GENDER ACTIVISM:

Perspectives on the South African transition, institutional culture & everyday life

ROSA LUXEMBURG ANNUAL SEMINAR 2008

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GENDER ACTIVISM:

Perspectives on the South African transition, institutional cultures & everyday life

Proceedings of the Rosa Luxemburg Seminar 2008

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Acknowledgements

This book is a collection of edited papers which were originally delivered in March 2008 at the 5th Annual Rosa Luxemburg Seminar at Rhodes University. The conference, sponsored and commissioned by the Rosa Luxemburg Foundation, forms part of a series of "annual seminars" that have moved around the country. We are especially grateful to all the participants, predominantly women from the Eastern Cape and especially those who travelled from far flung parts of the province to attend the two day conference, the ISER organisers who flung themselves into the job of looking after 120 participants and the Rosa Luxemburg Foundation, represented by Gerd-Rudiger Stephan and Rose Khumalo. The conference was opened by the Vice-Chancellor, Dr Saleem Badat, and our lead speaker Dr Sandra Rein (from Canada) whose comments helped set the tone for the two-day conference. Combining activists and academics was a somewhat risky venture, but one which for the most part succeeded, but we leave it to the readers of this book to decide.

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Introduction

Greg Ruiters

The papers in this book explore different and intersecting spaces of women's oppression in South Africa (the home, the workplace, the media, the academy and public life). The chapters speak to the ambivalent achievements and outright failures of the South African transition and everyday problems of women. The debates within the women's movement, ongoing gender-based violence, women's rights and activism are highlighted. Despite differences in perspective within the women's movement (between first and third-world movements for example; between those in the state and those outside it), many of the authors in this book argue that women's freedom struggles might best be pursued alongside and in critical engagement with the working class movements and other social movements. The authors share a critical attitude to universal sisterhood, femocrats and gender mainstreaming that might be linked to the growth of the "post-colonial state as a site of primitive accumulation".

The book comprises three parts: the first looks at the current global situation and aspects of conceptual debates in feminism and Marxism. The second part examines women's constitutional rights since 1994, the reality of gross gender-based brutalities in South Africa and how to confront the democratic state. The third part looks at various experiences of working women in South Africa and how women are represented in the media (on farms, in hospitals, in the academy, and in the sex industry).

Our guiding thoughts in bringing together the authors in this book and the conference participants for the *Rosa Luxemburg*

Annual Seminar 2008 was to share and compare local and international experiences of various sites of women's oppression and to enrich this with old and new themes in woman's struggles. To recognize only what makes us different runs the risk of negating progressive social politics, and ignoring the basic roots of inequalities in capitalism and patriarchy. Identity politics without class politics always runs the danger of re-inscribing systematic oppressions.

Progressive change demands working out and working through the intersections of oppressions; it impels us to explore solidarities, alliances, and networks. How might different social forces (trade unions, women's movements, anti-racism movements, anti-war movements, environmental and anti-commodification movements) might work alongside each other to defeat sexism, racism, degradation of and violence against women – phenomena which are, many would argue, structurally linked. The material conditions that force groups to invoke latent identities have much to do with the unstable dynamics of global capitalism.

We were particularly interested in exploring conversations about feminism in the context of a decaying global capitalism. Only a few years after pronouncing its final global triumph and that there could be no alternative to free-market capitalism, we now see large-scale uncertainty, wars, militarism, an oil crisis, a food price crisis, insecurity and bank failures. These moments of multiple crises might be experienced as discrete events affecting various groups in different ways, but they also shake our confidence in our fundamental institutions and belief systems. Global capitalism and patriarchy deeply impact on women and it can only be self-defeating to ignore this. The question of what kind of society and freedom are posed simultaneously with the everyday questions of food, housing and jobs and various oppressions suffered by different social groups.

Part One: New and old questions and the changing contexts of women's oppression

Sandra Rein's paper on Rosa Luxemburg is premised on the notion that our historical moment is a time marked by similar threats to those which produced revolutionaries such as Rosa Luxemburg: war, human suffering, and the expansionary appetite of global capitalism. She argues the need for a New Beginning and suggests we look to revolutionary figures whose own experiences and philosophy can speak to our historical moment in ways that engage with the idea of "revolution" through organization and strategy.

Using a Marxist-feminist framework **Jacklyn Cock** argues that we need to radically rethink the privatized sphere of the family/household in the tradition of Lenin and revive the Marxist call for the socialization of domestic labour. It is suggested that this should be part of debating the family as an anti-social unit which promotes the consumerism, inequality and individualism on which the neoliberal social order crucially depends. She argues that there is a growing commodification of domestic labour that involves the displacement of domestic work onto women of subordinate classes, both globally and in South Africa. The women's question cannot ignore the ways women – especially women from the South – have become part of a global migration process of ensuring the social reproduction of elites. In South Africa paid domestic work remains the single largest category of women's employment.

Desiree Lewis explores the concept and challenges of feminist solidarity in Africa. She rejects universal sisterhood, yet sees the challenge of collective political opposition to patriarchal injustice as urgent. There is a need for global conversations about solidarity and feminist politics even as we continue to challenge Western-centric monoliths and totalizing discourses. Focusing on "solidarity" as opposed to "sisterhood", her paper raises various challenges for exploring feminist solidarity

among South Africans and radical women elsewhere in the African continent. She especially highlights South Africa's status within Africa, to challenge ways in which perceptions of this country's exceptionalism have inhibited African feminist solidarities for South Africans, and to raise the importance of building these solidarities. Lewis suggests that women's organizations have often become part of patron-client networks linked to the post-colonial state. The co-opting of women's movements, as well as the conservativism of femocrats and gender mainstreaming are connected to the growth of the post-colonial state as a site of primitive accumulation.

Chantelle de Nobrega considers the real impact of state policy and programmes on the lived experience of women within the private sphere. She argues that liberal concepts of citizenship have generally emphasized the divide between the public and the private sphere, but feminists have challenged this notion of private citizens because it renders invisible the power relations in the home and family. Her paper looks at the interconnectedness of these two spheres in the South African context in relation to gender justice, focusing specifically on the moral regeneration programme and service delivery (such as access to adequate housing).

We return to **Sandra Rein**, with a paper on what feminism means to young people (in a Canadian university setting) and how they might be drawn into conversations about it. As Rein puts it, "when I write the word 'feminist' on the board, there is sometimes hostility and almost always an unwillingness to engage. At this point, I simply ask the students to tell me what words come to mind when they see 'feminist'. With much coaxing the typical adjectives appear: bitch, man-hating, bra-burning, hairy, ugly, dyke, strident, self-serving, etc". Rather than reject the label feminist, Rein suggest that it continues to represent an important political identification that

should not be abandoned in the pursuit of a less "inflammatory" term.

Part Two: Women's rights

Nikky Turner provides a narrative account of several women's everyday realities in relation to sexual violence. Women in this country have inalienable rights, particularly to bodily integrity and dignity, and the freedom to go about their daily lives without the fear and apprehension that they will fall victim to crime of a sexual nature. She considers, based upon a broad experience of a number of cases that she prosecuted over the years, whether the occurrence of rape is merely random or whether there are social distinctions to be drawn among raped women.

Wendy Isaack explores the role of civil society in enforcing state accountability for violence against women in South Africa. When more than half of the population is subjected to violations or the threat thereof on a daily basis, it makes it impossible, from a feminist perspective, to correctly speak of this country as a "post-conflict" democracy. This raises a series of questions: how do we as members of civil society understand the state's accountability for violations of women's rights, and how should this be infused in our work? What are the urgent strategies required to respond to the state's manifest failure and/or unwillingness to prevent persistent violations of women's human rights? How do certain hegemonies – racism, patriarchy and heteronormativity as converging systems of domination -- shape conceptualizations of and responses to violence against women?

Nomafrench Mbombo argues that while South Africa has been very progressive through official policies and programmes in addressing sexual and reproductive health (SRH) needs, major threats to SRH still persist. The South African youth face high

rates of sexually transmitted infections, including HIV/Aids, mostly as a result of unprotected sex and early sexual debut. They have poor SRH outcomes, such as complications from street abortions, a high teenage pregnancy rate and unplanned pregnancies that have resulted mostly from unmet needs for contraception, sexual violence and exploitation Those most affected are out of school (19-24 year category), including those at tertiary institutions, with women being more greatly affected than men. Mbombo postulates that institutions of higher learning have a challenge to which they must respond urgently, to sustain the country's intellectual life.

Part Three: Women in workplaces and media

Trudy Thomas examines women in the South African health sector with an emphasis on nurses. She traces the career progression of nurses from "chambermaids" to senior health administrators in South Africa, examining their positioning in the patriarchal system, which, it is held, still prevails, during and despite this career progression. She argues that nurses have used the workplace as their arena of struggle for emancipation and that this has had profound effects on their attitude to their "vocation" and on the performance of their duties.

Lali Naidoo deals with the conditions faced by women on farms in post-apartheid South Africa. Patriarchy and capitalist social relations of (re)production combine to reinforce the sexual division of labour in the agricultural labour process and in the household. Labour and land policies have not had a significant impact on the quality of life for farm workers and dwellers or on gender-based inequalities. Political changes since 1994 have had a differentiated impact on women and men, and among women themselves. Varying degrees of gendered vulnerability, incorporation and marginalization in the agricultural labour markets are explored and the paper argues

for alternatives to addressing women's oppression and economic exploitation from the dominant gender-neutral market-driven development paradigm. The minimum wage for agriculture, for example, has not narrowed the earnings inequalities between female and male workers. The "trickle down" approach will not alleviate gender-based discrimination where the underlying institutional context is still grounded in the legacies of the past.

Nicolé Fick of the Sex Worker Education and Advocacy Taskforce (SWEAT) takes the approach that sex work is labour and that sex workers should have access to both human and labour rights. Research done by SWEAT has found that the majority of those in the industry are women between the ages of 22 and 29 years who enter the industry to support themselves and their dependents. Women who have lower levels of education are able to earn more in sex work than they could in any other job. Working in an industry that is highly stigmatized and criminalized leaves sex workers vulnerable to exploitative working conditions and harassment and abuse from the police. Thus SWEAT advocates decriminalization of sex work and that sex workers should be protected by labour laws, like other vulnerable workers. Her paper is informed by both legal and feminist approaches to sex work.

Elaine Salo briefly examines the structural location of women in the academy in relation to transformation policies set up to change the gendered and racial demographic profile of the institution. She draws on University of Cape Town experiences, to ask how we can go beyond descriptive statistics to ensure substantive change in the gender profile.

Jeanne Prinsloo reports the findings of a study of the content of made-for-children TV screened on SABC 1, 2, 3 and e-tv (as part of a larger international study that was conducted in several countries), focusing specifically on the fiction programmes and the narratives presented to children. She

argues that we urgently need to stop these forms of representation in relation to gender, but also to race and class. Stories are narrated in particular ways so that certain characters and scenarios are valorized and included, while others are excluded or made "other". Children's experience or access to worlds and ideas is not yet extensive and television provides a glimpse into roles beyond their immediate experiences.

Nadia Sanger returns to the popular media by looking at magazines and the hyperheterosexual representations of women. She explores the popular, the personal and the political in racialized patriarchal media. Focusing specifically on contemporary mainstream South African magazines, she argues that compulsory heteropatriarchy depicts women as hypersexual for an unnamed but clearly masculine audience. She explores how subjectivities such as gender, race and sexuality are inextricably linked. Hyperheterofeminine norms are racialized: white femininities for example are presented as normal, and black femininities as "other" and exotic. In the media repetition establishes norms in the popular imagination. A struggle for women's bodily integrity, freedom and equality needs to be more aggressively pursued in the current South African climate.

