, using three core variants of institutions, namely structure, culture and procedures. The study argues that, for the transformation of Parliament to be substantive, it will have to go beyond the minimal improvements to Parliament that have tended to lock women even more into the public/private dichotomy that is such a feature of their participation. The report also examines the external mechanisms that exist to support female Members of Parliament, but maintains that for these MPs to be effective in fulfilling their constitutional mandate, Parliament as an institution will have to fundamentally change.

In constructing this argument, the author draws principally on various reports that have been commissioned by the South African Parliament to examine the status of women in parliament, a literature review, interviews with MPs, (mostly women)

and personal observations and reflections from my work as the Southern Africa Representative of the European Parliamentarians for Africa (AWEPA).

This report was completed in March 2004, before the May 2004 elections. During the process of revision the 2004 elections were held. Annexure B provides details on the gender representation in the South African Parliament and Cabinet following the 2004 elections.



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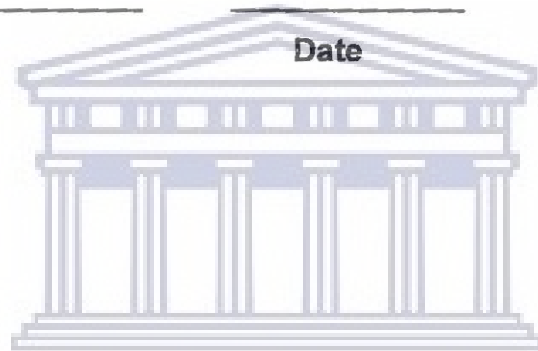
## DECLARATION

I declare that this research report on *Gender Equity in Parliament: A Study of The Institutional Constraints That Women Members of Parliament Experience In The South Africa Parliament That Hamper Their Effective Participation* is my own work, that it has not been submitted for any degree or examination in any other university, and that all the sources I have used or quoted have been indicated and acknowledged by complete references.

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Signed

Date



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<b>Abbreviations</b>	
ACDP	African Christian Democratic Party
ANC	African National Congress
AIDS	Acquired Immune Deficiency Syndrome
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CGE	Commission on Gender Equality
CODESA	Convention for a Democratic South Africa
DP	Democratic Party
HIV	Human Immuno-Deficiency Virus
IFP	Inkata Freedom Party
JCQLSW	Joint Committee on the Improvement of Quality of Life and Status of Women
MP	Member of Parliament
NA	National Assembly
NCOP	National Council of Provinces
NNP	New National Party
OSW	Office on the Status of Women
PMTCT	Prevention of Mother to Child Transmission
SAPL	South Africa Provincial Legislature
SADC	Southern Africa Development Community
SADC-PF	Southern Africa Development Community Parliamentary Forum
SADC RWPC	Southern Africa Development Community Regional Women's Parliamentary Caucus
WEU	Women's Empowerment Unit

# CHAPTER ONE

## 1.1 Introduction and Background

Behind South Africa's transformation lies a history of institutional racism, gender discrimination and patriarchy. The worth of individuals, their life chances and distribution of property, goods and services, were determined by the colour of their skin, their association within racial groupings, as well as by their gender designation. Furthermore, socio-cultural dictates and most interpersonal relationships designated women in inferior position to men.

South African society has undergone a process of dramatic transformation since the first democratic elections took place in 1994. The transition to democracy has had a major impact on the nature of political institutions and debates, including women's development issues as well as women's politics in general. The first democratic elections also brought in a new phase of reconstruction and development. The most significant shift in women's politics has been a movement away from oppositional politics in relation to the state, to one of active engagement, particularly in working towards greater gender equality in the South African society.

In his State of the Nation Address at the Opening of the first democratically elected Parliament in 1994, former President Mandela stressed:

..."It is vitally important that all structures of government, including the President himself, should understand fully: that freedom cannot be achieved unless women have been emancipated from all forms of oppression. All of us must take this on board, that the objectives of the Reconstruction and Development Programme (RDP) will not have been realised unless we see in visible and practical terms that the condition of the women of our country has radically changed for the better, and that

they have been empowered to intervene in all aspects of life as equals with any other member of society”.

Despite this commitment and subsequent policy changes, problems still remain.

The achievements and progress with regard to women's participation in Parliament are evidenced, firstly, by their representation in Cabinet. Secondly, legislation has been passed that assist women in the broader community. Thirdly, the women's budget has been developed as a tool for analysing national budgets for gender impact. Fourthly, parliamentary committee hearings addressing the position of women and girls have been held. Lastly, the Women's Empowerment Unit (WEU),<sup>1</sup> has commissioned and published a study to evaluate the impact of programmes of the Provincial Legislatures on women.

Despite such achievements, there have also been limitations on women's participation in Parliament. My own analysis of women's representation in parliamentary committees reveals that women are under represented in these committees and men chair two thirds of these committees. Party discipline has also impacted adversely on women's participation in Parliament. Because of the strength of the political parties in the proportional representation electoral system, women MPs have tended to listen to the political party leadership. This has sometimes been at the expense of furthering gender issues in Parliament. In addition there have been a number of constraints on women's participation, which undermine the achievements and progress. These include the public/private dichotomy and the time constraints that they experience.

## **1.2 Purpose of the Study**

The purpose of the study is to assess the constraints that women MPs in the South Africa Parliament experience and that affect their optimal functioning in

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<sup>1</sup> The Women's Empowerment Unit (WEU), was formed in 1997 by the Speaker's Forum (which represents the National Parliament and the nine Provincial Legislatures) to identify issues and address specific factors that hinders women's participation in the law-making process.

their role and function as Members of Parliament. The study makes recommendations for overcoming these constraints so as to increase the efficiency and effectiveness of these women MPs.

Through her work, the author regularly engages with women Members of Parliament (MPs) in South Africa and the Southern Africa Development Community (SADC). It is intended that this study will be used for these MPs and citizenry as an example of the functioning and development of women MPs in a young and developing democracy. The study will focus on the National Assembly and the National Council of Provinces, although references will also be made where appropriate to the South Africa Provincial Legislatures (SAPLs).

It is vital that the South African citizenry understand and realise the important role that they can play in voting more women into the South African Parliament, and thus increasing the possibilities of having legislation passed that could impact positively on the lives of women in South African.

### 1.3 Objectives

The objectives of this research report are:

- To place the issue of women's representation in Parliament within the context of this broader national machinery of gender equality.
- To describe and assess progress towards gender equity and women's empowerment in the South Africa Parliament
- To assess existing efforts to transform Parliament in ways which provide gender equity and the empowerment of women
- To examine and analyse the institutional constraints that women MPs experience
- To make recommendations to overcoming constraints faced by women MPs in the South Africa Parliament

- To highlight the importance of constantly lobbying for the increase of women in Parliament.

## **1.4 Statement of Research Problem**

Although there had been considerable progress in terms of women's participation in Parliament, this has not led to a corresponding increase in terms of advancing the causes of women's empowerment and gender equity. This study argues that an increase of women in Parliament is a necessary, but far from sufficient condition to ensure legislative as well as attitudinal changes. The factors that influence this is explained in this report. The key research problem is to investigate why this is the case and recommend changes and solutions. As reflected in the glossary of terms, gender equity refers to the fair and just distribution of opportunities and resources between men and women. In the context of this report, empowerment refers to the process through which people acquire skills, knowledge and information in order to enable them to participate effectively in decision-making processes.

## **1.5 Literature Review**

The following key themes are explored and assessed in this section as key variables against which to assess the relationship between the entry, representation and participation of women in Parliament: the relationship of gender to the state; the public/private debate; and gender and organizations.

### **1.5.1 The Relationship of Gender to the State**

Various authors (Parpart 1989; Staudt 1997; Philips 1995; Goetz 1997) have argued that an investigation into the gendered nature of the state reveals that the

state was historically based on a male referent, and so institutionalises male privilege within its structure, strategy and culture. As explained by Dr. Frene Ginwala, Speaker of the National Assembly of the South Africa Parliament, at the 5<sup>th</sup> International Conference of Women Presiding Officers over National Parliaments in July 1998 in Cape Town, " this is evident in the practices and procedures, the dress code, the style and organisation of work, the language, the content of the debate, the priorities and standards and in almost every facet in which Parliaments around the world operate."

Similarly, systems of democracy have been conceived on the premise that everyone was equal, yet it has been commonly accepted in many parliamentary systems women's interests can be adequately represented by men. Although the South African state is constitutionally based on a rights framework that guarantees equal rights for women and men, Stuart (1997) notes that "gender ideology appears to be ever-present, no matter what the state ideology."

Parliament, as an institution, reflects and replicates gender within its structure, culture and practices. North (1990) defines institutions (that include organizations), as a set of formal and informal rules that sets the parameters and "the rules of the game". Although there are a growing number of feminist studies on women and the state (Afshar, 1987; Agarwal, 1988; Parpart and Staudt, 1987; Mackinnon, 1990), the study of gender relations within institutions, and the prospects for institutional change so as to create a gender-enabling environment is fairly new. The works of Joan Acker (1990), Cockburn (1991), Nicolson (1996), Scott (1986) and Staudt (1985) variously provide new insights on the issues surrounding embedding gender within institutions.

Connell (1990) argues for a feminist approach in theorising about the state, and makes a persuasive case for examining the interplay between gender relations and the state, and refers to the "gendered regime" within institutions that can create gender-equitable or gender-biased outcomes. He argues that the state is,

in itself, a replica of broader societal gender relations, and so gender is internal as well as external to the state. This assertion recognises that the state is not insular, but rather a microcosm of broader society.

### **1.5.2 The private/public debate**

Mackinnon (1990) notes that “conceptually, this private is hermetic... by definition, it is not part of or conditioned by anything systematic outside it. It is personal, intimate, autonomous, particular, individualistic, the original source and final outpost of the self, gender-neutral”. This clearly argues that what happens in the society at large has little or no impact on private relationships. Thus the fact that the broader society still has to grapple with overcoming stereotypical gender roles, for example the fact that women historically are perceived to take care of the children, and by implication would stay at home. This means that the fact that women are now also breadwinners with careers and have “equal” access to job opportunities, their partners would automatically share in the responsibility of raising children. Halvorsen (1991) notes that the private/public feminist debate for the recognition that the private is political has been a key challenge for feminists and feminist theory.