Part One:

The changing contexts of

women's oppression

Reading Luxemburg through Dunayevskaya for today, theory as practice

Sandra Rein

We find ourselves looking for revolutionary figures whose own experiences and philosophy can speak to our historical moment in ways that engage "who" lives "the revolution", who will act for change and how we will realize it through organization and strategy. Indeed, for the two women focused upon here, it is impossible to separate these questions, as practice and theory are dialectically intertwined such that one is the realization and expression of the other. It strikes me that 2008 is another moment when we are wondering who will act for change and how. Can we lay claim to gender activism, as it is suggestively raised in the title of this conference, as a way toward human freedom? How can Rosa Luxemburg and Raya Dunayevskaya help us identify the path to that freedom? Ultimately, do we stand on revolutionary ground?

More than 50 years after Luxemburg's death a longtime activist in the United States, Dunayevskaya, returned to Luxemburg's writings. In a letter entitled "Dear Sisters" written 9 August 1978, Raya Dunayevskaya reminded her readers that Luxemburg's commitment to revolution was not at the expense of women's liberation but, in fact, the very expression of it. Luxemburg's advocacy of revolution encompassed both an engagement with the Man/Woman question and the realization of human freedom – theoretically and practically: for Luxemburg the separation of these goals was impossible (Dunayevskaya, 1982: archive #6432-6466). In 1978 at a moment of a renewed women's liberation

movement in the United States, Dunayevskaya thought it was important to return to Luxemburg because it was typically the case that the so-called "Woman Question" was separated from the question of revolution, and Dunayevskaya wanted women to reclaim (or lay claim to) revolution as the path to human freedom, and to recognize the historical actor that Luxemburg represented because she had joined her practices with Marx's theory.

In "reading Rosa through Raya" it becomes clear that their theoretical innovations are not simply "good thinking" but bear important and meaningful lessons for our historical moment – a time that is marked by similar threats such as: war, human suffering, the expansionary appetite of global capitalism, and the need for an absolute New Beginning. At stake is what it means to be free and how we might realize that freedom through theory and practice.

Our Moment

We live in a time of crisis. The international stage is marked by a renewal of militarism on a level that has not been present since the Second World War. Let me be clear about what I mean by militarism. Not only are many societies facing armed conflict within their communities – whether we look to sub-Saharan Africa; the Middle East; the violence that attends the "war on drugs" in South America; or to South East Asia where domestic oppression is enforced by military rule – but militarism also appears as national boosterism demonstrated in calls for a strong state, most clearly articulated in North America by the slogan "support our troops".[1] For nearly all of

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[1] In the North American context, both Canada and the United States Armed Forces and organizations supporting the military have adopted this slogan that manifests itself in bumper stickers shaped like yellow ribbons. The "yellow ribbon" was immortalized on the continent by a 1970s country-music song that celebrated the release of a convict and his return to his beloved who had tied 100 yellow ribbons to the "old oak tree" as a signal that she still loved him. The song is aptly titled "Tie a Yellow Ribbon 'round the Old Oak Tree".

us, "war" and violence are on our minds – and for many of our world leaders, "war" is clearly in their hearts. It is in this dual sense of intention and lived experience that I apply the term militarism to the current historical moment. Our lives are focused around security – for the state and our persons, and the solutions to these dilemmas of insecurity are dominated by military and police actions coupled by infringements on personal liberties and the curtailment of political activity.

If violence and war are not sufficient indicators of crisis, we have recently found ourselves caught in the glare of a global credit meltdown, attached to the housing market in the United States, but highly demonstrative of the globalized interdependence of finance capitalism. The plunging fortunes of the US dollar and the growing volume of the "whispers" of global recession all point to a wide-scale financial crisis. The 1997 "Asian Crisis", some now say, will look like a dress rehearsal for what may come in the wake of a meteoric crash by the US economy. But credit is not the only site of volatility. The rising price of oil (not to mention the geopolitics at play in its pricing) bring a desire to "cash in" on the remaining resource deposits, fuelling the expansion of Chinese neo-imperialism and the inevitable competition among global oil companies – companies that have not been entirely divested of their national character, be they American, British, or Chinese, for example. For producers, the seemingly endless appetite for carbon-based energy means the market has boomed, releasing inflationary pricing and rising production costs combined with unprecedented profits. But these prices have also turned attention to the need for alternative sources of energy – and under this pernicious gaze we find our food supply – corn in particular – identified as a key ingredient in "clean" energy. And the energy-consuming population – still a minority in the global context – pursues this alternative in spite of its dubious science and obvious threat to the world's food supply (Tait, 2008).

Finally, our moment is marked by the most acute environmental crisis in human history. Our rapacious consumption, facilitated by the capitalistic production process, has brought us to the edge of planetary destruction. The deserts grow, fresh water dissipates, the very air we breathe is fouled, and the thin protection surrounding our planet has been pierced. While scientists and activists have worked tirelessly to warn us of climate change, while those on the front lines of environmental destruction live increasingly precarious lives, world leaders reject comprehensive agreements and the consuming classes find ways to shelter themselves from the worst elements of global warming. And, "beneath" these global indicators of crisis we should also reflect on the human aspect of the poverty and disenfranchisement that accompanies war, economic meltdown and environmental degradation. The picture of global inequality, the persistence of poverty, and the inability to realize solutions to these problems further heightens our sense of crisis.

When we combine militarism, financial meltdown, and environmental degradation and destruction of our planetary ecosystem, we are faced with what Marx, Luxemburg and Dunayevskaya would surely have called a "totality". The very concept of "totality" is key to engaging Marx's work as well as to understanding how Luxemburg and Dunayevskaya apply his method to the crises faced in their times. In an essay entitled "The Marxism of Rosa Luxemburg" Georg Lukacs wrote: "It is not the primacy of economic motives in historical explanation that constitutes the decisive difference between Marxism and bourgeois thought, but the point of view of totality. The category of totality, the all pervasive supremacy of the whole over the parts is the essence of the method which Marx took over from Hegel and brilliantly transformed into the foundation of a wholly new science" (Lukacs, 1971: 27). It is within this totality, this whole that you and I live.

We experience this totality differently given geography, race, gender, and class position; and yet, there is a growing commonality to the critique of the system, even if bourgeois theorists continue to place their faith in anaemic capitalist democracy. That common critique, even if not recognized as such, is born of a desire to realize human freedom, liberation, and meaningful emancipation.

However, our "crisis" is not historically unique; its very "law of motion" is the product of the totality we loosely call capitalism. Thus, rather than offer a further explication of these "proofs of crisis" that I have briefly outlined, I want to turn our collective gaze back to Luxemburg's analysis of another time of crisis, the period of an emerging imperialist project, marked also by militarism and total war, not to mention revisionism and opportunism within the organized Left. Moreover, I am going to examine Luxemburg's thoughts about theory and practice not in a historical vacuum, but through the lens of Dunayevskaya, who in the mid-20th century also turned "back" to make sense of the 1980s – a crucial period in which humanity hung in the balance of nuclear annihilation, global recession, and the retrenchment of global capitalism (today named neoliberalism). Notably, it was not to Luxemburg's economic theory *per se* to which Dunayevskaya returned, but rather to Luxemburg's ability to combine the theory of mass action with its practice. That is, her ability to always position revolution as inseparable from the realization of human freedom. As Luxemburg once so succinctly noted, "The revolution is magnificent; and everything else is bilge". Dunayevskaya went on to further note:

In a word, when she writes of revolution which is "magnificent, and everything else is bilge," it doesn't mean the downplaying of women. Rather, it is the totality she aspires for "future." The point, especially for us today, is not any counter-position of revolution and woman. Quite the

contrary. The real point ... is that so long as we only talk of theory, we are talking only of the immediate task of revolution, that is to say, the overthrow of capitalism. But when we talk of a philosophy of revolution, we do not mean only the overthrow of capitalism, but the creation of a new society. ONLY WHEN WE HAVE THAT IN MIND CAN THE REVOLUTION BE TRULY TOTAL (Dunayevskaya, 1978, capitalization in original).

It is no small task to combine the consideration of one woman's philosophical thought viewed through the lens of another's; moreover, the task is further complicated if you want to argue, as I do, that both shared a similar goal, the realization of freedom. Given this expansive goal, the remainder of this paper will develop in two parts. The first part is a justification for drawing on the works of Luxemburg and Dunayevskaya. In this section I will briefly outline Marxist Humanist philosophy and discuss the three aspects of Luxemburg's work that Dunayevskaya identified as most relevant to her contemplation of human freedom. Part II will take up Luxemburg's essay "Theory and Practice" ([1910] 1980) more directly, drawing out the elements of this essay that continue to have relevance for today. When combined in the conclusion, these two parts point us in the direction of both a theory and practice for our moment of crises, what Dunayevskaya clearly demarcates as "philosophy of revolution", the creation of a new society. Read in conjunction, these women offer unique insight to the cause of freedom and the necessity of what often sounds old-fashioned today: revolution.

Part I: Why Luxemburg? Why now?

In her 1973 book, *Philosophy and Revolution*, Dunayevskaya asked the questions "Why Hegel and why now?" in order to situate her humanist reading of Marx (2003). However, her questions are also well put with regard to a return to

Luxemburg. There are several ways that one could answer such questions. Moreover, one could again repose the questions with regard to the philosophy of Dunayevskaya. In all cases, though, answering "why" is an important point of beginning.

In order to answer "why", I think that there are two approaches of merit. The first is broadly historical. In a historical sense, there is much to bring Luxemburg and Dunayevskaya together on one page, so to speak. Both women made significant contributions within organized Marxian parties. For Luxemburg, we often hear references to how she "burst forth" onto the German Social Democracy (SPD), a mass socialist party that for many of us today seems to be more myth than reality. Nonetheless, Luxemburg arrived and was noticed – for good and bad – as she challenged Bernstein's revisionism and the movement toward parliamentarianism in the party. Luxemburg was recognized as a leader within the movement and as one of the rising theoreticians of international Marxism, and she often disagreed with many of the other recognized leaders of the time, such as Kautsky, Lenin and Trotsky.

Luxemburg's entry into international Marxism came at the beginning of the end of the Second International, at the turn of the century, a time when revision was being most hotly debated and the question of "reform or revolution" dominated the day. However, she had already been actively organizing in Poland, had faced prison, and had been forced into exile before making her theoretical mark. What is best known and most often recounted about Luxemburg, in a general sense, is that she was a "martyr for the cause" having spent several years during World War I in prison. She was murdered shortly after her release in 1919, but her theoretical and practical contributions to Marxism go much beyond this common biography. In 1905 Luxemburg had been dispatched by the Party to Poland to agitate for a general uprising in support of

the Russian revolution. From this experience, she went on to write one of her most famous works, *The Mass Strike, the Party, and the Trade Unions* (Luxemburg, [1906] 1964). In looking back on this moment in Luxemburg's history, Dunayevskaya noted that "It was awe-inspiring [for Luxemburg] to see the familiar strikes of advanced German workers become a general political strike of the 'backward' Poles ... from the General Political Strike as the new method of class struggle, to the Soviet as a new political form of organization; and from the call for, and actual practice of the eight-hour day to demand for the 'full emancipation of women'" (Dunayevskaya, 1991: 6).

By 1910 Luxemburg was attempting to develop her concept of the mass strike in the German context and it is here that she found herself in growing disagreement with the leadership of the SPD. The disagreement ultimately led to Luxemburg's break with Kautsky, and with the SPD itself. It was in the course of her dispute with the SPD that she penned the essay "Theory and Practice" that I will take up in more detail in Part II. However, what needs to be made clear is that in addition to challenging Bernstein's evolutionary socialism, Luxemburg had taken the very real practices of the 1905 revolution in Russia as the springboard for theorizing the mass general strike and for serious thinking about the relationship between spontaneity and party organization. On this question she would also distinguish herself from Lenin's vanguardism (though she was not strictly opposed to the vanguard party) and Lenin's and Trotsky's support for the right to national self-determination.

Following the dispute with the SPD leadership, Luxemburg turned her skills in theory to developing a political economy critique of the capitalist period now known as imperialism. In 1913 she published *The Accumulation of Capital* (1963). This is not an uncontroversial text; however, the arguments are beyond the scope of this paper. What is important in terms of

biographical information is to note that Luxemburg was constantly moving between the actual practices of organization and agitation to larger theoretical questions. Regardless of how one interprets Luxemburg's theory of accumulation, it is evident that she was attempting to return to Marx's method in a way that the international Marxist movement had lost sight of. As Georg Lukacs noted, Luxemburg had properly returned to the dialectical method to examine the "struggles of the capitalist system to survive and expand" (Lukacs, 1971: 35). Moreover, her theory of accumulation focused on geographies and populations outside Europe in an attempt to understand the global workings of a capitalistic production process driven by the need to expand consumption as well as resource markets.

While Luxemburg was imprisoned during World War I, the Russian revolution of 1917 occurred. Luxemburg did not give uncritical support to the Bolsheviks, although she did support the revolution. Rather, she continued her practice of linking theory to practice and strongly criticized many of the decisions that followed the October uprising, not least of which was the Bolsheviks' decision to disband the Constituent Assembly and their failure to implement a coherent agrarian policy (Bronner, 1997: 62). As Hudis and Anderson note in their introduction to the *Rosa Luxemburg Reader,* "Luxemburg was deeply concerned that the Bolsheviks' tendency to stifle freedom of speech, press, and association endangered the very movement toward a socialist society" (2004: 24). Luxemburg outlined the need for democratic principles in order to realize socialist society in her 1918 essay "The Russian Revolution" which was published posthumously in 1922 (1940). Her critique, which reads as exceptionally prescient given the "transformation into opposite" of the Russian revolution, was not well received by the Bolshevik leadership. Lukacs wrote a response in 1922 in which he argued that the publication of the essay was misleading as Luxemburg had changed her mind prior to her death (for this assertion he

provides no evidence) and that its publication was only intended to serve internal party politics (1971: 272). More damning, Lukacs countered, was that Luxemburg's analysis was being used as a call for the dissolution of the Third International, which was only in its infancy in 1922. While he contended that that would not have been her goal, I think history would argue against the revered Lukacs. Luxemburg never steered away from a political argument and her criticisms of German social democracy and the failures of the Russian revolution to stay true to democratic principles were absolutely consistent.

Even from so brief a biography, it is apparent that Luxemburg's activities and theoretical interests were vast, scholarly and of immediate significance to revolutionary movements in Europe. Her commitment to democracy, raising class consciousness, and challenging revisionism mark her as a unique revolutionary in the history of the internationalist Left. Moreover, the guiding beacon for Luxemburg was the realization of freedom. This freedom she pursued in the name of the masses, the proletariat, women and colonized peoples. She wed experience with theory, or as Dunayevskaya put it: "intellect become will become act" (1991: 3).

For Dunayevskaya, her "entrance" onto the Marxist stage, if you will, was facilitated through the American Trotskyist movement in the late 1930s and 1940s. Although Dunayevskaya served as Trotsky's secretary in Mexico between 1937 and 1938, she, like Luxemburg, did not "toe the party line" as it were. She broke with Trotsky on the "Russian Question" in 1939 and subsequently left the Socialist Workers Party, joining the Workers Party, a splinter party under the leadership of Max Shachtman, in 1940. However, Dunayevskaya did not "toe the line" here either, her first essay submitted to the Party for consideration was not only in distinction to Trotsky's line on Russia (Trotsky argued that Russia was a workers' state, though degenerate) but she

also dissented from the Workers Party line that Russia was a bureaucratic collectivist state.[2] In contradistinction, Dunayevskaya argued that the Russian state was a capitalist state, not a workers state or a bureaucratic collectivist state. In the years that have followed the end of Soviet communism there have been numerous evaluations of the USSR and today it may not sound particularly radical to call the USSR "State Capitalist". This is because the very term "State Capitalist" is utilized in a number of ways, most often to suggest government intervention in the economy; however, these usages generally do not carry the distinction that Dunayevskaya developed in her analysis. Dunayevskaya's State Capitalist thesis, which was strengthened by her early discovery of Marx's 1844 *Economic and Philosophic Manuscripts,* did not distinguish Soviet economics because of "the plan" – in fact, she argued, capitalism "plans" and states are expected to intervene on the behalf of capital. However, drawing from Marx's analysis, Dunayevskaya made it evident that the key to capitalism is that value is produced through labour; that is, the human labourer is converted into capital – this is Marx's labour theory of value. Any system that produces value in this manner is a capitalist system. By her careful analysis of the USSR's economic performance, labour legislation, and revisions to Marxist theory, she proved that Russia was following the same practices as would be followed by any capitalist state. The law of value as Marx expressed it in his most complete work, *Capital*, was the logic for the Russian state, even if expressed through what Dunayevskaya often referred to as the "despotic plan" (Dunayevskaya, 1992). The radical conclusion that comes to bold relief through Dunayevskaya's analysis is that the Soviet experiment was a capitalist experiment that did not attempt to transcend

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[2] Bureaucratic collectivism encompasses a number of different interpretations about the nature of the Soviet Union; however, at its core it viewed the Soviet revolution as having been transformed into an oppressive bureaucratic state. Dunayevskaya challenged the bureaucratic collectivists tirelessly within the Workers Party.

value production but rather attempted through theoretical contortions to make socialism also subject to value production (Dunayevskaya, 1944). This is precisely "transformation into opposite".

As a result of her development of the State Capitalist thesis, circulated among members of the Workers Party in 1941, Dunayevskaya found other comrades who were making similar arguments. Following the publication of her essay, Dunayevskaya formed a tendency in the Workers Party with well known Trinidadian Marxist, C.L.R James, known by 1944 as the Johnson Forest Tendency.[3] Between 1944 and 1955, when the leadership of the Tendency split, Johnson Forest continued to develop the State Capitalist thesis while also embarking on detailed studies of Lenin and Hegel as well as a significant re-reading of Marx in light of his 1844 critiques. After the split within Johnson Forest, Dunayevskaya went on to form News and Letters through which she established a newspaper and a unique organizational form that rejected the notion of the "party to lead" and vanguardism more generally. News and Letters, which is in existence today, facilitated Dunayevskaya's philosophical work and she produced three book-length works between 1958 and her death in 1987. She also produced numerous articles and "philosophical letters", leaving a large archive of materials. Dunayevskaya always combined her theoretical work with an active engagement with those social groups expressing "revolt" against the dehumanization fundamental to capitalist social relations. Whether she was organizing with miners in the 1953 wildcat strikes in West Virginia or travelling to Gambia during independence or writing about women's liberation as both "force and reason", Dunayevskaya's life was one that feminist Adrienne Rich has cited as unique, noting that Dunayevskaya

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[3] C.L.R. James wrote under the pseudonym "J.R. Johnson" and Dunayevskaya wrote under the pseudonym "Freddie Forest". Leadership was also extended to Grace Lee, known as "Ria Stone".

was "one of the longest continuously active woman revolutionaries of the 20th century" (Dunayevskaya, 1991: xi).

So, returning to the "historical approach," we might say that there is a good deal of common experience within socialist movements in general to link these thinkers – not the least of which was that they both assumed leadership positions in movements that were vastly dominated by men and that both left a mark on these movements and on Marxist philosophy *writ large*. Moreover, I think we could say without much of a stretch that "history" passed over each of these women's contributions, so, while they have not been erased from historical accounts both recede to mere moments in the organizational history of the Left – or, even worse, they appear as "curiosities" or "aberrations" set apart from "real" revolutionary work. Perhaps even more galling, given the theoretical weight of Luxemburg's intellectual work, is that her legacy is often reduced to the careful recounting of her violent death. Ute Tellini notes that a famous lithograph done in 1919 by Max Beckman entitled *Martyrdom* "... inappropriately relates the events of her death in terms of sexual violence. This is most peculiar because Luxemburg's murder was a political act, devoid of sexual overtones. Although the lithograph has been the subject of extensive analysis, it has never been discussed in terms of Beckman's unusual treatment of its subject" (Tellini, 1997-1998: 22). In this sense, in the aftermath of a political act that took Luxemburg's life and that of one of her comrades, she is reduced to a female object, martyred for "the cause" but treated more as symbol than substance.

However, rather than allow ourselves to be caught up by those who ignore, reduce, or miscast the historical importance of the work of Luxemburg or Dunayevskaya, I want to suggest that there is a more interesting and potentially rich answer to the "why" that unites both ideational and practical elements drawn from the revolutionary thinking of these

women. This argument is founded on the conviction that the theoretical contributions, the thinking and philosophy that each of these women "left behind" is a living, breathing Marxism that aspires toward human freedom – and continues to offer profound insight as we grapple with the "questions of our age" – those indicators of crisis enumerated at the outset of this paper.

Given this second reason for returning to Luxemburg and Dunayevskaya together, it does not surprise me that in their introduction to the *Luxemburg Reader* Hudis and Anderson begin by noting that on 12 January 2003 over 100 000 people attended a rally in Berlin to commemorate the life and legacy of Luxemburg. Nor does it surprise me to find increasing references, perhaps tentative and less well-informed than I would like, to Dunayevskaya's work in academic literature as well as on "progressive" websites around the world. Luxemburg's contributions to our understanding of organization and spontaneity are crucial for today. However, I believe and will subsequently argue here, that Dunayevskaya's philosophy of revolution founded in what she termed Marxist Humanism emancipates Luxemburg from some significant theoretical errors and renders both thinkers important as we look for alternatives today.

Part II: Alternate subjectivities; Dunayevskaya on Luxemburg

For many, Dunayevskaya's works are not well known, and, if known are generally under-engaged or theorized. Although I have alluded briefly to Dunayevskaya's background in the introduction to this paper, I would like to highlight in more detail her contributions to Marxist philosophy through what she termed Marxist Humanism. It is essential to understand Dunayevskaya's theoretical starting point in order to engage her reading of Luxemburg. Marxist Humanism stands as a significant challenge to post-Marx Marxism; particularly those

structuralist strains which had functionally (and rhetorically) excised Hegel's legacy from Marx's work. Dunayevskaya's Marxism starts with the conviction that beginning with Friedrich Engels, Marx's works were significantly revised and systematically misinterpreted. Although a full discussion of Dunayevskaya's philosophical insight cannot be included in these few brief pages, it is essential to keep in mind that she viewed her own contribution as a "return" to Marx as opposed to a revision or re-reading. This being said, she did not believe that Marx or Marxist philosophy could "stand still" – for it to be meaningful it must be employed as a critical, dialectical method to the current moment. History for Marx and Dunayevskaya is always in motion, driven by negation. With this caveat noted, it is possible to briefly explore Dunayevskaya's work.

The next statement can be received in different ways, but I will just state it. Dunayevskaya was not an academic but she was a philosopher. She might well be termed an autodidact by some, or an organic intellectual by others. The fact remains that over the course of her life she was actively involved in various political movements; founded and chaired a largely successful committee-form organization, News and Letters; and she wrote and contributed to scholarly knowledge in the areas of Marxist theory, the Marx-Hegel relationship, the Hegel-Lenin relationship, and the revolutionary place of what I am going to term "alternate subjectivities" – namely Blacks, women, and youth – although the content of these categories expanded with the rise of new movements such as the Queer and anti-war movements. As already noted, Dunayevskaya built this analysis first from within American Trotskyism and then increasingly from an independent viewpoint. In the last decade of her life, Dunayevskaya was increasingly engaged by the women's liberation movement and her final book specifically took up the thought of Rosa Luxemburg in the context of women's liberation and Marx's little known *Ethnological Notebooks* (Marx & Krader, 1972). This work

was entitled *Rosa Luxemburg, Women's Liberation and Marx's Philosophy of Revolution* (1991). The most recent re-release of this book in 1991 (a decade after it was first published) has a new foreword by noted feminist Adrienne Rich. Of Dunayevskaya, Rich notes: "Raya Dunayevskaya was a major thinker in the history of Marxism and of women's liberation ... In fierce intellectual and political independence, her life and work defied many mind-numbing labels that self-described conservatives, liberals, and radicals have applied to voice for political and social change" (Dunayevskaya, 1991: xi).