The extent to which the state has boundaries in relation to the private is a debate that seems to leave feminists, who wish to engage with the state, with three choices: not to deal with the state, be in the state but against the state, or examine the benefits of working with/through state institutions. The first two options leaves women with little or no room for manoeuvre, whilst the third option recognises that the democratic state, based on a citizenship legitimacy nexus, at least open the way to an engagement that recognises the leverage that such a framework provides for feminists in the state.

The issue of gendered time patterns hinges on the familiar debate of the private/public dichotomy, and related to this, how institutions maintain this

dichotomy within their structures and procedures. Women carry the brunt of the responsibility of parenting, and so have a bigger constraint on available time to debate, discuss and network in Parliament. The Speaker of the South Africa Parliament has made a ruling that no portfolio committee meetings should be scheduled beyond 6pm so as to ensure that MPs can have equal space and time for their parenting needs. The practice of late meetings has, however, continued to be the norm. It is still customary for portfolio committee meetings to drag on way beyond the 6pm rule: women creeping out of the debating chambers at 6pm to see to their family's needs has become a common sight. Dorothy Mahlangu (Chairperson of the Select Committee on Finance, NCOP), sums this up by saying "I find myself having to consider and worry about whether my son gets home safely from school, or whether he did his homework after school, whilst chairing the portfolio committee. I cannot switch off and just focus on the job at hand".<sup>2</sup>

Christine Duckey (Sunday Independent, 10 August 1997) describes the life of a women MP thus:

"A day in the life of a women MP begins long before she enters the hallowed halls of government. She rushes to get her children ready, drops them off at school and races to Parliament in time for an 8am meeting that stops at lunchtime. The lunch break is spent buying groceries or networking with colleagues and then just as her children get out of school, the assembly sits. At the end of the day, when many male MPs continue lobbying and networking over beer, their female counterparts rush home to attend to their families. By the time women MPs return home, it is generally 8 or 8:30pm."

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<sup>2</sup> interview with Ms Dorothy Mahlangu, Chairperson of the Select Committee on Finance, NCOP



If she is a single parent (and according to the NCOP chairperson of the Select Committee of Finance, Ms Mhlangu, more than 50% of women MPs are single parents), she may still have to help with the homework. Her day ends around midnight”<sup>3</sup>

In contrast, the experience for male parliamentarians is starkly different:

“What has been the single most striking difference in interviews with men is that they rarely mention their personal lives as challenges or obstacles to their participation. Another striking difference is in the way they feel they have a voice in government and can influence its direction” (Britton, 1997).

What I also found interesting is that when I interviewed the male MPs, they immediately discussed what impact Parliament has and how they feel that they can influence the institution, in contrast to women MPs who immediately reflected on how difficult it is to balance family responsibilities and the work of the Parliament. Trevor Fowler, MEC for Local Government and Development Planning and Leader of Government Business in Gauteng Legislature, comments that “it is vitally important that women and men work together in order to effect change in the existing culture of Parliament that tends to exclude them from participating as fully as they should”<sup>4</sup>.

Phillips (1995:250) observes “gender relations affect women’s political effectiveness. Women’s disproportionate responsibilities in the domestic sphere impose enormous constraints on the time they can devote to politics”. South African women Parliamentarians in South Africa interviewed by Mtintso (1999) reported that they had found “professional fulfilment at the expense of personal

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<sup>3</sup> Interview with Ms. Dorothy Mhlangu, Chairperson of the Select Committee of Finance, NCOP

<sup>4</sup> Interview with Mr. Trevor Fowler, MEC Local Government and Development Planning, Gauteng.

fulfilment”, and that “the expectations of Parliament contradicts with the expectations in terms of socially defined gender roles”.

Beall (1996:10) notes that “there are legislative and material prerequisites that must be in place for women to take part in public life.” The improvements that have been made in South Africa to enhance women’s participation in Parliament include the setting up of a crèche, and changing debating times to end at 6pm. These improvements were aimed at accommodating women’s need. Karam (1998) and Lovenduski (1993) in their studies of legislatures show that the increased presence of women will inevitably change existing arrangements and procedures. Parliamentary time tables, places of meeting, child care provisions, working hours and travel arrangements may be changed to make these more suitable for women. This view seems to suggest that the visible presence of women in the corridors and debating chambers of Parliament is a sufficient condition so as to re-orient Parliament. Whether these minimal changes contribute to the strategic objective of challenging the public/private dichotomy so as to transform gender relations require assessment. Changing Parliamentary time-tables and providing child care facilities may be based on a pragmatism that accommodation within the institution (of what is regarded as women’s needs), will be less disruptive to the institution than fundamentally transforming the gendered assumptions upon which the institution is based. The limitation of such a strategy of improvement offer women access and representation but ignores the gendered expectations and roles that women are expected to perform. There has been an attempt to change the institutional arrangements to accommodate women, but invariably, there is a need to “stay later.” Thus Bock et al (1992) refer to these arrangements as “attempts to reconcile home and family responsibilities.”

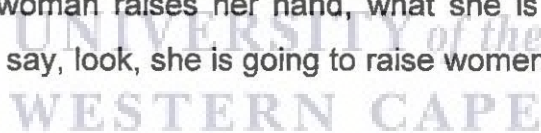
It appears that the dichotomy of public/private divide, far from transforming gender relations, instead serves to maintain the current entitlement claim for men on which the institution is based.

### 1.5.3 Gender and Organizations

The South African Parliament is based on the traditional, conservative rule-driven Westminster system of government. According to Britton (1997:13), one of the women he interviewed in the United Kingdom compared the ethos and manner of Parliament to the "theatre of the absurd...with its wasteful and inefficient traditions of a school boy's debating society of endless hot air, rhetoric and point-scoring". The language and format of Parliament are also riddled with legalese, and most women find the officious language intimidating and at times ridiculous...women and some men experienced the discourse as particularly male and akin to a boy's high school debating club. The point scoring dialogues are exclusive and annoying to many women. The issue of difference (race, class and gender) also play a role in how women have adapted: those women who have been beneficiaries of the apartheid government, either as part of its representatives or as part of its electorate, tend to cope easier with the parliamentary process and environment. However, according to my own research, supported by Britton, those women who were part of the historically disadvantaged and vote-less majority, report the highest levels of frustration with Parliamentary practices and procedures of Parliament.

The South African Parliament is understood and accepted in many ways as being an old Parliament (same building, still based on the Westminster system) only with new MPs. According to Hassim (1999), feminists in South Africa conceive the construction of gendered institutions at two levels: firstly, to ensure access and representation, and secondly, to achieve policy impact for gender equitable outcomes. The emphasis, rests on a "feminine presence" that could hopefully translate into "feminist acts" (Dahlrup, 1998), rather than on the institutional framework within which the engagement with the state in Parliament has to take place.

Goetz (1997) argues that institutions impose their own gendered logic. Not only do they replicate the external gender imbalances within society, but they also reproduce these imbalances within their own structures and everyday practices. The effect of this is that the institutions replicate the “real world” within their own structures, procedures and the choices they make. Institutions, then, define the spaces and boundaries for women’s participation. Similarly, the institution of Parliament, based as it is on a male referent, institutionalises male privilege within its structure and its practices. Goetz (1995) describes the gender culture in institutions as the “symbols, artefacts, values and beliefs” that constitute the “invisible hierarchies” made up of “sexualised meanings” for women. To this can be added that culture finds expression and is performed through attitudes, actions, and habitual norms that routinise culture within institutional life, formally as well as informally. Numbers and representation therefore, are not on their own sufficient to bring about organisational change if women face a hostile culture. In the study commissioned by the Women’s Empowerment Unit of the Speakers Forum (May 2002), women have said that they experience the culture of parliament as particularly antagonistic towards gender issues, and that when they do raise those issues this is often ridiculed and trivialised by men. Speaker of the House, Frene Ginwala, was reported in the Sunday Times of 13 August 1998 as saying “when a woman raises her hand, what she is about to say is taken as trivial – or people say, look, she is going to raise women’s issues.”



The lack of the legitimating of gender within the norms, attitudes and behaviour of most of the men in Parliament continue to make it difficult for women to function comfortably. Although women have gained formal equality, they still have not gained substantive equality in that the institutional cultures still prejudge them. According to the equality framework, all women are free to participate in whatever way they want to and their skills allow. However, women still have to “deal with contradictory sets of meanings” and a contradictory set of gender role expectations that “force women to “play” between two cultures” (Itzin and Newman, 1995:17). This may take the form of either playing the tough, ball-

breaking politician heckling the opposition in the debating chambers, or the sweetly persuasive women trying to persuade recalcitrant men in their own party to put gender onto the agenda.

Given the transformation context in South Africa, the question arises as to whether Parliament in fact represent a transitional culture that includes, on the one hand, a traditionally conservative gender culture based on the exclusion of women, whilst on the other hand, the existence of gender commitments through policy acceptance and a range of institutional gender packages to address gender issues. However, as Itzin (1995) notes: "there will be little space or support for doing things differently until the power relations within organizations become part of the transformational agenda."

Goetz (1997:4) notes that institutions have "forms of prejudice deeply embedded in organisational cognitive systems and work cultures". This study is concerned with an assessment of the embeddedness of gender within Parliament, and argues that the institutional transformation of Parliament is a key objective so as to ensure that the current access and representation of women will be accompanied by an institutionally enabling environment that can lead to gender equitable participation and outcomes.

Acker (1996) argues that a gendered theory of organizations is necessary so as to investigate the various ways in which gender is played out through a gendered division of labour, gendered reward systems, gendered culture and gendered identity so as to contribute to organisational democracy that can lead to more humane goals. While much has been done to legitimise the value of gender equality, several studies [(Britton (1997); January-Bardill and Marks (1998); Mtintso (1999); Serote et al (1996)], have indicated that there is much within the institution of Parliament that makes women's effective participation difficult.