Prior to publishing *Rosa Luxemburg*, Dunayevskaya had previously published two important works that delved into Marx's Humanism. The first was *Marxism and Freedom*, released in 1958, and *Philosophy and Revolution* published in 1973. In 1981 *Rosa Luxemburg* was spurred by three inter-related "moments" according to Dunayevskaya. The first was the publication of Marx's *Ethnological Notebooks* in the 1970s which, she argued, set apart Marx's analysis of the Man/Woman relationship from Engels' *Origins of the Family*; the second was the rise of Women's Liberation as force and reason and the need to engage with Luxemburg's grappling with organization and spontaneity; and the third was a "myriad of crises" that ranged from the rise of the 3rd World to economic crises to the need for a new foundation for human relations, again, themes with which Luxemburg was also actively engaged.

While *Rosa Luxemburg* grapples with each of the cross-currents within the framework of Marxist Humanism and Marx's restoration of the Hegelian dialectic, I am going to restrict myself to a discussion of part I of this work, which takes up Luxemburg specifically. As a result of Dunayevskaya's book-length treatment of Luxemburg's work, she identified three areas of Luxemburg's theoretical contributions as particularly important: Luxemburg on organization and spontaneity; on accumulation; and on the

"National Question". Although I will briefly touch on Dunayevskaya's critique of Luxemburg's theory of accumulation and Luxemburg's position on the National Question, I will spend the balance of my consideration on organization and spontaneity, particularly as articulated by Luxemburg in "Theory and Practice" ([1910] 1980).

I think it is fair to suggest that, taken as a whole, Dunayevskaya says that Luxemburg gets it wrong. Certainly, this is her argument on the National Question and the theory of accumulation; however, it is more ambiguous when the question of organization is taken up. Yet, the red thread through all of Dunayevskaya's considerations and critiques of Luxemburg is the location of revolutionary actors, or subjectivities in relation to revolution. If one keeps the question of "who" in the revolution at the forefront, she argued, the errors of Luxemburg and others can be avoided. But this is not said to negate Luxemburg's analysis but rather to demonstrate the importance of such engagements across time and place for Marxist analysis. In a sense, even in "getting it wrong" Luxemburg gets it right – that is she worked ceaselessly to unite her theory and her experience with the practice of revolution by the proletarian masses. And this determined study and activity drew Dunayevskaya into a more detailed examination of Luxemburg, an engagement that stretched between 1943 until the time of Dunayevskaya's death in 1987.

On Accumulation (1913)

Dunayevskaya's first written and published engagements with Luxemburg date back to 1943. The first that was published was a letter to the editor of the *New International* on a review of Frolich's biography of Rosa Luxemburg. Dunayevskaya takes issue with the reviewer's failure to acknowledge Lenin's rejection of Luxemburg's theory of accumulation. Dunayevskaya did not take issue with the importance of

Luxemburg *per se* but rather wished to ensure that the record was accurately maintained with regard to Lenin's position on Luxemburg's critique of Marx's theory. Moreover, Dunayevskaya did not see this as a "dead question" for American Marxism as she noted at the time: "In America, the question [re: accumulation] has been once more reopened by the Stalinist, Paul Sweezy, who, in his *The Theory of Capitalist Development*, although criticizing Luxemburg along the lines of Lenin's criticism, himself makes a desperate attempt to turn the Marxist theory into one of underconsumptionism" (Dunayevskaya, 1982: archive #435). In two subsequent articles published in the *New International* in 1946, Dunayevskaya critiqued Luxemburg's work on accumulation in a more detailed manner (Dunayevskaya, 1982: archive #436-442). In order to fully understand Dunayevskaya's critique it would be necessary to turn to Volumes II and III of *Capital*; however, at the risk of great over-simplification (and vulgarity) I will succinctly state the argument this way. Luxemburg's argument in *Accumulation* is that Marx's "closed system capitalism" in Vol II does not lead to the "expanded reproduction" necessary for global capitalism; moreover, accumulation appears to have no limit and no end in Marx's theory if one rejects, as did Luxemburg, that the rate of profit will decline. For Luxemburg this is the point at which imperialism enters the process. For Dunayevskaya, Luxemburg's resulting analysis is no longer between labour and capitalist in the realm of production, but instead Luxemburg argued that accumulation occurs only between capitalist and pre-capitalist nations. "Luxemburg had become so blinded by the powerful imperialist phenomena of her day that she failed to see that all this had nothing to do with the problem posed in Vol II of *Capital* which is concerned with how surplus value is realized in an ideal capitalist world" (Dunayevskaya, 1982: archive #438). Effectively, Luxemburg denied the specificity of the constant labour/ variable-labour relationship that is so definitive for Marx's analysis, argued

Dunayevskaya, which destroyed the centrality of value production to capitalism – what she often referred to as the *differentia specifica* of capitalistic production. However, as an explanation was still needed, Luxemburg followed her own logic to its conclusion, noting, "Accumulation is not an inner relation between two branches of production. It is first of all a relation between capitalist and non-capitalist surroundings ..." (Dunayevskaya, 1982: archive #439). Ultimately, the theoretical consideration of the conditions for the extraction of surplus value from the direct producer is replaced by the idea of the "profit motive" and the generation of what bourgeois economists refer to as "effective demand". The human core of Marx's analysis, argued Dunayevskaya, is displaced by the market and the relationship between capitalist and non-capitalist countries.

Throughout her work in the mid-1940s through to the early 1950s with the Johnson Forest Tendency, Dunayevskaya repeatedly returned to the centrality of value production and the class relationship that is its core. Although Dunayevskaya softens her critique of Luxemburg over time, noting that Luxemburg at least tried to follow Marx and that her brilliance was in the recognition of the rise of imperialism, the failure to theorize production as the core of capitalism raised the market to an independent entity that lost its class character and ultimately erased the ground for proletarian revolution. The potential for cross-class solidarity or the recognition of colonial peoples as revolutionary subjects was missed by Luxemburg in a practical sense.

On the National Question

Luxemburg's position on the National Question has been one of the most vexing for Marxist scholars who wish to treat her work seriously. It is also proof-positive of Luxemburg's fierce independence. Luxemburg did not share Lenin's or Trotsky's or Marx's position on the National Question. In fact,

Dunayevskaya notes that it is often erroneously recorded that Luxemburg broke with Lenin on the organizational question when in fact it was the National Question that most divided them (Dunayevskaya, 1991: 52).

Luxemburg did not support movements of national independence, whether those of her native Poland or of elsewhere. Her firmly-held belief was that these movements were not revolutionary and that they would, overall, work against the world revolution that was necessary to realize social democracy and the liberation of the working class. Significantly, rather than treating Luxemburg's position on the National Question as an anomaly, however, Dunayevskaya's review shows that such a position is consistent with Luxemburg's failure to identify revolutionary subjects beyond the traditional conception of the working class, and thus miss significant moments of revolt. In other words, just as her accumulation theory overlooks the human content of production, that is the class relationship between labour and capital, she ignored (largely) the possibility that national movements could also strike a blow in the name of revolution – even if that was not their organizational intent or even the conscious goal of the participants. Lenin was certainly more blunt on this point, as Dunayevskaya noted – he argued that an independent nation was a prerequisite for proceeding with revolutionary demands and activities by the proletariat (see Lenin, 1972: 393-454).

However, as much as the National Question may have missed a revolutionary moment, there is something admirable in the way Luxemburg retained her position – perhaps it was stubbornness – which was consistent with her position on internationalism versus nationalism. It is also a question that remains pertinent, as the Kosava question has made evident in the past few weeks; let it suffice to say that Luxemburg never let go of her commitment to internationalism and challenged the Bolsheviks on this question until the time of her death,

leaving us with a rich debate that is certainly worth revisiting in the face of emerging national liberation movements.

On spontaneity and organization

Dunayevskaya recounts that Luxemburg's organizational activities were always at the core of her theorizing. Thus, in 1899, Luxemburg's critique of Bernstein's revision is one that is not only "in theory" but also rooted in practice. In this case, Dunayevskaya refers to it as a "flash of genius" on the birth of imperialism and the first Russian Revolution. But it is Luxemburg's writing on spontaneity and organization in 1906, her famous pamphlet on the General Strike, that caused Dunayevskaya to note that Luxemburg was "... posing totally new questions of spontaneity and organization – and not only about this revolution [in Russia] but about future revolutions" (Dunayevskaya, 1991: 13). According to Dunayevskaya, Luxemburg's focus on the mass strike and spontaneity was not intended to pit instinctive action against conscious action: "Quite the contrary: spontaneity was a driving force, not only of revolution but of the vanguard party.... In working out the dialectic of the mass strike, Luxemburg moved from her characteristic search for 'root cause' to a concentration on the interrelationship of cause and effect" (Dunayevskaya, 1991: 18). Luxemburg's consideration of mass strikes, that is, the causes and duration of such activity, represented a careful working out of an important strategy of revolution. The emerging class consciousness of the proletariat alone was important to Luxemburg as she wrote "The most precious, because lasting, is its mental sediment: the intellectual, cultural growth of the proletariat" (Dunayevskaya, 1991: 19).

Thus, Luxemburg demonstrated in activity and thought that the relationship between mass movements and revolutionary leadership could not be at arm's length. For Dunayevskaya, there is a working out of revolutionary philosophy here that not only viewed the "organized" proletariat as crucial, but

highlighted the contribution of unorganized workers. As Dunayevskaya recounts, however, the German Party in its pursuit of parliamentary electoral success soundly rejected Luxemburg's analysis. In fact, Luxemburg was ultimately sanctioned by the Party for her agitation for mass strikes, bringing her into direct conflict with Kautsky's new theories – the strategy of attrition and the strategy of overthrow. In fact, this difference comes into bold relief in Luxemburg's 1910 pamphlet entitled "Theory and Practice" (this is the same title that Kautsky used for his pamphlet, perhaps a bit cheeky on Luxemburg's part, but it makes it clear that she was more than willing to take on the Party's leadership).

"Theory and Practice" was first translated to English in 1980 by David Wolff and published in the United States by News and Letters. In one sense, "Theory and Practice" is a historical document that recounts the growing dispute between Luxemburg and Kautsky on the organizational question. It also demonstrates Luxemburg's incisive critique of a mass party that was losing its revolutionary character in favour of pursuing electoral success. In this historical sense we can see the coming end of the Second International and the defective foundations for the Third. However, "Theory and Practice" must also be read as a real attempt to demonstrate that mass action could be organized and enlisted in a broader revolutionary project. Most notably, Luxemburg was not arguing that mass strikes would always find success, but more importantly that key lessons and consciousness-raising are achieved in significant ways, even in failure. In this sense, Stephen Eric Bronner draws our attention to the pedagogical element apparent in Luxemburg's work (Bronner, 1997).

For those not familiar with Luxemburg's essay or the historical milieu in which it was written, a brief overview is necessary. The structure of the article is very straightforward. It is divided into five parts. In Part I, Luxemburg documents her experiences with the party press which attempted to suppress

her calls for mass strikes and a republic in Germany. Part II takes up the mass strike directly as an organizational tool for the party and Kautsky's polemic against it as a suitable slogan. It is here that we also see the head of German exceptionalism raised, as Russia's experiences are clearly seen as "backward" and primitive by the party leadership in general and Kautsky in particular. Moreover, it is rejected that the Russian experiences could be in any way applied to the "advanced" German proletariat. Part III is a powerful critique of Kautsky's theory of attrition and parliamentarianism. Part IV launches Luxemburg's defence of the Russian proletariat and highlights her own arguments from her 1906 article on mass strikes; she even notes that Kautsky was in full support of her argument in 1906. The final section of "Theory and Practice" takes on Kautsky's new theory of overthrow in which he argued that one mass strike, one mass action would occur that would overthrow the system. Luxemburg destroys this argument, calling it pure imagination and completely unrelated to the real actions initiated by masses around the world. Kautsky's is a theory without practice, according to Luxemburg (Luxemburg, 1980: 47).

Not only did Luxemburg advance in this essay a defence of her position that mass actions are important in laying the groundwork for further political activity, but she articulated the kind of practice that a party should demonstrate in relation to workers and other social groups organizing in society. In this regard, the party must be both ready to lead but also to follow the spontaneous uprisings of the masses. However, the tactic advocated by the SPD and Kautsky was to limit political demands and to actually stop Party support for mass demonstrations that were demanding voting rights.[44] These

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[44] Interestingly, not only was the Party refusing to publish Luxemburg's work on mass strikes and calling for a republic, they were actively trying to stop the voters' rights demonstrations – demonstrations at which Luxemburg was often a featured speaker and key organizer.

questions were to be put "after" the revolution. Luxemburg quite rightly asks what kind of revolution would this be? "It seems that 'theory' does not merely 'stride forward' more slowly than practice: alas, from time to time it also goes tumbling backward" (Luxemburg, 1980: 28).

"Theory and Practice" effectively made the argument that one should be attentive to movements that may appear on their face unsuccessful. In this case, at the same time that Luxemburg was arguing in favour of the mass strikes pursued by Russian workers in 1905, others in international Marxism were dismissive of "backward" Russia. The failure to apply the lessons of Russia 1905 in Germany could certainly be read forward to the strength of Nazism some 20 years on. It is also the case that few anticipated the success of the revolution in Russia in 1917, further proving Luxemburg's experience and theory that these agitations build over time, raising consciousness and capacity.

However, while it may be argued that "Theory and Practice" provided an important correction to the ebbing of revolutionary commitment (and energy) in the formalized Party organ, it did not provide a blueprint to revolution. In this sense, politics and spontaneous movement are preserved by Luxemburg but organization is somewhat underdeveloped. Dunayevskaya suggests that this is a weakness in Luxemburg's writings that is not addressed until her last critique of the Russian Revolution in 1919. Significantly, Dunayevskaya's own grappling with the "organization question" was one that remained unanswered at the time of her death; although, she was in the process of developing a book on philosophy and organization. It is a problem and question that vexes us still.

Conclusion: Do we stand on revolutionary ground?

By way of reaching a conclusion, it is useful to examine a key passage from "Theory and Practice" in which Luxemburg

articulated why it was that the Russian proletariat was ready for revolt and how their social conditions were not "backward" but the very product of being assimilated into the capitalist whole:

It was not the economic retardation, but precisely the high development of capitalism, modern industry, and commerce in Russia which made that grandiose mass strike action possible, and which caused it. It was just because the urban industrial proletariat was already so numerous, concentrated in the great centres, and so strongly moved by class consciousness, just because the genuine modern capitalist contradiction had progressed so far, that the struggle for political freedom could be decisively led by the proletariat alone.... [further quoting from her essay on the mass strike] ... 'So the mass strike shows itself to be no specifically Russian product, arising from absolutism, but a universal form of proletariat class struggle resulting from the present stage of capitalist development and relations' (Luxemburg, 1980: 34-5).

Luxemburg is drawing our attention to two elements: first, it is capitalism as a total system that provides the opportunities for the proletariat to organize and it is the conditions of their labour that create class consciousness; second, because capitalism is a total system, it universalizes this experience over time and across space. This is not to say that history and circumstances are not unique, but that class relations are structured in a universal way because capitalism requires it to be so for the purposes of production – that is, the production of value. However the society that is born out of the revolution must be one that is organized on a different set of social relations if it is to transcend or negate exploitation and immiseration. On this point, Luxemburg was clear. The mechanism to ensure that such a "backward" step does not occur is to ensure that democratic practices are adhered to and that freedom is protected and extended beyond liberal notions of individual legal rights.

One may be inclined to say that there is nothing particularly different about Luxemburg's conclusions. Many revolutionaries say the same thing. So, what is new here? The "new" that Dunayevskaya draws our attention to is Luxemburg's commitment to keeping practice at the core of theory. Dunayevskaya expressed this in a more developed way, arguing that practice is itself a form of theory. Thus, the historical precedents of the organizational forms like those of the Soviets, that spring up spontaneously, are important indicators of how one might organize before, during, and after the revolution. They also tell us "who" is a revolutionary subject. It is no mere historical accident, argued Luxemburg and Dunayevskaya, that the proletariat are positioned to take mass action. In the United States Dunayevskaya further developed the question of revolutionary agency, identifying that race, gender, age and sexual orientation can also be revolutionary subjects – subjects whose revolts can threaten value production. Drawing from these subjects in addition to the working class (and as part of the working class) is also a key component of the revolutionary project. But, then, again, in some ways Luxemburg also knew this. It is why she supported the women's suffrage movement, why she supported women's organizing and her close friend Clara Zeitkin. It was why she troubled herself to theorize the effect of imperialism on colonized peoples – even if her analysis did not fully develop or acknowledge the revolutionary potential of others.

At the outset I suggested that the tie that binds Luxemburg and Dunayevskaya to us is that theirs is a project of human liberation. It is one that places freedom at the forefront of all theory and practice. At the outset I asked if we stand on revolutionary ground. I think that we can say yes, but the ground upon which we stand when we recall the lives and philosophy of these two women is both extended and fortified. Our goal is refined and clarified in this act of remembering. The overthrow of capitalism or "revolution" as a

slogan can be a tempting diversion from what the real form of emancipation must realize, that is, freedom. Luxemburg and Dunayevskaya never let us forget that. The act of overthrowing will not realize new human relations if it continues from the same relations that exist before the revolution. In fact, this is such a straightforward conclusion that it is often overlooked and ignored. Luxemburg could see this in the missteps of the post-1917 leadership in Russia. Dunayevskaya could refine those prescient moments writing in the post-World War II era and in light of new movements – and new global threats. Both women could not conceive of real transformation succeeding if theory remained separate from practice.

I also asked at the outset if "gender activism" was a means towards human freedom. In some ways the discussion that precedes this conclusion all but appears to have ignored this question; however, I believe that the answer has been implicit throughout the discussion. Whether we discuss women's organizing as "gender activism" or "feminism", both Luxemburg and Dunayevskaya stand as strong role models, engaged theorists and activists, who both "acted and thought" in a milieu that was male-dominated. While the question of how gender may have affected their theory and practice has been somewhat set aside here, it is crystal clear that both women viewed the resolution of the Man/Woman question as essential to realizing human relations in a new totality and that both supported their "sisters" in finding critical space for organizing, speaking, thinking, and acting.

With these role models in sight, our task then is to realize a new totality that does not replicate the old social order because it cannot, because it is a new society and a new beginning. Answering the "who" of our time is a broader question and more subjectivities are at play which also means that the "how" will have to be refined – at times spontaneous, and always flexible. Revolution does not reside

in the "party to lead" nor will change just spontaneously appear. However, that old totality we know as capitalism, cloaked by globalization and neoliberalism, has not disappeared and our sisters and comrades who have gone before have left a path to realizing new human relations.

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Maids and Madams in retrospect

Jacklyn Cock

Introduction

In the research I conducted in the Eastern Cape in the 1970s for *Maids and Madams* the dominant image domestic workers used to describe themselves was that of "slaves". I'm going to argue that this image of domestic slavery has a wider relevance. Using a Marxist-feminist framework I suggest that both globally and in South Africa there is a growing commodification of domestic labour. The process involves the displacement of domestic work onto women of subordinate classes. In South Africa paid domestic work remains the single largest category of women's employment. The conditions under which both paid and unpaid domestic labour is performed in the everyday lives of African working class women point to a crisis of social reproduction. The paper furthermore suggests that we need to rethink the privatized sphere of the family/household as the appropriate site of social reproduction, and revive the Marxist call for the socialization of domestic labour. It is argued that this should be part of debating the family as an anti-social unit which promotes the consumerism, inequality and individualism on which the neoliberal social order depends.

Writing in 1919 Lenin points out that despite "all the laws emancipating women, she continues to be a domestic slave, because petty housework crushes, strangles, stultifies and degrades her, chains her to the kitchen and the nursery, and she wastes her labour on barbarously unproductive, petty,

nerve-racking, stultifying and crushing drudgery" (cited in Vogel, 1983: 121). "No matter how much democracy there is under capitalism, the woman remains a 'domestic slave', a slave locked up in the bedroom, nursery, kitchen" (cited in Vogel, 1983: 119).

Hence Lenin argued strongly for the socialization of domestic labour, to "transform petty housekeeping into a series of large-scale socialized services: community kitchens, public dining rooms, laundries, repair shops, nurseries, and so forth" (cited in Vogel, 1983: 122). I am going to argue that it's time for progressive forces to return to this demand. I develop my argument in a series of stages. Firstly, I want to emphasize the importance of domestic work as part of social reproduction. Then I want to show how women of the dominant classes are able to displace domestic work onto women of the subordinate classes, using the situation in South Africa as indicative of a global trend. The conditions under which this both paid and unpaid domestic labour is performed by African working class women points to a crisis of social reproduction. The resolution of this crisis demands extensive social transformation, including the socialization of domestic labour. I conclude by arguing that this should be part of generating a debate on the family as an anti-social unit which monopolizes the sharing and caring which should be spread more widely.

The significance of domestic work

Domestic work is essential to reproduce (both on a daily and a generational level) labour power, or the capacity to work. It involves the performance of various caring functions in society, particularly the care of the very young and the very old. Globally it is work that is mainly done in the household through the unpaid domestic labour of women.

Recent academic recognition of this work has involved locating domestic labour in a broader notion of "social reproduction". According to Bakker and Gill (2003: 33, 77) social reproduction involves three aspects:

- biological reproduction of the species,
- the reproduction of the labour force, which involves not only subsistence but also education and training, and
- the reproduction of provisioning and caring needs that may be wholly privatized within families or socialized, or, indeed, provided through a combination of the two.

This paper focuses more sharply in two senses: firstly the focus is on a particular site of unpaid reproductive labour, the household, and secondly on domestic labour as the central element of social reproduction. Domestic labour in the household involves a very wide range of tasks involving both physical labour (such as cooking and cleaning) and emotional labour.

The failure to recognize the significance of the tasks involved in household domestic labour as work was at the centre of what came to be called the "domestic labour debate" among Marxist-feminists in the 1970s (Gardiner, 1975; Smith, 1978). This focused mainly on the contribution of domestic labour to the circuit of capitalist accumulation. Some argued for wages for housework to force this recognition (James & dalla Costa, 1973).

The globalization of paid domestic work

Domestic labour is increasingly commodified and globalized. " ... women from the global South and European post-socialist countries have been recruited to service an exploding demand for domestic labour in the United States, Canada, the European Union, Hong Kong and the Middle East" (Bodnar, 2007: 150). In this process migrant women of colour from the South increasingly do the caring and cleaning involved in

social reproduction of families in the North, especially in the USA and Canada. So "... domestic workers have not disappeared ... they have in fact multiplied and the predominantly female domestic and day-care workers are increasingly plugged into patterns of global labour migration" (Bodnar, 2007: 150). This is the global care chain of women moving from poor to rich countries (Hothschild, 2000). It involves work for low wages under poor working conditions in what Saskia Sassen has termed "the feminization of survival" (Sassen, 2000). It is essentially an institution reflecting class domination, as the process involves the displacement of domestic labour onto women of subordinate classes.

Domestic work in South Africa

Post-apartheid South Africa illustrates how women of the dominant classes are still able to displace domestic labour onto women of the subordinate classes. Paid domestic work remains the single largest category of women's employment in South Africa with approximately one out of every five employed women a domestic worker in a very gendered and racialized occupation (Ally, 2006). The official estimate for the paid domestic work sector was 101,3000 (Statistics SA, 2004).