From the available data on women's experiences it is clear that serious constraints exist that influence the quality of women's participation in Parliament. This is supported by the observations obtained from women interviewed for this study.

## **1.6 Key Research Questions**

In the light of the above issues and considerations, this study will examine the following key research questions:

- What have been the main achievements and progress in terms of women's participation in the Parliament?
- Do women MPs feel they are able to make a genuine contribution to the well functioning of the Parliament?
- What are the key factors that continues to limit women's effective participation in Parliament?
- Do women MPs feel that they are in an influential positions?
- Do men and women MPs see it as their responsibility to change the institution of Parliament to make it more gender- sensitive?
- Has the Parliament become more gender-sensitive in its work?
- What are the institutional constraints that women MPs experience that influence their effectiveness in Parliament?
- Is there a role for civil society organisations to support the work of women MPs?
- Is the culture of Parliament conducive to women MPs?
- Has the increase of women represented in the Parliament changed the way in which Parliament functions?

## **1.7 Research Methodology**

A desk study review was carried out, by consulting various books and journals on the topic. Face-to face interviews were also conducted with women and male

Members of Parliament. In addition, the author carried out process observation during her visits to the various Provincial Legislatures as well as to the National Parliament.

## **1.8 Rationale/ Significance**

The significance of this study is that it intends to inform ongoing discussion and debate in the broader society about the effective participation of women in Parliament. It is also significant because the various political parties have an opportunity to increase the number of women on their various party lists in preparation for the 2004 general elections. It has been argued by Dahlerup (1998:92) that for change to occur a critical mass of women is needed in Parliament in order to effect change. This study argues that such a critical mass will be insufficient unless the institutional culture and framework enables women to commit critical acts, that will influence policy and practice. These changes need to transform the public and the private sphere, and to recognise the institution of Parliament as a gendered territory.

## **1.9 Structure of Research Report**

Chapter one includes the introduction and background, the purpose of the study, the stated objectives, research problem, and the literature review. It also attempts to highlight the significance of the study. Included is also a section on definitions and a glossary of key terms that explains some of the terminology and phrases. Chapter two contextualises the study by providing background information on the functions of the National Assembly (NA) and the National Council of Provinces (NCOP). It then explores the international and regional instruments that exist to facilitate gender equality. The major part of the chapter deals with the gender machinery that has been put in place in South Africa and in

Parliament in particular. Chapter three presents the main research findings through an evaluation and assessment of the achievements, limitations and constraints with respect to gender equity in the South Africa Parliament. Chapter four provides recommendations and conclusions.

### 1.10 Ten Key Words

Institutional transformation, gender awareness, Member of Parliament, culture, change, gender power, representation, entry, participation and constraints.

### 1.11 Glossary of Terms

- ENGENDERING** : In Gender studies, engendering refers to the process of integrating gender considerations and concerns into words, action and assessment.
- GENDER** : Refers to the social roles allocated respectively to women and men in particular societies and at particular times. Such roles, and the differences between them, are conditioned by a variety of political, economic, ideological and cultural factors and are characterised in most societies by unequal power relations. Gender is distinguished from sex, which is biologically determined.
- GENDER AWARENESS** : Refers to a state of knowledge of the differences in roles and relations of women and men and how this results in differences in power relations, status, priviledges and needs.



**GENDER EQUALITY**

Refers to a situation where women and men have equal conditions for realising their full human rights and potential; are able to contribute equally to national political, economic, social and cultural development; and benefit equally from the results. Gender Equality entails that the underlying causes of discrimination are systematically identified and removed in order to give women and men equal opportunities. The concept of Gender Equality takes into account women's existing subordinate positions within social relations and aims at the restructuring of society so as to eradicate male domination. Therefore, equality is understood to include both formal and substantive equality; not only merely equality with men.

**GENDER EQUITY**

refers to the fair and just distribution of all means of opportunities and resources between women and men.

**GENDER ISSUES**

Arise when the relationships between women and men, their roles, privileges, status and positions are identified and analysed. Gender issues arise where inequalities and inequities are shown to exist between people purely on the basis of being female or male. The fact that gender and gender differences are socially

constructed is itself a primary issue to deal with.

*GENDER PERSPECTIVE* : Refers to an approach in which the ultimate goal is to create equity and equality between women and men. Such an approach has a set of tools for and guidelines on how to identify the impact on development of the relations and roles of women and men.

*POLICY* : Refers to guiding principles to a course of action arrived at by decision-makers to address a particular issue or issues.

*PROGRAMME* : Refers to a systematic action-orientated design of a plan of action towards achieving a particular goal, for example South Africa's National Policy Framework for Women's Empowerment and Gender Equality, 1997.



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## CHAPTER TWO

### 2.1 Introduction and Background

In an amazingly short time, major advances have been made towards gender equity in South Africa. For example, Chapter 2, section 9 of the final Constitution of 1996, which relates to equality, states that no one can be discriminated against, either directly or indirectly on the basis of sex, race, pregnancy, marital status, sexual orientation, age and other characteristics. It also says that affirmative action is not illegal, and that the government can treat people differently, if this is necessary to achieve equality.

It was during the Convention for a Democratic South Africa (CODESA), talks in April 1992, that the African National Congress (ANC) Women's League initiated a major campaign by organising a big demonstration of women at the World Trade Centre, insisting that all political parties in CODESA have women representatives. The women demanded that if a party did not have any women, her seat should remain symbolically empty. This mobilisation was supported by the ANC, with the result that all political parties had women represented at the negotiation table.

Representation of women in Parliament increased from below 3% in the Apartheid government, to 27.7% in the 1994 elections, to an unprecedented 29.8% in the 1999 elections. This increase was largely a result of the 30% quota that the ANC adopted for both the 1994 and 1999 elections. South Africa leads Africa in that almost one-third of its National Parliament is composed of women. This figure comes close to what Dahlrup (1998) puts forward as the "critical" mass that women need in parliamentary representation to enable them to have a real impact on policy design and implementation. In this regard, Dahlrup presents a compelling argument that an increase in women's numbers through

active involvement in shaping legislation will translate into increased gender sensitised policy that could lead to more equitable outcomes for women in the broader society.

Policy impact requires an enabling institutional environment that will harness the contribution of both women and men, most of whom had been excluded from formal politics until the first democratic elections in 1994. This study focuses on the specific gender concerns that face women Members of Parliament and argues that without fundamental institutional transformation that addresses forms of explicit and implicit gender power, the objective of enhancing effective participation by women in the policy process will fail.

This chapter will provide a background to the role of MPs with specific reference to the National Assembly (NA) and the National Council of Provinces (NCOP). It will also reflect on the international and regional instruments that South Africa has ratified, and provide background details on the gender machinery that has been put in place in the broader South Africa, the gender machinery in Parliament, and women's representation and participation in Parliament.

## **2.2 Functions of the National Assembly (NA) and National Council of Provinces (NCOP)**

### **2.2.1 The National Assembly (NA)**

The institution of Parliament consists of two houses, namely the National Assembly and the National Council of Provinces. The National Assembly (NA) is presided over by the Speaker of the NA who is assisted by the Deputy Speaker and the Chairperson and Deputy Chairperson of Committees. The NA has 400 members elected by a system of proportional representation. The National Assembly is the proactive part of government, which, through its committees,

must oversee the functioning of the Executive arm. The most direct way in which Parliament holds the Executive accountable is by passing the annual budget, which allocates funds to government departments. The MPs can also put questions to Ministers, and these questions have to be answered in public. In addition the Portfolio and Select Committees of Parliament can investigate any aspect of how government departments function and can call any departmental official or even a Minister to appear before the Committee to supply information.

Parliament is committed to the spirit of transparency, inclusivity and co-operative governance as defined by the constitution of South Africa. The inclusion of women in this structure is therefore essential, and not merely desirable. This is "important on the grounds of social justice and legitimacy of the political system, (International Idea, 1998:121).

Committees of the NA play one of the most important roles within the institution of Parliament. They are the mechanism through which the public has access to the legislative process. It is in the parliamentary committees where proposed new laws are debated most vigorously. The portfolio committees are where the power of Parliament is located, and where the power to discuss, influence and impact on bills can be affected or rejected. They are often referred to as the engine of Parliament. Some of the most important Portfolio Committees, include the Finance Committee, the Health Committee, the Education Committees, the Justice Committee, the Public Accounts Committee and the Labour Committee.

These committees are obliged to function with transparency with regards to the drafting of legislation, and scrutiny from civil society members who are free to attend these committee meetings as observers. The participation of women from Parliament and civil society is therefore crucial to play an oversight function on gender impact of proposed laws. In this regard, the involvement of civil society ensures a scrutiny and monitoring of the law making process, and facilitates

dialogue between the policy makers (MPs) and the policy shapers (members of civil society).

Sections 55,57 and 59 of the Constitution provide for the roles of Members of the National Assembly. Their roles include to consider, pass, amend or reject legislation, initiate or prepare legislation, ensure accountability of the executive organs of state in the national sphere, maintain oversight of the exercise of the National Executive authority and organs of state, to determine its internal arrangements and proceedings, and to facilitate public access to and involvement in the National Assembly.

### **2.2.2. The National Council of Provinces (NCOP)**

The National Council of Provinces (NCOP) is presided over by the Chairperson of the NCOP who is assisted by the Deputy Chairperson of the NCOP and the Chairperson and Deputy Chairperson of Committees. The permanent Deputy Chairperson is elected for five years while provincial premiers take turns to be rotating Deputy Chairperson for a year. There are ninety (90) members in the NCOP, consisting of nine provincial delegations. Each delegation comprises six (6) permanent members and four (4) special members. The six permanent members are appointed by the provincial legislature to serve until the next provincial election. The four special members consists of the Premier or her or his nominee and three other members who are designated from time to time by the provincial legislature from among its members to represent the legislature on a specific matter. The Premier and leaders of parties are entitled by the constitution to choose the special delegates. The functions of the National Council of Provinces and the Provincial Legislatures are also stated in the Constitution in Section 68, 70, 72, 114, 116 and 118. Their roles are similar to that of the Members of the National Assembly, except that the Provincial Legislatures cannot legislate on money Bills. All of these functions apply to both male and female representatives of the National Assembly, National Council of

Provinces and Provincial Legislatures. There are no functions that are gender specific.