Nevertheless there have been important changes, most importantly the recognition of domestic workers as workers and their incorporation into labour legislation in a formalization of the employment relationship. In her doctoral research my colleague, Shireen Ally writes, "for domestic workers, democratization most importantly brought the extension of citizenship rights. These were translated into an extensive and impressive array of new legal technologies for the protection of domestic workers. Significant labour legislation that included domestic workers within the definition of worker was passed, offering for domestic workers for the first time in South African history, access to the same rights as all other

workers" (Ally, 2006: 3). Noteworthy here was the new Labour Relations Act of 1996 which included domestic workers in the definition of employee for the first time. This allowed domestic workers access to the Commission for Conciliation, Mediation and Arbitration (CCMA). It was followed by the extension of the Basic Conditions of Employment Act in 1997 to include domestic workers. This was extended with a sectoral determination that defined national minimum wages (R1 066 per month in urban areas in 2007 and R865 in rural areas), hours of work (45 a week), and mandatory contracts. "Social citizenship was extended to South African domestic workers with a world-first inclusion into the Unemployment Insurance Fund", and "another world-first", state-subsidized training launched in 2002, the Domestic Workers Skills Development Project to provide certified training for domestic workers towards a national qualification through the Services Sector and Education Authority SETA. This is clearly an important advance from the "legal vacuum" for domestic workers under apartheid which I described, which devolved responsibility and power for the setting of workers and working conditions to individual employers. Their wages and working conditions have improved, yet they remain a racialized and gendered cheap labour force performing the cooking, cleaning and childcare work that is essential to social reproduction. The full-time live-in African woman servant serving white middle class households described in *Maids and Madams* still exists. However there has been a shift to live-out and part-time work and increasing numbers of middle class black households employ domestic workers as well. These women continue to work long hours for low wages and are subjected to demeaning treatment (King, 2006). As Ally writes, "the African woman domestic worker has remained one of the enduring continuities of apartheid in contemporary South Africa" (Ally, 2006: 10).

It is important to appreciate that these African working class women are also responsible for the domestic labour involved in social reproduction in their own households. Khayaat Fakier and I have argued that an analysis of their everyday lives points to a "crisis in social reproduction" (Fakier & Cock, 2007). The following section draws from material presented in that paper.

The crisis of social reproduction

The extent of the crisis of social reproduction in contemporary South Africa is evident in rising levels of poverty and social inequality, the extent of gender-based violence, the lack of access to adequate water, the HIV/Aids pandemic, the inadequacy of social grants, rising food prices and the restructuring of work. In all of these aspects African working class women are the worst affected. Because women are responsible for the administration of household consumption, rising food prices and the installation of pre-paid water meters and falling incomes mean more domestic labour to stretch limited resources.

(i) Rising rates of poverty, unemployment and social inequality
In 2005 South Africa overtook Brazil in terms of social inequality as measured by the Gini coefficient. In that year a third of South African households were living below the estimated poverty datum line of R322[5] a month, while chief executives of some South African companies were paid millions. In 2005 the chief executives (mainly white men) of South Africa's 50 largest and most influential companies listed on the Johannesburg Stock Exchange were each paid on average R15.55 million, including gains from share options. Many of the chief executives received considerably more, with executives in the retail sector averaging over R35 million. The

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[5] One US Dollar (1US$) equals 6.8 South African Rand (6.8 ZAR) as at October 2007.

chief executive of Edgars Consolidated (Edcon) received R112.4 million including gains from share options exercised. From 2004 to 2005 the total pay packages for the ten best-paid executives increased by an average of 200% (Crotty & Bonorchis, 2006). At the same time a third of all South Africans live in poverty.

Women work mainly in low paying jobs as domestic workers, farm workers, and in the service sector, all defined by the gender order as "women's work". They generally have lower incomes, higher unemployment rates, and less access to assets than men (Hassim, 2005). Poverty is deepening.

Unemployment remains at just below 30%, or 40% if you take the expanded definition that includes discouraged job-seekers. Young African women are the worst off with African women under the age of 30 facing an unemployment rate of 75 per cent (Hassim 2005). African rural women are the poorest category of all citizens in South Africa.

(ii) Increasing gender-based violence
The gendered nature of the crisis is also evident in the fact that South Africa has the worst rate of femicide in the world. Approximately half of all South African women murdered in 1999 were killed by their intimate partners, with four women dying every day at the hands of their partners (Personal communication, Lisa Vetten, 21 October 2006).
According to Lisa Vetten, researcher and policy analyst, "police figures for rape post-1994 have consistently shown an upward trend. Between April 1994 to March 1995, 44 751 rapes were reported to the police. By 2005/6 the figures had risen to 54 926. These figures reflect only the number of rapes reported to police, meaning that the true extent of sexual violence in South Africa is unknown".

(iii) Lack of access to clean and adequate water

The division of labour in the household defined by the dominant gender order means that women are responsible for household consumption which includes water for washing, cleaning and cooking. The post-apartheid state inherited a pattern of extreme inequality in water access. In 1994 some 12 million South Africans did not have access to clean drinking water. While water access has improved dramatically – in 2005, 8.7 million households had piped water on site, compared with only 5.6 million in 1996, the improvement does not apply uniformly throughout the country.

Since 1994 this inequality is deepening with the state's move to the neoliberal policies of cost recovery and privatization. South Africa is a water scarce country, but water is a basic need, framed as a right by the post-apartheid constitution. The introduction of a small amount of free water contained in section 10 (I) of the Water Services Act of 1977 points to a minor turn away from the demand-driven, full cost recovery approach. However, the amount of free water, six thousand litres per month, only amounts to two toilet flushes per head per day for a household of eight people. It is a far cry from the 1994 Reconstruction and Development Programme's promise of 25 litres per person per day, and over 5 years, 50 to 60 litres per capita per day of clean water. The outcome is that the privatization of water underway in South Africa has had devastating impacts on poor communities.

(iv) The HIV/Aids pandemic

African women are most vulnerable to HIV infection. This is due to a variety of factors including poverty which increases women's vulnerability to the need to grant sexual favours in exchange for resources. Southern Africa has the world's worst highest HIV infection rates; the vast majority of victims are black and women suffer almost twice the infection rates of men (Shisana, 2005:38). According to Professor Helen

Rees, 1 in 4 girls are HIV positive but only 1 in 14 men (SABC TV programme, 8 March 2007).

However this is not the only way in which the HIV/Aids pandemic is gendered. There are also the demands on women's time and resources, as women form the majority of caregivers. Home-based and community care are essential, given the inadequacies of the health system, and these caring tasks are often performed without access to clean water, electricity and modern sanitation.

It is women who perform the emotional and physical labour this involves. The burden is exacerbated by the lack of proper health care services in many townships. This lack means that it is difficult for many poor women to access pap smears, and the high rate of cervical cancer affects many HIV-positive women.

(v) The inadequacy of social grants
Many of the working class African women responsible for social reproduction also have to administer the meagre amounts involved in social grants. At present, about 40% of households now get child support, old-age pensions and disability grants. (Cosatu, 2006) According to President Mbeki, "It is a matter of pride that, in line with our commitment to build a caring society, we have since 2004 improved service provision and other aspects of the social wage. While beneficiaries of social grants numbered about 8 million in 2004, today 11 million poor South Africans have access to these grants." (State of the Nation address of the President of SA, Thabo Mbeki, Joint sitting of Parliament, 9 February 2007). This "pride" was also expressed in the Minister of Finance's Budget Speech on 21 February 2007, when he said, "... one of the clearest ways in which we are able to act against poverty is through our system of social grants. We presently have just under 12 million people

receiving social grants of which over seven million are beneficiaries of the child support grant" (Manuel, 2007).

In 2007 the state old-age pension, disability and care dependency grants rose by R50 to a maximum of R870 a month; child support grants increased by R10 to R200 a month and foster care grants to R620 a month. However, according to a number of sources the amounts are inadequate. For example Neva Makgetla argues that "social grants do not provide an adequate income for millions of poor households. In 2004, 44% of households that depended primarily on social grants had difficulty in meeting their food needs at least sometimes" (Makgetla, cited in *Business Day*, 9 February 2007).

(vii) Rising food prices
This affects women most directly as they have the responsibility for administering household consumption. Over the last inflation period of March 2006 to March 2007, the price of special maize meal rocketed 31.5%,while the price of cooking oil jumped 21.8%. The price of brown bread increased by 14.8% and white bread by 9,.16% (cited in *The Saturday Star*, 12 May 2007). These are the staples in African working class households.

Surveys conducted in 2003, 2004 and 2005 asked citizens whether they agreed with the statement that "my household is able to get enough food for it's needs". The 2005 survey found that 91.3% of the white respondents agree with the statement, whereas 85.9% of Indians, 65.2% of coloureds and only 48.5% of blacks agreed. The South African Social Attitudes Survey argues that "compared to the other racial groups in South Africa, black people are still way behind in terms of access to enough food as well as income for their household needs" (Davids, 2006).

Rethinking social reproduction in the privatized sphere of the family/household

The nature of the crisis raises a number of urgent questions. Some of these concern the nature of the post-apartheid state, the appropriateness of its macro-economic policies, the restructuring of work, the appropriateness of social grants and gender relations. This section of the paper focuses on the question: "Should social reproduction be an individual matter, located in the privatized sphere of the family/household?"

As Connell writes, "For from being the basis of society, the family is one of its most complex products. There is nothing simple about it. The interior of the family is a scene of multilayered relationships folded over on each other like geological strata. In no other institution are relationships so extended in time, so intensive in contact, so dense in their interweaving of economics, emotion, power and resistance" (Connell, 1987: 121).

What Michele Barret (1980) has termed the "ideology of familism" distorts an understanding of the work involved in the privatized sphere of the family. The work of cooking, cleaning, shopping, and caring is presented as "a labour of love". This collapses the distinction between physical labour ("caring for") and emotional labour ("caring about") (Yeates, 2004: 371).

The extent of violence, power and labour in the household is obscured by these ideologies. Connell points out that a conventional approach defines power as influence in decision-making, but he writes, "… this is not enough. The work on domestic violence shows that force is important in many families" (Connell, 1987: 123). He emphasizes the relation between power and the division of labour. "The very ideas of 'the housewife' and 'the husband' are fusions of emotional relations, power and the division of labour" (ibid).

For Lenin a housewife was a domestic "slave". Lenin believed that women's unpaid labour within the family/household was the major obstacle to progress. Another Marxist, Alexandra Kollontai, remembered largely as the proponent of the "glass of water theory", the theory that sex should be as easy and uncomplicated as drinking a glass of water, talked about the necessity of introducing public services of every kind that would free men and women, especially women, from the petty cares of everyday life involved in social reproduction. In this sense she attacked the family, seeing it as a source of women's oppression. The provision of such public services was necessary to bring women into politics. She argued that "society should relieve women of all those petty household cares which are at present unavoidable (given the existence of individual, scattered, domestic economies)" and take over "responsibility for the younger generation" (Kollontai, [1911] 1977: 68).

Kollontai and Lenin were both calling for the socialization of domestic labour. The socialization of domestic labour is associated with a failed economic system, but there are aspects of that system that could be relevant to addressing the current crisis. According to Bakker and Gill, "[I]n the former communist countries most of the basic conditions of social reproduction were, until very recently, almost fully collectivized" (Bakker & Gill, 2003: 35). Such collectivization could be a way of mitigating the tensions, struggles and strain involved in current arrangements, which are borne mostly by African working class women, as described above.

While South Africa is noted for its support for a diversity of family forms, specifically for same-sex marriage and polygamy, there is a tendency to view the nuclear family form as the most effective vehicle for maintaining social stability. But this form is problematic for a number of reasons. For

example, Barret and McIntosch (1982) have criticized the contemporary nuclear family form as "anti-social" in that it monopolizes the caring and sharing which, in their view, should be more widely spread throughout society.

There are many powerful critiques of the family as an anti-social unit. For example Juliet Mitchell viewed the family as a small and reactionary unit which blocked the development of revolutionary solidarity, and distorted the identities of women. She stressed that "the strategic concern (of the women's movement) is the liberation of women and the equality of the sexes, not the abolition of the family." But the family as it exists at present, is not, in her view, compatible with either goal. "Women's oppression within the family produces a tendency to small-mindedness, petty jealousy, irrational emotionality and random violence, dependency, competitive selfishness and possessiveness, passivity, a lack of vision and conservatism. These qualities are the result of the woman's objective conditions within the family ... it is hard for them to come together as a socialized political force when the conditions of their lives are set to exclude this possibility" (Mitchell, 1971: 162).

While Mitchell focused on how the family oppressed and perverted women, Memmi focused on how it distorted men. Memmi in *The Coloniser and the Colonized* (1974) argued that the family blocks revolutionary energies and distorted the personalities of men. He feared that the revolutionary "will marry, will become a devoted father, reliable brother, responsible uncle and, until he takes his father's place, a respectful son. Everything has gone back into the order of things. Revolt and conflict have ended in a victory for the parents and tradition. But it is a pyrrhic victory ... for the young man it is an internal catastrophe. He will remain glued to that family which offers him warmth and tenderness but

which simultaneously absorbs, clutches and emasculates him
… the family smothers him" (Memmi, 1974: 99).

The implication is that there is a need to rethink the traditional
sites of social reproduction. Social arrangements in South
Africa, as in most of the world, are far from resembling the
nuclear family model of a single male breadwinner and
dependent wife and children. As Shireen Hassim points out
"… most poor households rely on income and survival
strategies from several members (and from a variety of
sources, wages being only one such), rather than a single
'breadwinner'. More elaboration of a multiple carer/multiple
earner model is needed" (Hassim, 2006: 8). At the same time
working class women perform a double load of the care work
involved in unpaid domestic labour. So Hassim argues that
"Care work needs to be recognized, legitimated and valued
and the provision of care needs to be seen as a matter of
public policy for developing countries" (Hassim, 2006: 12).

Hassim suggests that "child and elder-care needs to be
defamialized" (Hassim, 2006: 12). This is a bold suggestion
which could signal a move towards creating more working and
caring citizens. In this regard, Brenner has advocated two
claims (1) "that providing care for people over the life cycle is
a social responsibility, an obligation that reflects our ties to
one another as a human community and (2) that men and
women ought to share equally in the work that these
programmes support" (Brenner, 2006: 13). However, Brenner
warns that "relying on family/households for the work of care
limits possibilities for moving toward gender equity and
undermines social solidarity" (ibid). She argues for going
beyond the family/household system and the social
democratic welfare state for "more collective forms of living
together that broaden the group of people sharing the work of
care; and … democratic and participatory forms of organizing
public services that engage both careworkers and those
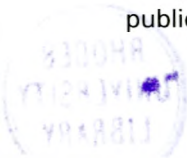
dependent on their care in mutual governing relationships" (Brenner, 2006: 2). In our context examples would be co-housing arrangements, cooperative shopping schemes and bulk buying, low-cost, high quality laundry services, childcare cooperatives, vegetable gardens, shared transport arrangements, and communal kitchens. Communal vegetable gardens could be an especially useful way of creating solidarity and promoting a collective response to rising food prices. These collective arrangements would build on township traditions of burial societies and *stokvels* (credit associations).

But this formulation does not necessarily engage with the contemporary ideological functions of the family. The family is pivotal to the maintenance of the neoliberal social order. This order is marked by an intense individualism and a privatization of social relations which involves individuals retreating into the private sphere of the family/household. Among working class households this retreat involves an atomized struggle for daily survival, rather than collective mobilization, whereas for the powerful and the privileged it may take a variety of forms involving conspicuous consumption and/or a narcissistic concern with style and appearance. The ideology of familism, the family as a "haven in a heartless world" has a powerful appeal in opposition to the impersonality of the market and the indifference of the state. This ideology was best expressed by Germaine Greer, "The family remains the poor man's last resort: it will give him power and authority when no one else will. Only the family can make sense of growing old; only the family can give shape and coherence to all the phrases of human life" (Greer, 1984: 227).

But ultimately, creating a society where caring and sharing is more widely spread requires extensive and fundamental transformation. It must begin with an honest discussion of how the private sphere of the family/household relates to the

spirit of revolutionary solidarity and collective struggle that we in South Africa need to revive.

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South Africa, African feminism and the challenges of solidarity

Desiree Lewis

F or the master's tools will never dismantle the master's house. They may allow us temporarily to beat him at his own game, but they will never enable us to bring about genuine change. And this fact is only threatening to those women who still define the master's house as their only source of support (Audre Lorde, 1984: 112).

Universal sisterhood?

Feminist calls in the name of universal sisterhood have been legitimately discredited. Black, third-world and other socially subordinate radical women have insisted that "women" form a very heterogeneous group. They have also insisted that formerly influential notions of sisterhood take for granted the centrality and leadership of privileged women in the west. Since the 1990s suspicions about universal sisterhood have been fuelled by post-structuralist thinking about multiple identities, agencies and struggles. Much of the intellectual work on gender is extremely reluctant to universalize, homogenize and totalize (also see Cock in this volume).

Yet the challenge of collective political opposition to patriarchal injustices – given the recent resurgence of global patriarchal oppression – has become increasingly urgent. There has been terrifying evidence of the upsurge of patriarchal authority in contexts such as the United States and Canada, where women's hard-won battles for rights are

increasingly being threatened by the rising tide of militarism. And the assault on women's rights has been compellingly prepared in the name of the security of the nation, or of Western democracy.

Undoubtedly, then, there is a need for global conversations about solidarity and feminist politics even as we continue to challenge Western-centric monoliths and totalizing discourses. Having said this, however, I want to present a case for African feminist solidarity in the face of distinctive gender dynamics on this continent. I want especially to highlight South Africa's status within Africa, to challenge ways in which perceptions of this country's exceptionalism have inhibited African feminist solidarities for South Africans, and to raise the importance of building these solidarities. This is important in view of the way that South Africa continues to be seen as exceptional even by the left. There is a very strange belief that our singular history of struggle means that we will never experience quite the same fate that, for example, Zimbabweans face. I argue that we have much to learn from the knowledge and struggles of feminists elsewhere on the continent.

Throughout much of Africa, the post-colonial state has been a site of aggressive primitive accumulation, a situation resulting from the absence of a viable bourgeoisie and centuries of African economic underdevelopment. While conventional wisdom identifies the violence, repression and ruthlessness of much African politics as a residue of archaic "tradition", the most basic materialist analysis reveals that the feudalistic politics, rapacious plundering of national resources, and fierce patron-client politics within African states has economic determinants.

The connections between economic and political struggles, leadership styles and authoritarianism are for me well captured

in Manuel Castells' definition of patriarchalism, the "founding structure of all contemporary societies ... characterized by the institutionally enforced authority of males over females and their children in the family unit ... a structure which permeates the entire organization of society, from production and consumption to politics, law, and culture ... where interpersonal relations and thus personality are marked by domination and violence ..." (1997: 193). Castells' definition here is suggestive in linking feudalistic economic and political struggles to the most basic of social structures: organization based on fear, violence, bonds of loyalty and obedience orchestrated through the rule of symbolic fathers.

In what follows, I reflect on challenges facing South Africa through collaborative work – whether in the form of intellectual activism, lobbying or feminist action – with other African countries.

The African state, women and gender

In South Africa during the 1980s, a robust struggle for gender equality seemed to augur well for a resilient and autonomous women's movement in the post-apartheid period. Working women, students and activists played dynamic roles in anti-apartheid politics. From the early 1990s, the ground had been laid for systematically confronting gender injustices. And with the formation of the Women's National Coalition, women were poised to ensure gender equality in the constitutional dispensation being negotiated by different parties and organizations at the time.

The taking up of gender into the nation-building agenda, or what Shireen Hassim has identified as the "gender pact" (2003) saw gender concerns being institutionalized in the construction of democracy. After 1994 the establishment of national machinery for women meant that the state came to be viewed as the site through which equality for women would be created. Equally important to the gender pact was

the growing number of women involved in politics at the national, provincial and local government levels.

Both national machinery and the increase in women's political participation have been seen as central routes for gender transformation throughout Africa. Yet national machinery has offered extremely slippery terrain for progressive change in Africa. The numerical increase in women's political participation has also had dubious effects.

An astute explanation of this is Sylvia Tamale's study of Ugandan politics (1999). Tamale shows that it is necessary to adopt a Foucauldian analysis of the gendered and class character of post-colonial state institutions and politics. This allows us to understand how deeply institutional cultures shape individual women's involvement in formal politics and the conservative scripting of apparently transformative gender initiatives. When leadership and institutional cultures come to reflect the state's role as an instrument for elite consolidation, women's potential as transformative agents is severely compromised. Many women position themselves conservatively in response to the state's post-colonial function. Moreover, mechanisms set up to promote gender-sensitive, democratic and bottom-up governance will increasingly be overwhelmed by a dominant state culture of competition and elite consolidation.

Pregs Govender, former chairperson of the South African parliament's joint monitoring committee on the quality of life and status of women grimly attests to this in her recent autobiography (2007). She shows how both women politicians and gender machinery operate within the context of politics that is fiercely authoritarian, cut-throat, top-down and patriarchal. In this context, many women choose to become defenders and proponents of the status quo to protect their class interests and political power.

The impact of the African state's aggressive culture was anticipated in Amina Mama's discussion of femocracy in Nigeria under military rule (1999). To as great a degree as men, women within the state bureaucracy acted in accordance with class logic. They became ruthless defenders of the status quo and clearly operated in ways that protected their power and authority. Femocrats therefore endorsed patriarchal styles and norms in order to pursue dominant class and political interests for self-survival. It seems important to stress this imperative to make sense of the ferociousness with which many of Africa's women politicians – and South Africa's leaders have demonstrated this well in recent years – have sanctioned and bolstered the patriarchal functioning of the state.

The resulting conservativism is compounded by the depoliticizing of discourses around gender, where gender machinery and discourses amount simply to a technocratic process for redress and equality. Charmaine Pereira, a Nigerian feminist, describes this as "the determination of the agenda by the relevant state agency, as opposed to engagement of state institutions by civil society organizations".

State control over gender has also involved the right-wing transformation of formerly robust women's movements. The demobilizing of women's movements in relation to African states has been well illustrated throughout Africa. Dodzi Tsikata demonstrates this situation in Ghana (1997: 393), and there has been stark evidence of how the Kenyan African National Union steadily increased its grip on women's organizations to reconstitute a national women's organization as a party wing that was eventually declared the sole representative of Kenyan women (2000: 9-10).

The Zimbabwean feminist, Rudo Gaidzanwa anticipated this process in her comparative consideration of the official women's movements in Zimbabwe and South Africa (1992). Writing at a time when many South Africans were highly optimistic about the autonomy of the women's movement, Gaidzanwa demonstrated that the Women's Wing of Zanu PF was playing a role that the ANC Women's League was poised to play in post-apartheid South Africa. As both women and men come to perceive the state as a pivotal source of accumulation, and to realign themselves in relation to power, government and the ruling party, the pursuit of people-centred and women-centred concerns becomes more and more hazardous. Recently we have seen testimony of this in the way that the ANC Women's League supported Jacob Zuma.

This clearly reveals what Terri Barnes describes as the "supine support of women for masculinist hegemonic domination" (2007). But it also reveals the logic of class action and consolidation, the way that social actors strategically position themselves in patron-client networks that the post-colonial state generates. The co-opting or repositioning of women's movements, as well as the conservativism of femocrats and gender mainstreaming are crucially connected to the growth of the post-colonial state as a site of primitive accumulation. This function makes it increasingly authoritarian and hostile to democratic participation. It also makes leadership fiercely aggressive, and leads both women and men leaders and politicians to create allegiances that signal their compliance, and that therefore guarantee their security.

The legacy of primitive accumulation within African state apparatuses is well illustrated in contexts such as Nigeria, Uganda and Zimbabwe, where threatened elites have fiercely battled to maintain control over the state apparatus and their only source of power. Echoes of such battles have become increasingly evident in South Africa. Ranging from Jackie

Selebi's and Jacob Zuma's abuse of public office to the disciplinary action taken against the former deputy-minister of health, political leadership vividly reflects feudalistic battles for economic and political power, autocratic forms of leadership and entitlement, and that basic social structure that Castells describes.

This poses huge challenges for feminism and for progressive women in governance. In a recent issue of the feminist journal *Agenda*, Nozizwe Madlala-Routledge (2007) reflects on these challenges by distinguishing between women's leadership and feminist leadership. Feminist leadership would mean deliberative and servant leadership, democratic leadership that involves people in true dialogue. Feminist leadership would therefore mean a radical challenge to the state as a site of authoritarian control and elite consolidation. She therefore indicates that for women to make a true difference as political leaders they would need to take a stand against class and power injustices at the same time that they confront the patriarchy of the state.