Because the needs and concerns of people living in different Provinces may differ, provincial government can adapt policies and laws passed at the national level to make them more applicable locally. Strong provincial government is part of an international trend to decentralise state power to bring government closer to the people.

## **2.3 International Instruments**

### **Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW)**

South Africa ratified this convention in 1995, and the Joint Committee on the Improvement of Quality of Life and Status of Women (JCQLSW) was subsequently charged with the responsibility for monitoring its implementation. The Convention states that the "Parties shall take all appropriate measures to eliminate discrimination against women in political life, and shall ensure that women, on equal terms with men, have the right to participate in the formulation and implementation of government policy and to hold public office and perform all public functions at all levels of government".

CEDAW also further emphasise that "Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men." (First SA Report on CEDAW 1997). Lulu Xingwana (Chairperson of the Joint Committee on the Improvement of Quality of Life and Status of Women and Chairperson of the SADC Regional Women's Parliamentary Caucus) states that the ratification of international and regional gender instruments is a critical stick to ensure that

change around gender can happen". ( SADC-PF 14<sup>th</sup> Plenary Assembly Session May 2003 Report ). This can to ensure that Governments be held accountable if they don't adhere or promote these international instruments, thus assisting Parliaments in performing their oversight function.

Although South Africa has made considerable progress in improving the representation of women in Parliament, the global situation (as indicated in Table 1 below) remains far from encouraging. It is therefore very important that all countries the above instrument, to assist with the increase of these numbers.

**Table 1: Number of Women Represented in Parliament Globally**

Countries/Continents	Lower or single House	Upper House or Senate	Both Houses combined
Nordic Countries	36.4%		36,4%
Asia	13.4%	9.9%	13,1%
Americas	12.9%	11,5%	12,7%
Europe – OSCE (including Nordic countries)	13.8%	8,5%	12,6%
Pacific	9.8%	21,8%	11,6%
Europe – OSCE (excluding Nordic countries)	11,6%	8.5%	10.9%
Sub-Saharan Africa	10.1%	13,6%	10.4%
Arab States	3,3%	2.1%	3.3%1

Source: Inter-Parliamentary Union 1997-ISBN 92/9142/026-3

### **The Beijing Declaration and Platform for Action**

The Fourth World Conference on Women in Beijing adopted the Beijing Declaration in September 1995. It reaffirmed governments' commitment to the equal rights and inherent human dignity of women and men and other purposes and principles enshrined in the Charter of the United Nations, as well as in the



Universal Declaration of Human Rights and other international human instruments, in particular CEDAW and the Convention on the Rights of the Child, as well as the Declaration on the Elimination of Violence against Women and the Declaration on the Right to Development. It calls on governments to take measures to ensure women's equal access to and full participation in power structures and decision-making by creating a gender balance in government and administration; integrating women into political parties; increasing women's capacity to participate in decision-making and leadership and increasing women's participation in the electoral process and political activities.

The Fourth World Conference on Women also adopted the Platform for Action, 15 September 1995. The former Secretary General of the United Nations, Mr Boutros-Boutros-Ghali stated that the Platform for Action "is a powerful agenda for the empowerment of women. It calls for the integration of gender perspectives in all policies and programmes." Furthermore he stated that "the Platform of Action is a call for concrete action to make a difference:, in particular by removing the obstacles to women's full participation in public life and decision-making, at all levels – including the family."(United Nations –Department of Public Information 1996:3).

The current Minister of Foreign Affairs, Dr Nkosasana Dlamini-Zuma, led the South African delegation to the Beijing conference. The conference provided the opportunity for the women of the newly democratic South Africa to represent their views on women' human rights. The South African Government has committed itself to implementing the Platform of Action.

## **2.4 Regional Instruments**

### **The Southern African Development Community (SADC) Declaration on Gender and Development**

The SADC Heads of State and Government in 1997 in Blantyre, Malawi adopted The SADC Declaration on Gender and Development. The SADC Declaration on

Gender and Development reaffirms the commitment to CEDAW as well as the Beijing Declaration and Platform of Action. It also commits member states to “ensuring the equal representation of women and men in the decision-making of member states and SADC at all levels, and the achievement of at least a 30% target of women in political and decision-making structures by the year 2005”. To work towards the achievement of this 30%, the SADC Parliamentary Forum (SADC-PF) launched the Regional Women’s Parliamentary Caucus (SADC RWPC) on 12 April 2002 in Luanda, Angola. At the launch the newly elected Chairperson of the SADC RWPC, the Hon Lulu Xingwana presented the following as the Caucus’s overall objectives:

- To build and strengthen skills and competencies for gender mainstreaming and women's empowerment among women MPs,
- To provide practical follow up and monitoring on the implementing of the Declaration on Gender and Development,
- To engage leaders of political parties in six countries scheduled to hold elections in 2004-2005 and lobby for at least 30 % women candidates on their election nomination lists for Parliaments,
- To profile the need for women in positions of power and decision-making and prospective women candidates for parliamentary elections,
- To facilitate the involvement of women MPs in election processes in the region,
- To lobby Parliaments for increased budgetary allocation of resources for HIV/AIDS programmes and activities,
- To facilitate political training, formal and informal networking and
- To enhance the participation of women in peace building and conflict resolution processes in SADC.

In addition to the SADC Regional Women’s Parliamentary Caucus, SADC-PF has a programme of engendering Parliaments in the SADC region. This engendering programme enshrines the principle of gender equality and equity for

the SADC region through Parliamentary action. Its goal is to equip both female and male MPs with the necessary gender analytical skills and information. The programme is designed to supplement other initiatives on gender capacity building and training at national and regional levels for policy makers, and highlight the significant role of MPs for women's empowerment and gender equality.

## **2.5 The South African National Gender Machinery**

Gender equality is a fundamental and underlying principle of our Constitution.

### **Interim Constitution, 1994**

Section 1, of Schedule 4 of the Interim Constitution of 1994, states, "that the Constitution of South Africa shall provide for the establishment of one sovereign state, a common South Africa citizenship and a democratic system of government committed to achieving equality between men and women and people of all races". As a pre-condition to agreeing to a process of adoption of the final Constitution, a set of constitutional principles was also included in the Interim Constitution of 1994. These constitutional principles committed further Constitutional negotiations to the notion of gender equality.

### **Final Constitution, 1996**

In the final Constitution the notion of gender equality found expression in Chapter 1 on founding provisions as one of the values on which the State is founded. It also finds expression in the section on equality, Section 9, Chapter 2, the Bill of Rights. This section deals with gender equality in a number of ways. It states that the State and no person may discriminate against anyone on the grounds of gender. It also provides a commitment to legislative and other measures to protect or advance persons that have been discriminated against, including on the grounds of gender.

As part of the Government's commitment to gender equality,<sup>5</sup> the Cabinet adopted in 1997 a policy framework, called: South Africa's National Policy Framework for Women's Empowerment and Gender Equality. This is commonly known as the National Gender Policy Framework. This framework established guidelines to redress past injustices, "by defining new terms of reference for interacting with each other in both the private and public spheres, and by and recommending an institutional framework that facilitates equal access to goods and services for both women and men" (National Gender Policy Framework, 1997)

The policies of the state are a clear attempt to institutionalise gender. This means that gender issues should be integrated into the government machinery, in the form of procedures, service delivery and policy formulation. All politicians and civil servants have an important responsibility to ensure that this happens. The key elements of this machinery include the National Office on the Status of Women (OSW) and the provincial OSW's, the Gender Desks in government departments, and the Commission on Gender Equality.

### **2.5.1 The Office on the Status of Women (OSW)**

The Office on the Status of Women (OSW) in the Office of the Presidency's role is to be the main co-ordinating structure for the national machinery on gender equality, and channels women's concerns in government. Additionally it develops national gender plans as well as national strategies to implement them. The OSW is thus basically responsible to co-ordinate and assist with gender integration in all government departments and also for setting up provincial offices to perform similar gender tasks within the respective Provinces. The functions of the National Office on the Status of Women are elaborated in Table 2 below.

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<sup>5</sup> This commitment was also shown through other legislative instruments and mechanisms, the 1998 Employment Equity Act being one obvious and important example.

**Table 2**

**Functions of the National Office on the Status of Women<sup>6</sup>**

- ✓ To advance a national policy on women's empowerment and gender equality;
- ✓ To prioritise key concerns and initiate policy and action-orientated research, relevant to gender mainstreaming;
- ✓ To advise and brief the President, the Deputy President and the Minister in the Presidency on all matters pertaining to the empowerment of women;
- ✓ To liaise between NGOs dealing with women's and gender issues and the Presidency;
- ✓ To liaise between international bodies (e.g. United Nations) and the Presidency;
- ✓ To work with Ministries and departments, provinces and all publicly funded Bodies in mainstreaming gender in policies, practices and programmes;
- ✓ To develop key indicators for measuring the national progression towards Gender equality;
- ✓ To arrange for training in gender analysis and gender sensitisation;
- ✓ To act as a catalyst for Affirmative Action with respect to gender equality;
- ✓ To initiate and promote cross-sectoral action on cross-cutting issues such as, the girl-child, violence against women and HIV/AIDS;
- ✓ To facilitate
- ✓ Awareness-raising and confidence-building among women at all levels;
- ✓ To provide a co-ordination framework for the effective implementation of

<sup>6</sup> South Africa's National Policy Framework for Women's Empowerment and Gender Equality 1997

the Gender programme at the national, provincial and local government levels;

- ✓ To consult and liase with civil society and Parliament.

## **2.5.2 The Provincial OSW and Gender Desks**

### **The Provincial OSW**

The main task of the Provincial OSW is to mainstream gender equality into the business of the Provincial Governments. This is operationalised by training the staff in various Provincial Departments in formulating a gender policy and framework, as well as by giving them guidance in developing gender budgets and gender mainstreaming.

### **Gender Desks**

As noted earlier the main aim of the national gender machinery, is to ensure that gender is mainstreamed throughout all government departments. In 1996, Cabinet authorised the formation of gender focal points in all government departments at both the national and provincial levels. Gender officers were thus appointed in the various departments. Their main functions included:

- reviewing departmental policy and planning in line with the National Gender Policy
- developing strategies to ensure the integration of gender policy and planning
- co-ordinating gender training and education of all staff within departments
- monitoring and evaluating projects, and
- establishing mechanisms to liase with civil society, to facilitate lintersectoral collaboration, and to utilise the skills and support of non-governmental organisations

### 2.5.3 The Commission on Gender Equality

The Commission on Gender Equality (CGE) manages the concerns of civil society." (AWEPA, 2001:14) According to the final Constitution of 1996, the CGE must promote respect for gender equality and the protection, development and attainment of gender equality. Furthermore the CGE has the power as regulated by national legislation, necessary to perform its functions, including the power to monitor, investigate research, educate, lobby advise and report on issues concerning gender equality. The Commission reports to Parliament. Its main functions are listed in Table 3.

Table 3

#### Functions of the Commission on Gender Equality<sup>7</sup>

- ✓ To monitor, evaluate and make recommendations on all policies and practices of organisations, bodies and institutions in South Africa to ensure that they promote gender equality in their work;
- ✓ To develop, conduct and manage information and education programmes, to enable the public to promote gender equality as well as to understand the role of the Commission;
- ✓ To evaluate any bill or proposed legislation likely to affect gender equality, or the status of women, and make recommendations accordingly to Parliament or the appropriate Provincial Legislatures;
- ✓ To recommend to Parliament or the Provincial Legislatures the adoption of new legislation which would promote gender equality and the status of women;
- ✓ To investigate any gender related gender issue on its own accord or on receipt of a complaint; and attempt to resolve any dispute or rectify any

<sup>7</sup> South Africa's National Policy Framework for Women's Empowerment and Gender Equality 1997

act or omission by mediation, conciliation and negotiation;

- ✓ To liaise closely with institutions, bodies or authorities with similar objectives to the CGE, in order to foster common policies and practices and promote co-ordination and
- ✓ Co-operation in relation to the handling of complaints in cases of overlapping jurisdiction;
- ✓ To liaise and interact with any organisation which actively promotes gender equality, as well as with other sectors of civil society, to further the objectives of the Commission;
- ✓ To monitor compliance with international conventions, covenants and charters, acceded to or ratified by the Republic of South Africa, and related to the objectives of the Commission;
- ✓ To prepare and submit reports to Parliament pertaining to any such convention, covenant or charter related to the objectives of the Commission;
- ✓ To conduct or commission research to further the objectives of the Commission;
- ✓ To consider recommendations, suggestions and requests concerning the promotion of gender equality.

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## **2.6 Gender Machinery in the South African Parliament**

The increased number of women Parliamentarians is an important part of the gender strategy to ensure that the institution of Parliament lives up to its objectives of creating an institution that is responsive to the needs of women and men in society, and takes into account their specific needs and interests in all aspects of policy formulation. To ensure this a number of institutional arrangements have been put in place. These include the Joint Committee on the Improvement of Quality of Life and Status of Women, the Women's Caucus and the Women's Empowerment Unit.



### **2.6.1 The Joint Committee on the Improvement of Quality of Life and Status of Women**

This Committee was formed in August 1996. It includes both men and women Members of Parliament from the National Assembly and National Council of Provinces. Its main aim is to monitor progress towards gender equality, in particular in relation to the Beijing Platform for Action and CEDAW. The Committee has been active in initiating legislation, oversight of gender structures and policy development. Its terms of reference are to monitor and oversee progress with regard to the improvement of the quality of life and status of women in South Africa. The Committee has the power to take evidence and call for papers.

### **2.6.2 The Women's Caucus**

The multi-party women's caucus was initially called the Parliamentary Women's Group and it was founded in 1994 with the objective of making the environment in Parliament more gender-sensitive. Areas of activity include capacity-building, working with the Women's Empowerment Unit in skills training, lobbying and caucusing around key legislation for women, and assisting the Provinces in establishing similar structures. An initial part of the brief was also to implement the institutional transformation of parliament. In 1999 the name was changed to the women's caucus with an elected chairperson and deputy chairperson. The chairperson was from the African National Congress (ANC) and the deputy from the Inkatha Freedom Party (IFP); this indicated a commitment to work together across party lines. The Women's Caucus still faces constraints, however in particular the lack of its own budget

### 2.6.3 The Women's Empowerment Unit (WEU)

A project of the Speakers Forum (comprising Speakers from the national and provincial legislatures), the WEU was formed in 1997, and aims to identify and address specific factors that hinder women from participating fully in the law-making process. The WEU attempts to achieve this by providing specialised training for all women Parliamentarians in the National and Provincial Legislatures. The training occurs across political party lines. Supported by a three-year project funded by the Swedish Development Agency (SIDA), the WEU also offers comprehensive training to new MPs and MPLs.



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## **CHAPTER THREE**

### **3.1 An Evaluation and Assessment of Gender Equity in the South Africa Parliament.**

This chapter presents the main findings of the research. It will firstly look at the achievements and progress in terms of women's participation in Parliament. Secondly, it will examine the limitations, in terms of what hasn't been achieved. Thirdly it will focus on constraints to the effective participation and empowerment of women MPs.

### **3.2 Achievements and Progress**

The increase in women's participation in Parliament is an important achievement for all women in South Africa. Close to one-third of women elected occupy key positions in government such as the first female Minister of Intelligence and in the National Parliament both the Speaker and Deputy Speaker of the NA and the Chairperson of the NCOP are female. Beall (1996:9) notes "women in public office give meaning to the representative nature of democracy and institutionalise and legitimate women's voices in the sites of power". Women now represent 38.09% of ministers and deputy ministers. The Ministers are part of the cabinet that is responsible for effective governance and policy implementation. Female cabinet ministers are currently responsible (i.e. before the 2004 elections) for the following positions: Agriculture and Land; Foreign Affairs; Health; Housing; Mineral and Energy; Communications; Public Service and Administration; and Public Works. Women also serve as Deputy Ministers for Arts, Culture, Science and Technology; Defence; Environment Affairs and Tourism; Home Affairs; Justice; Mineral and Energy Affairs; Provincial and Local Government; and Trade and Industry. (GCIS 2003).

A key victory for the Joint Committee on the Improvement of Quality of Life and Status of Women (JCQLSW) and the Women's Caucus had been the passing of legislation that had assisted women in the broader community. Examples include the Termination of Pregnancy Act, Act No 92 of 1996, the Maintenance Act No 99 of 1998, and The Recognition of Customary Marriages Act No 120 of 1999

The essence of the Termination of Pregnancy Act, Act No 92 of 1996 is basically to establish the conditions and circumstances when pregnancies may be terminated. This has been a major victory for women, because a termination of pregnancy under the apartheid government was strictly forbidden except if the life of the mother was threatened as a result of the pregnancy. The Act gives the individual right to the mother to choose to have an early, safe and legal termination of pregnancy, based on her beliefs.

Another groundbreaking piece of legislation is the Maintenance Act No 99 of 1998. South Africa is a signatory to the United Nations Declaration on the Survival, Protection and Development of Children, which basically recognises that every child has a right to live under conditions where the child's physical, spiritual, mental, emotional and social development has to be honoured. The Act therefore commits the state to take steps to obtain maintenance for the child from its parents or people having financial responsibility for the child.

The Recognition of Customary Marriages Act No 120 of 1999 provides for the recognition, regulation and consequences of Customary Marriages. The Act legitimates customary marriages, but it also provides for equal status and capacity of spouses of such marriages and regulates the property dissolution of them. This basically means that women will have equal access to property and other assets of the marriage as their male counterparts.

The gender institutional framework within Parliament, and the active involvement of women within these structures, combines with their history of political activism in the women's movement to augur well for continued gender sensitivity in policy formulation and outcome. In addition there has also been the Child Support Grant. There are three types of grants available for children. One type is for people who foster children, another is when a person cares for a child who has a disability and the third type is a support grant for people who are responsible for young children but do not have the means to care for them properly. In addition, government child and maternal health policies have impacted positively on women, by making health care free for pregnant mothers and children up to the age of six years.

There is also the Women's Budget. This is an instrument that assists the Government in reprioritising expenditure and mainstreaming gender in their policies. The Women's Budget is not a separate budget for women. Rather, it is a tool for analysing national budgets for gender impact. It acknowledges that there are unequal gender relations in society and that society has allocated different roles to men and women. It acknowledges that because of the different roles, men and women have different needs. It provides a checklist for analysing budgets and in particular, provides a set of questions to ask in order to measure how the budget impacts on women, especially poor women. Such questions include:

- How much is to be spent and on what?
- How does possible expenditure relate to the informal and unpaid provision of services by women, through households and family networks?
- Who is going to benefit in terms of access to services?
- Who will benefit in terms of public sector employment?
- How can poor women access more time, better nutrition, better health and better skills.

One of the aims of the Women's Budget Initiative is also to empower Parliamentarians and civil society to more easily take part in the budgetary debates and therefore begin to influence budget allocations.

The Joint Committee on the Improvement of Quality and Status of Women and the Women's Caucus have also succeeded in successful lobbying for the establishment of a crèche in Parliament, the ratification of CEDAW without any reservations, the enactment of the Commission for Gender Equality and the recognition of 9 August – the historic anniversary of the march by women against pass laws - as a public holiday.

A further example demonstrates the positive impact of a gender sensitive committee on the passing of legislation. In October 2002, the Committee on the improvement of Quality of Life and Status of Women (JCQLSW) held hearings into "How best can SA address the horrific impact of HIV/AIDS on women and girls". Pregs Govender, chairperson of the JCQLSW, authored the report on these hearings on behalf of the committee. The hearings and the report made a significant contribution to ensuring that the ANC and Parliament heard the voices of women and girls with HIV/AIDS, health workers and scientists. Her presentation of this report to the ANC Caucus was the first time a position opposed to that articulated by the President and Health Minister was argued for within the Caucus. The report was viewed by those inside and outside the ANC, as having been influential in Cabinet's 2002 statement committing to treatment of the Prevention of Mother to Child Transmission (PMTCT), post-exposure rape and accessing generic medicine to ensure affordability (three key recommendations in the report). This example demonstrates the role that individual women willing to challenge existing legislative priorities can play to positively influence gender-based issues.

The Women's Empowerment Unit has also had some successes. For example, in a WEU commissioned study (May 2002), to evaluate the effectiveness of the

training programmes, it was argued that the unit had been very effective in assisting women parliamentarians to do their jobs better. However, the study recommended that training should be extended to their male counterparts. It also recommended that the presiding officers of the various institutions should be provided with specialised gender advocacy skills, in order to ensure that they also have the skills to make the institutions more gender sensitive.

### **3.3 Limitations**

One of the main limitations relates to the representation and participation of women in the Portfolio Committees. The Portfolio Committees play an important role in Parliament. It is in the various Committees that issues can be discussed in a more efficient and effective way than in a larger group. Issues can also be discussed in a lot more depth, and the voice of the Opposition Parties is also considered. More MPs are therefore able to participate in the smaller group, thus beginning to develop expertise in particular areas. As noted earlier Committees also facilitate the participation of the broader public.

The various committees fulfil some or all of the following functions:

- To monitor and oversee the work of national government departments and hold them accountable
- To oversee the accounts of national government departments and state institutions
- To take care of domestic parliamentary issues
- To examine specific areas of public life or matters of public interest
- To consider bills and amend them, and may initiate bills
- To consider private members' and provincial legislative proposals and special petitions and
- To consider international treaties and agreements.

The representation of women on the portfolio committees remains very skewed, however. The representation of women ranged from 0% (Public Accounts) to 73% (Health). Committees in which women are well represented include Welfare (60%), Health (52,6) and Communications (66%). Committees where women are under represented include Land Affairs (18%), Mineral and Energy (12%), Transport (12%), Foreign Affairs (12%) and Labour (19%). Clearly a sharply skewed representation will necessarily influence the gendered debates and gendered outcomes. Ms. Ruth Rubinowitz, MP, commented that it is an extremely difficult issue for opposition parties, as there are so few women in those parties, and therefore makes it more difficult for them to be represented in all the Committees. Therefore, it becomes absolutely important for women MPs from the ruling party to insist on increased representation in the various committees."<sup>8</sup>

Details on the representation of women in the Committees are provided in Table 4.

Portfolio Committee	Total No. of MPs	Total No. of Female MPs	% of Female MPs
1.Agriculture and Land Affairs	18	6	33
2.Arts, Culture, Science and Technology	19	7	36,01
3.Communications	16	6	37,5
4.Correctional Services	19	4	21,05
5.Defence	16	4	25
6.Education	18	5	27,7
7.Environmental Affairs and Tourism	13	5	38,4
8.Finance	19	6	31,5
9.Foreign Affairs	19	3	15,7
10.Health	19	10	52,6

<sup>8</sup> Interview with Ms Ruth Robinowitz, IFP,MP



11.Home Affairs	16	4	25
12.Housing	15	5	33,3
13.Justice and Constitutional Development	17	4	23,5
14.Labour	14	3	21,4
15.Minerals and Energy	14	2	14,2
16.Provincial and Local Government	17	2	11,7
17.Public Enterprise	16	3	18,7
18.Public Accounts	17	1	0
19.Public Service and Administration	15	2	13,3
20.Public Works	15	6	40
21.Safety and Security	21	7	33,3
22.Social Development	18	7	38,8
23.Sport and Recreation	15	2	13,3
24.Trade and industry	14	2	14,2
25.Transport	14	5	35,7
26.Water Affairs and Forestry	16	2	12,5
27.Select Committee on Education and Recreation	14	8	57,1
28.Select Committee on Economic Affairs and Foreign Affairs	11	2	18,18
29.Select Committee on Finance	8	2	25
30.Select Committee on Land and Environmental Affairs	11	3	27,2
31.Select Committee on labour and Public Enterprises	13	4	30,7
32.Select Committee on LG and Administration	14	3	21,4
33.Select Committee on Public Services	12	4	33,3
34.Select Committee on Security and Constitutional Affairs	14	4	28,5
35.Select Committee on Social Services	13	7	53,8
36.Joint Committee on Defence	29	5	

37. Joint Budget Committee	21	6	
38. Joint Constitutional Review Committee	43	8	
39. Joint Standing Committee on Intelligence	12	4	33,3
40. Joint Monitoring Committee on Improvement of Quality of Life and Status of Women	28	25	89
41. Joint Monitoring Committee on the Improvement of Quality of Life and Status of Children, Youth and Disabled Persons	24	6	25

The low numbers of women active in some portfolio committees is a real concern, because the portfolio committee meetings offer (at face value at least) a more participative environment than the formal debating (and cutthroat) style of the Assembly where multi-party meetings take place. That environment should make it easier for women to participate, but the gendered patterns in the previous legislature disprove this expectation. Whether the increase of women's representation will translate in increased and meaningful participation of women in portfolio committees also remains to be seen. However, Ms Loretta Jacobs, Chairperson of the Select Committee on Social Services states that " more women represented will result in them participating more actively, as they will get courage from seeing other women MPs contributing meaningfully to discussions."<sup>9</sup>

From the earlier assessment in this study of women's formal representivity, it is clear that women are still under-represented in Parliament, and especially in the portfolio committees, despite the fact that women account for 52% of the electoral vote. Although women have managed to make gender count through the adoption of several pieces of legislation, (for example, Choice on Termination

of Pregnancy Act, the Maintenance Act and the Recognition of Customary Marriages Act), their relatively small number has led to extreme burn-out as they have had to spread themselves across 32 portfolio committees, in addition to attending parliamentary sessions. According to Britton (1997), "(some) women... have indicated that the disproportionate burden they carry in Parliament and their personal lives has led to a feeling of alienation and burn-out". This was reflected in my interview with Pregs Govender, Chairperson of the Committee of the Improvement of Quality of Life and Status of Women, where she indicated that, she is so exhausted by the time she gets home, that she has little energy left to spent quality time with her son and husband. This has led to feelings of extreme guilt.<sup>10</sup>

The fact that many of the chairpersons of portfolio committees are male reinforces a perception of "male think-tanks" and notions of an inner circle that excludes women. As commented by Ms. Thandi Modise, Chairperson of the Defence Committee, "as chairperson I encourage women MPs to participate in discussion and debate in the Committee", and she thinks women feel more comfortable to participate if the Committee is chaired by a woman. Therefore she would definitely advocate for more women chairpersons".<sup>11</sup> Table 5 below provides details on the gender composition of the chairpersons. As indicated earlier there are some Committees where women are under represented and it is interesting to note that these committees are all headed by males (Public Accounts, Land Affairs, Mineral and Energy. Transport, Foreign Affairs and Labour).

The way in which Parliament conducts its business is also experienced as extremely alienating. It is common for Members of Opposition Parties to heckle during points made by Members, and this presents a particular difficulty for

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<sup>9</sup> Interview with Ms Loretta Jacobs, Chairperson of the Select Committee on Social Services

<sup>10</sup> Interview with Ms Pregs Govender, Chairperson of the Committee of the Improvement of Quality of Life and Status of Women

<sup>11</sup> Interview with Ms Thandi Modise, MP, Chairperson of the Defence Committee

women who have often not been socialised to display similar behaviour that they would consider too "risk-taking".

<b>TABLE 5</b>	
<b>Committee Chairpersons in Parliament</b>	
<b>Name of Committee</b>	<b>Gender</b>
1.Agriculture and Land Affairs	Male
2.Arts Culture Science and Technology	Female
3.Communications	Male
4.Correctional Services	Male
5.Defence	Female
6.Education	Male
7.Environmental Affairs and Tourism	Female
8.Finance	Female
9.Foreign Affairs	Male
10.Health	Male
11.Home Affairs	Male
12.Housing	Female
13.Justice and Constitutional Development	Male
14.Labour	Male
15.Minerals and Energy	Male
16.Provincial and Local Government	Male
17.Public Accounts	Male
18.Public Enterprises	Male
19.Public Service and Administration	Male
20.Public Works	Male
21.Safety and Security	Male
22.Social Development	Male
23.Sport and Recreation	Male
24.Trade and Industry	Male
25.Transport	Male
26.Water Affairs and Forestry	Female
27.Select Committee on Education and Recreation	Male

28.Select Committee on Economic Affairs and Foreign Affairs	Male
29.Select Committee on Finance	Female
30.Select Committee on Land and Environmental Affairs	Male
31.Select Committee on Labour and Public Enterprise	Male
32.Select Committee on Local Government and Administration	Male
33.Select Committee on Public Services	Female
34.Select Committee on Members and Provincial Legislative Matters	Male
35. Select Committee on Security and Constitutional Affairs	Male
36.Select Committee on Social Services	Female
37.Joint Budget Committee	Male
38.Joint Constitutional Review Committee	Male
39.Joint Committee on Defence	Male
40.Joint Standing Committee on Intelligence	Male
41.Joint Monitoring Committee on Improvement of Quality of Life and Status of Women	Female
42.Joint Monitoring Committee on the Improvement of Quality of Life and Status of Children, Youth and Disabled Persons	Female
<b>TOTAL FEMALE COMMITTEE CHAIRPERSONS</b>	<b>11</b>
<b>TOTAL MALE COMMITTEE CHAIRPERSONS</b>	<b>31</b>

Another issue that was raised by some women in the interviews that I conducted with women MPs in the NCOP was that women in the majority party have to adhere to party discipline, because the political parties in a proportional representation election system have absolute power in deciding which members form part of the party list. This was reflected when a former women MP, Ms Pregs Govender, resigned on 31 May 2002. As reason for this, she cited that the R50 billion plus spent on the arms deal have been utilised to implement the Cabinet's post –Beijing 1996 commitment to “decrease military spending and to re-allocate to women's empowerment” especially in eradicating poverty, violence and responding comprehensively to HIV/AIDS. She registered her opposition by abstaining in the defence budget vote and subsequently resigning from Parliament.

### 3.4 Constraints

The euphoria that exists about the high numbers of women in Parliament obscures the difficulty that women face in the effective performance of their jobs. When Acker (1990) refers to an "abstract worker" with a job description, she is also referring to the fact that the organisational logic develops that job description as an activity through which "outside imperatives.... cannot be included within the definition of the job". Similarly, the "job description" for Members of Parliament (outlined in chapter two) assumes that the job category of MP is gender neutral.

Certainly, there is nothing in the constitution that separates tasks for women and men. The interpretation of the job is shaped by the institutional gender culture of Parliament, and the performance of the job, is shaped by the gendered private/public dichotomy that society sets, and that Parliament replicates within its institutional arrangements. So even though women and men have the same job function, the interpretation of the job is based on an implicit institutional understanding of what women can and cannot do, and so shapes outcomes through particular institutional arrangements. Parliament reinforces and replicates this private/public dichotomy within the rules and procedures that guide the institution of Parliament. Acker (1990) argues that a job already contains the "gender-based divisions of labour and the separation between the public and the private sphere. The concept of a job assumes a particular gendered organisation of domestic life and social production. It is an example of what Dorothy Smith called the gender sub text of the rational and the impersonal (1988:4). This means that the shapers of policies and job descriptions bring to that description their own gendered viewpoint, and this shapes the gendered performance and outcomes of jobs according to existing societal expectations.

The effectiveness of women parliamentarians is severely hampered by the institutional structure, practices and culture of Parliament. Likewise, their function and role within Parliament is shaped by the institutional arrangements

that impact on their effectiveness. The functions expected of women and men, and by which their performances are judged appears gender-neutral on the surface, but is, in fact, deeply gendered. As indicated by Ms. Loretta Jacobs, Chairperson of the Select Committee on Social Services, “networking between MPs often happen in bars and men feels more comfortable in those settings than women.” She suggested that Parliament creates a Wellness Centre, where MPs could get massages, facials and attend yoga classes to relieve stress, but also engage in networking.<sup>12</sup>

Women's representation in Parliament in 1994 was a direct result of their demands for greater representivity during the constitutional negotiation process and the ANC's subsequent commitment to a 30% female quota. The success of these demands is evidenced in the increased representation of women in both the 1994 and the 1999 elections. The visible presence of women in the National Assembly (NA), the National Council of Provinces (NCOP) and Provincial Legislatures has become part of the public face and norms of Parliament. It is also accepted and expected that women in Parliament will and indeed must make a difference to the lives of women in civil society. Likewise so for Parliament and the Provincial Legislatures who are charged with the responsibility to realise the vision of non-sexism in wider society. What has become apparent since the first democratic election is that a prerequisite for achieving this vision is institutional change within Parliament, the legislatures and the National Assembly.

The introduction of relatively high numbers of women in Parliament not only changed the visible face of Parliament, but also presented challenges to all parties particularly with respect to changing the internal institutional arrangements of Parliament with its traditional patriarchal value, norms and culture, based as it is on the old Westminster system. This presented enormous challenges to the effective performance of women in Parliament, most of whom

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<sup>12</sup> Interview with Ms Loretta Jacobs, Chairperson of the Select Committee on Social Services

were faced with the dilemma of an institutional structure, culture and practice that many of them experienced as “disempowering” (Mtintso, 1999: 12). The South Africa Apartheid system was created “to perpetuate inequality and preserve privilege, objectives which are diametrically opposed by many women.” (International Idea, 1998:3). In my interview with Prof Ngubane from the IFP, she says that she experienced an extremely hostile environment towards women MPs. It was clear that even the staff that was inherited from the previous system, did not take the women MPs seriously. And they continued to make remarks that “the women MPs in Cape Town spent their time shopping instead to attending parliamentary sessions or committee meetings.”<sup>13</sup>

Many parliamentarians gained their experience in politics through extra-parliamentary involvement in the national liberation movement, and so experienced Parliament as an alienating structure that they had little knowledge of, let alone preparation for.

Despite these constraints, the substantial number of women MPs who occupy key decision-making positions as ministers, deputy ministers and in Parliament, coupled with experience gained during their first term of office, augurs well for the further entrenchment of feminist practices in policy making and policy formulation in Parliament. The initial surprise of finding a rule-driven, traditional and conservative institution that seemed by its very practices to exclude women, are now known and have been engaged with, especially through the passing of legislation that impacts positively on women

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<sup>13</sup> Interview with Prof Ngubane ,MP IFP Deputy Chairperson of the Women’s Caucus



## CHAPTER FOUR

### 4.1 Recommendations

Despite considerable progress that has been made in ensuring women's effective participation in Parliament, a lot still needs to be done to fundamentally change the institution. In this section I will make a number of recommendations to address some of the constraints that I have listed previously.

**Firstly**, The focus needs to be on the recognition of gender in the workplace, and the effects of gender role expectations on the performance of women and men. Parliament has to realise that although we have gender equality enshrined in the Constitution, the reality is that it has not yet been operationalised in the broader society. The result is that women still have to carry most of the responsibility for the family, which impacts directly on their performance in Parliament. Parliament as an institution has to acknowledge this, if South Africa is not to become like many of the more established "first-world" democracies where women only enter politics when their children are adults and therefore, they now have time to actively pursue a life in politics. In my discussions with female MPs of the Irish and Swiss Parliaments, it transpired that they tendered to enter politics after all their children were grown up and lived independent lives. I am recommending that Parliament should put mechanisms in place that can support women in their current roles. Examples of such mechanisms are provided in the sections below.

**Secondly**, strengthening and supporting cross-party alliances around gender with other women and men remains an important objective so as to strengthen gender-sensitive practices and gender-equitable outcomes in policy. Hassim (1999) suggests that such a scatter-shot strategy may have a snowball effect whose cumulative weight will impact positively on gender in parliament. In the

course of my work, the Presiding Officers of both the National Parliament and the Provincial Legislatures indicated that they have to take collective responsibility for transforming the institutions. As Trevor Fowler stressed in his interview: “men as well as women have to be involved in pushing for change. Senior political leaders such as Presiding Officers and Chief Whips have to lead and demonstrate change towards greater gender sensitivity.”<sup>14</sup> As Presiding Officers, they have some power to effect such change. The Speaker of the National Assembly has the responsibility for enforcing standing orders, so for example if the rules of the House states that Portfolio Committee should end at six o'clock to accommodate MPs with family responsibilities, the Speaker can enforce this law, by dealing directly with the Chief Whips of the various political parties. The Speaker is also the Chairperson the Rules Committee, and can strongly influence rules that impact negatively on women MPs. One of the issues that can be addressed is that the rules can state that parliamentary committees must plan their work in a manner to allow MPs to make the necessary arrangements in terms of their domestic responsibilities.

**Thirdly**, a number of leverages exists that can be used to raise awareness for policy intervention. For example, a member of the Commission on Gender Equality was raped on Robben Island soon after her appointment to the Commission. The high profile of the rape survivor and the community anger around the issue managed to unite women across party political lines, and resulted in a renewed focus on the high incidence of rape. Now bills have been tabled in parliament to impose stricter sentences to rapists, as well as to tighten up police measures to deal with rape. In her interview, Lindiwe Zulu emphasised that “Parliament sets the tone for change in the broader society. The kind of changes that are demonstrated around gender equality in Parliament will have a far-reaching impact on changes in broader society”.<sup>15</sup> It would thus be important

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<sup>14</sup> Interview with Trevor Fowler, MEC for Local Government and Development Planning, Gauteng, and formerly Speaker of the Gauteng Provincial Legislature.

<sup>15</sup> In an interview with Ms Lindiwe Zulu, ex-MP, currently Head of Government Relations, Vodacom

for Parliament to demonstrate that it is not merely adding a women's component or even gender equality to policy decisions, but rather that gender equality is at the centre of every decision that Parliament makes, and that it is given media attention, so that the broader society are informed.

**Fourthly**, women in Parliament have to establish a closer relationship with the media. The media to a large extent is still responsible for influencing how the broader society perceives women. Currently most of the stories in the various newspapers, focus either on "controversial women MPs" or on how they dress. The women have to actively nurture and facilitate a positive relationship with the media, and negotiate stories on their terms. They can also work with civil society organisations to begin civic education for the broader society. This can create an environment where women and men enjoy not only equal opportunities but also equal outcomes.

**Fifthly**, women in Parliament will have to strengthen their links with civil society. Women's organizations function as important mediators between the state and civil society, as is evidenced by the gains that women were able to win during the constitutional negotiation process. This link offers a strategic leverage for women in parliament as well as for women in civil society. As indicated by Ms Roshieda Shabodien, a gender specialist and former director of the Gender Advocacy Project (GAP) based in Cape Town, it is important that the "voice of women in civil society be heard in the corridors of power, and to lobby them on specific issues that could positively impact on women."<sup>16</sup> The benefits for women MPs to remain in close cooperation with civil society women's organisations, allows them to "remain in touch with their broader constituency". The civil society organisations also have access to resources that could facilitate research studies that could facilitate the work of women MPs, especially in the Committees. This relationship with civil society can be operationalised, by setting up a structured

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<sup>16</sup> Interview with Roshieda Shabodien, gender specialist, former Director of Gender Advocacy Programme (GAP), and currently Director of an independent Consultancy, called Footprints

relationship, for example by establishing a forum with representatives from the various civil society organisations, which could meet on a regular basis with the Women's Caucus.

**Sixthly**, it is important for women MPs to be actively visible in their constituencies and local political party branches, as this may increase their own leverage within their political parties. This could make it easier for women MPs who may otherwise feel "at risk" within their political parties or Parliament to raise gender issues. This also means that MPs may feel less "vulnerable" in raising issues that may be seen as controversial or challenging for men. South Africa currently has a proportional representation electoral system, where one gets onto the party lists mostly via the leadership of political parties. Hence many women MPs undoubtedly feel they have to toe the party line at all costs. However, if they have a strong base at branch level, there may well be more room to manoeuvre. They could then push gender issues and concerns without fear of reprimand from the party leadership.

**Seventhly**, It would be important to build solidarity amongst women across political party lines. Professor Harriet Ngubane (Deputy Chairperson of the Women's Caucus, MP) comments that "it is important that women MPs work with each other across party-political lines, so as to strengthen their hand, to lobby their own political parties for greater gender sensitive policies and practices."<sup>17</sup>

**Finally**, women in Parliament have to address the institutional transformation of Parliament as a key structural variable so as to create a gender-enabling environment within which to function. The institutional transformation includes setting benchmarks that investigate and scrutinise the existing structure, culture and strategy that Parliament employs. It would also be absolutely important for women MPs to form partnerships with their male counterparts, in order to lobby

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<sup>17</sup> Interview with Prof Harriet Ngubane, MP, Deputy Chairperson of the Women's Caucus, )

for more change in the institution. Such change, could very well include increasing access and representation for women, demanding a legislative quota system so as to achieve equity, and gender-sensitising training for everyone in the governance structures of the three arms of the state (Parliament, the Executive and the Judiciary). Parliament could also establish a Parliamentary Reform Committee, with clear terms of reference that could systematically begin to address the above issues.

## 4.2 Conclusions

This report argues that access and representation of increasing numbers of women in Parliament is an insufficient condition to ensure that parliament produces gender-equitable processes and outcomes. Instead, it argues that access and representation have to be linked to the fundamental objective of transforming the institution of parliament, starting from the core variables of structure, practices and culture.

In constructing this argument, the author has considered the way in which women's experiences within Parliament reflect a gender landscape that has left women largely swimming within the male-stream of Parliament. Women interviewed have reported a huge tension between balancing the demands of Parliament with the expectations of their private lives. For this tension to be resolved, the public/private dichotomy needs to be acknowledged and addressed if women are to function effectively in Parliament and in their private lives.

The report suggests that for women to survive in this environment, a mix of strategies will have to be pursued. These strategies may in some cases be contingent to context, but need to be related to the gender landscape within Parliament that may either restrict, constrain or open up spaces and potential for women to push a gender-transformative agenda. Such an agenda should maintain and increase the current gains of representation, whilst at the same

time pushing for a more fundamental transformation of the structures, culture and practices of Parliament, many of which currently impede women's effective participation. Such a mix of approaches would also have to recognize that the gendered landscape reveals an "uneven institutionalization of dominance" (Franzway et al, 1989). Women involved in Parliament would have to recognize first and foremost that women, whether they like it or not, are involved in a masculinised policy process. To resist this means to contest issues in sexual politics within a structure immediately controlled by men and in organisational terms permeated with patriarchal interests" (Franzway et al, 1989). Unless women and men recognize and engage with this in the first instance, women may well continue to "wave" and "drown" in the "male-stream" of Parliament.



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## **Annexure A**

### ***GENDER AND DEVELOPMENT: A DECLARATION BY HEADS OF STATE OR GOVERNMENT OF THE SOUTHERN AFRICAN DEVELOPMENT COMMUNITY***

#### **PREAMBLE**

WE, the Heads of State or Government of the Southern African Development Community,

#### **NOTING THAT:**

Member States undertook in the SADC Treaty (Article 6[2]) not to discriminate against any person on the grounds of gender, among others;

All SADC member states have signed and ratified or acceded to the UN Convention on the elimination of All Forms of Discrimination Against Women (CEDAW), or are in the final stages of doing so;

#### **CONVINCED THAT:**

Gender equality is a fundamental human right;

Gender is an area in which considerable agreement already exists and where there are substantial benefits to be gained from closer regional co-operation and collective action.

The integration and mainstreaming of gender issues into the SADC Programme of Action and Community Building Initiative is key to the sustainable development of the SADC region.

#### **DEEPLY CONCERNED THAT:**

While some SADC member states have made some progress towards gender equality and gender mainstreaming, disparities between women and men still exist in the areas of legal rights, power-sharing and decision-making, access to and control over productive resources, education and health among others;

Women constitute the majority of the poor;

Efforts to integrate gender considerations in SADC sectoral programmes and projects have not sufficiently mainstreamed gender in a co-ordinated and comprehensive manner.

**RECOGNISING THAT:**

The SADC Council of Ministers in 1990 mandated the SADC Secretariat to explore the best ways to incorporate gender issues in the SADC Programme of Work, and approved in 1996 gender issues at the regional level to be co-ordinated by the Secretariat;

In the execution of this mandate, the SADC Secretariat has developed and maintained working relations with key stakeholders in the area of gender, which resulted in the approval and adoption of the SADC Gender Programme by the SADC Council of Ministries in February 1997;

**WE THEREFORE:**

**REAFFIRM our commitment to the Nairobi Forward Looking Strategies, the Africa Platform of Action and the Beijing Declaration and Platform for Action.**

**ENDORSE the decision of Council on:**

The establishment of a policy framework for mainstreaming gender in all SADC activities, and in strengthening the efforts by member countries to achieve gender equality

Putting into place an institutional framework for advancing gender equality consistent with that established for other areas of co-operation, but which ensures that gender is routinely taken into account in all sectors;

The establishment of a Standing Committee of Ministers responsible for Gender Affairs in the region.

The adoption of the existing Advisory Committee consisting of one representative from Government and one member from the Non-Governmental Organisations in each Sectoral Committees of Ministers on gender issues.

The establishment of Gender Focal points whose task would be to ensure that gender is taken into account in all sectoral initiatives, and is placed on the agenda of all ministerial meetings.

The establishment of a Gender Unit in the SADC Secretariat consisting of at least two officers at a senior level.

#### **RESOLVE THAT:**

As leaders, we should spearhead the implementation of these undertakings and ensure the eradication of all gender inequalities in the region;

AND

**COMMIT ourselves and our respective countries to, inter alia,**

Placing gender firmly on the agenda of the SADC Programme of Action and Community Building Initiative;

Ensuring the equal representation of women and men in the decision-making of member states and SADC structures at all levels, and the achievement of at least thirty percent target of women in political and decision-making structures by year 2005;

Promoting women's full access to, and control over productive resources such as land, livestock, markets, credit, modern technology, formal employment, and a good quality of life in order to reduce the level of poverty among women;

Repealing and reforming all laws, amending constitutions and changing social practices which will still subject women to discrimination, and enacting empowering gender-sensitive laws;

Enhancing access to quality education by women and men, and removing gender stereotyping in the curriculum, career choices and professions;

Making quality reproductive and other health services more accessible to women and men;

Protecting and promoting the human rights of women and children;  
Recognising, protecting and promoting the reproductive and sexual rights of women and the girl child;  
Taking urgent measures to prevent and deal with the increasing levels of violence against women and children;  
Encouraging the mass media to disseminate information and materials in respect of the human rights of women and children



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## Annexure B

### Women in the South African Cabinet Following the 2004 Elections

#### Women Ministers

Portfolio	Name of Minister
Foreign Affairs	Dr NC Dlamini-Zuma
Public Works	Ms SN Sigcau
Public Service and Administration	Mrs GJ Fraser-Moleketi
Agriculture and Land Affairs	Mrs AT Didiza
Communications	Dr IF Matsepe-Casaburri
Home Affairs	Ms NN Mapisa-Nqakula
Education	Mrs GNM Pandor
Housing	Dr LN Sisulu
Justice and Constitutional Development	Mrs BS Mabandla
Water Affairs and Forestry	Ms BP Sonjica
Minerals and Energy	Ms PG Mlambo-Ngcuka
Health	Dr ME Tshabalala-Msimang

Of the 19 Deputy Ministers, 10 are women. They are as follows:

#### Women Deputy Ministers

Portfolio	Name of Deputy Minister
Safety and Security	Ms S Shabangu
Foreign Affairs	Ms SC van der Merwe
Arts and Culture	Ms NGW Botha
Minerals and Energy	Ms LM Xingwana
Environmental Affairs and Tourism	Mrs TR Mabudafhasi
Trade and Industry	Ms LB Hendricks
Provincial and Local Government	Ms NE Hangana
Social Development	Dr J Benjamin
Health	Ms N Madlala-Routledge
Correctional Services	Ms CE Gillwald



## Women Premiers

Province	Name of Premier
Eastern Cape	Ms N Balindlela
Free State	Ms B Marshoff
Northern Cape	Ms D Peters
North West	Ms E Molewa

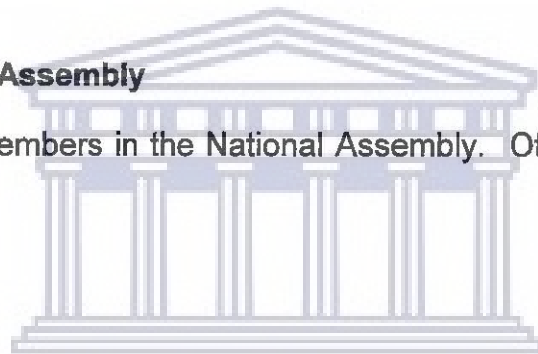
## Women in Parliament Following the 2004 Elections

### Women Office Bearers in the National Assembly

Position	Name of current incumbent
Speaker	Ms B Mbete
Deputy Speaker	Ms GL Mahlangu-Nkabinde

### Members of the National Assembly

There are currently 400 members in the National Assembly. Of these, 134 are women and 266 are men.



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