Alai Tripp develops Routledge's theme in relation to Uganda. Focusing on the concept of "societal autonomy" (2005), her research on gender politics shows how the Ugandan women's movement was able to sustain vigorous gender struggles by maintaining its independence from the state. This autonomy becomes important when we consider that not only the state and national machinery, but also many NGOs have become very tainted by state control in many African countries. Tripp shows that by regulating NGOs, certain African governments redirected funding aimed at progressive and state-independent gender initiatives to the governments' agendas for development and policy-making.

South African NGOs might not be as closely controlled by the state, but they are constrained by narrow developmental

agendas – established by donors in consultation with governments. This situation makes it important to assess to what extent NGOs have the potential to play a significant role in driving or even supporting autonomous women's movements. Currently, the precarious existence of many NGOs addressing gender justice in South Africa seems to result not simply from diminishing donor funding. It is also symptomatic of their ambiguous agendas and politics. This is a consequence of their efforts to fit into both government's and donor countries' foreign policy prescriptions for efficiency (masquerading as "good governance").

Women, gender and citizenship: controlling women's bodies

The fierce authoritarianism of governance and politics in much of Africa is mirrored within the nation state, where women have often taken up or been coerced to play roles as patriarchy's spokespersons, custodians or aides. This is reflected in violent attacks on women's bodily security. In fact, in much of Africa, colonial definitions of women's urban presence as illegitimate continue in the post-colonial period. Describing public perceptions of women's informal trading in Ghana, Tsikata notes the dominance of perceptions of "market women in urban areas as an undifferentiated mass of … corrupt elements who bear responsibility for Ghana's economic problems" (1997: 399).

Similar observations can be made about women traders in Nigeria: the military government of the 1980s blamed women traders for economic crises, with the state's modernizing and disciplining missions instituting a formidable array of mechanisms against working women in cities. In Zimbabwe, immediately after independence, the government instituted policies of urban population control targeting women in ruthless round-ups (1987: 39-44). Throughout Africa, then,

the demonizing and scapegoating of women's urban presence and mobility affects their battles for the most basic of human rights.

There are strong echoes of this in South Africa. We daily witness evidence of South African women's extreme vulnerability in the public sphere. And the sporadic attacks on women for, for example, wearing trousers in rural KwaZulu-Natal, testifies to a deep misogyny and perception of women as undisciplined intruders in the public domain. In February of this year, a 25-year-old woman wearing a miniskirt at a Johannesburg taxi rank was subjected to brutal abuse. Taxi drivers sexually molested her, poured alcohol over her head and called her names to teach her a lesson for her immodest dress. The spectacle here is reminiscent of the ritualized disciplining (orchestrated mainly by women) of the accuser in the Zuma rape trial in 2006. Zuma supporters wearing "100% Zulu Boy" t-shirts, publicly burned photographs bearing her name, to the cries of "Burn the bitch!"

Such outbreaks of misogyny are linked to the regulatory ethos of masculinist post-colonial nation-building. Women's independence, whether in the form of their sexual autonomy or their economic independence , is ruthlessly disciplined. And their subversive independence is construed as disloyalty, disobedience, a betrayal of what is "proper" in a woman and, therefore of the nation. The codes of punishment they are subjected to are the codes associated with the patriarchal heterosexist family: wayward women are humiliated, punished and divested of a sense of belonging within communities. For many young women, such messages are overwhelming, and the risk of forsaking societal "approval" has led to, for example, growing compliance with the practice of virginity testing, an especially direct form of policing women's bodies and sexuality.

Women's compliance with the status quo requires our urgent attention as feminists or gender activists. It is evidence of how perniciously patriarchal ideology takes hold. It also speaks to the urgency of our need to build supportive feminist cultures and movements. In an environment where many women face few choices around identification and belonging beyond injunctions to be a respected woman citizen, they will zealously demonstrate prescribed gendered behaviour. And this is especially pronounced when these identities assume special valency in the defence of "culture", "tradition", or "the nation".

Dealing with Uganda, Jessica Ogden describes women's self-regulation of their social and sexual behaviour in the face of tremendous material and ideological pressure. Focusing on the widely defended notion of the "Proper woman" (*omukyala omutufu*) she shows that "as participants in post-colonial Kampala, women actively generate the means and meanings by which they can obtain respect and respectability, and be identified as Proper Women" (1996: 165).

In South Africa, both the regulation of women and their self-regulation have grown in relation to the Moral Regeneration Movement (see de Nobrega in this volume). Among other things, this movement has domesticated the US state-driven ABC campaign of HIV prevention, which prescribes explicitly heteronormative and stereotypical messages about gender roles, family values and traditional hierarchies within sexual relationships. Through the Moral Regeneration Movement, various political and religious organizations and public figures have advocated clampdowns on women's sexual and reproductive rights and bodily integrity, and formulated very repressive sex talk in the post-apartheid public domain. In articulating – within the public sphere – appropriate codes of social, gendered and sexual behaviour for South Africans, the Movement is playing a pivotal part in crafting conservative,

traditionalist-inspired discourses on the meanings and experience of citizenship in South Africa.

It should be stressed that anti-colonial and anti-apartheid struggles laid the foundation for many heterosexist and pro-natalist images of women. Rooted in conservative discourses of "culture" , the view that women's legitimate duties are to bolster their families, communities and nations has been pervasive and compelling during both the nationalist and nation-building periods. Tsikata's Ghanaian examples of opposition to some of the progressive gender legislation fought for by the women's movement are revealing here. She shows that legislation aimed at promoting equal work opportunities for women was solidly contested by MPs. They claimed that women, rather than competing for employment opportunities with men, had primary responsibilities to their families; it was argued that the government's new legislation threatened to promote delinquency and emotional stress for children.

Debates around legislation in South Africa may not appear to have resulted in such a blatant backlash. But it is revealing that processes ranging from the Moral Regeneration Movement to the conservativism of legislation on women's bodily rights indicate how organizations and leaders have popularized repressive ideas about women's bodies and roles. In fact, it is remarkable how out of sync the protracted process around sexual offence legislation in South Africa has been – in comparison with the rapid pace of legislative reform in other "safer" spheres. Equally noteworthy is the fact that evolving versions of the Sexual Offences bill were very different from the South African Law Commission's draft, which was based on extensive consultation with civil society and women's movements. The absence of the state's political will to change legislation around the nexus of the private and the public speaks volumes about the official reluctance,

testifying to hegemonic "national" sentiment, to disrupt ingrained power relations surrounding women's bodies.

The slow pace of enacting new sexual offences legislation in South Africa resonates with the open resistance to laws for protecting women's sexual rights elsewhere on the continent. There has been direct opposition to legislation like the Domestic Violence Bill and the Sexual Offences Bill in Kenya and similar legislation in Zimbabwe, Uganda and Tanzania, countries that have insistently laid claim to the rhetoric of "gender-mainstreaming" and "gender equality" over the past two decades. Despite the rhetoric, all these countries maintained colonial and misogynistic legislation for several decades after independence, and only occasionally conceded amendments to gender-exclusionary legislation.

Building solidarity

Threats to women's bodily security within the African nation-state, raise the imperative of dynamic, popular and radical ways of building women's movements and rekindling feminist consciousness. This would mean creating solidarity on the basis of crafted politics, rather than any assumption of sisterhood on the basis of shared experiences of oppression. When taking a stand against injustice is construed – often by both women and by men, and even by some who have been charged with promoting gender equity – as disobedience, disloyalty or irresponsible disruptiveness, resistance is possible only when those who resist can rely on solidarity with others. And solidarity, unlike sisterhood, can't be assumed; it comes through struggle.

What has been extremely encouraging in present-day South Africa are individual agencies – the unexpected, unpredictable resistances of individual persons or small groups.

I want to deal with two of these in South Africa. One example is provided by the rebellion of the accuser, often known as Khwezi, in the Zuma rape trial. Khwezi's determination to speak out, at a point when she was trapped in networks of loyalty and dependence – the patriarchalist complex that the post-colonial state engenders – was an act of extraordinary courage. Her fortitude became a mobilizing force for many women, and galvanized the protests of, for example, the One-in-Nine campaign and POWA.

Equally significant was the mobilization of radical South African women through the production of alternative knowledge and information – especially through the media, in public talks and via the internet. Feminists such as Pumla Gqola and Pregs Govender wrote against dominant messages which perpetuated stereotypes about the accuser and indulged predatory male sexuality as pardonable weakness. Here it is worth noting how the website, Behind the Mask, published an interview with the accuser which totally overturns the figure of a victimized, voiceless and faceless Khwezi, and airs her very incisive condemnation of the state, the ANC, heterosexist patriarchy and violence against women.

This subversive knowledge production is reflected elsewhere in Africa. For example, the Ugandan feminist, Sylvia Tamale, compromised her professorship at the University of Makere to disseminate ideas in newspapers and the radio regarding rights for gays and lesbians in 2002. Generally, the production and dissemination of alternative knowledge –through the media and the internet – can be a crucial resource in building new African feminist solidarities.

I sometimes feel that the problem of the digital divide has been too strongly stressed in thinking about possibilities for African feminist e-activism. Recent advocacy work on the continent reveals that patriarchal media institutions and

messages are being effectively interrogated and contested. The Know-How conference, held in Kampala in 2002, demonstrated African women's empowerment in male-dominated spaces of mass communications. This is crucial at a stage when entrenched gender biases in newspapers, magazines, radio, television and websites pervade public and private life and profoundly shape men's and women's sense of their legitimate gendered places in the world.

Another example of the potential for autonomy in women's activism was the way women protested against the brutal assault of the young woman at a Johannesburg taxi rank. Hundreds of women wearing miniskirts, led by a prominent radio personality, marched to the taxi rank to express their solidarity with the survivor, and to exultantly celebrate their right to independence.

Patricia McFadden highlights the value of this kind of celebratory resistance:

> A fundamental premise of patriarchal power and impunity is the denial and suppression of women's naming and controlling their bodies and desire ... The redemption of the pathologized female body is seen to come through males of various statuses: fathers ... priests ... brothers ... husbands ... and strangers, who wreak misogynistic vengeance upon them (2003).

She goes on to write: "Becoming a feminist has always been about the joy of being free" (2003).

For me the women protesters at the Johannesburg taxi rank illustrate the joy that McFadden highlights here, and the spontaneity that Sandra Rein (in this volume) alludes to. It is a form of resistance that organically erupts, but that is in fact sharply theorized, acutely incisive and highly perceptive about how patriarchy works, what it means and how women can

claim freedom in the face of it. It is also the joy and spontaneity that is so vital to the building of defiant and supportive cultures that can enable oppositional and empowering ways of being citizens for so many women.

I want to end by suggesting that many intellectual activists dealing with gender in Africa have, to date, not fully used strategies and forms of activism that speak to the breadth of what it means for women to be free. For example, there has been a squeamishness about using the resources of popular culture and the mass media, very often allowing conservatives to play a leading role in using, for example, radio, television, posters, leaflets, billboards and other similar platforms. There has also been far too much of an emphasis on the discourses and strategies directed by the state and by international donors. Lastly, not much attention has been paid to forms of intellectual activism that fully engage the imagination of many women, or that lead to the sort of spontaneous and joyous rebellions illustrated by recently protesting women in Johannesburg. Building solidarity, rather than simply assuming that sisterhood will just surface, requires us to engage much more adventurously with forms, styles and sites of resistance.

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Gender transformation and the moral regeneration movement in South Africa

Chantelle de Nobrega

Introduction

L iberal concepts of citizenship have generally emphasized the divide between the public and the private sphere, but feminists have challenged this notion of the universal citizen because it renders invisible the power relations in the home and family. This paper looks at the discourse of the Moral Regeneration Movement (MRM), using it to explore gender transformation, from the perspective of gendered power in the public and private spheres.[6]

Background

The aim was to raise public awareness about moral issues and establish "shared values" among all South Africans through a broad coalition of government, faith-based organizations and civil society. The moral regeneration movement was officially launched in Pretoria, April 2002, but its origins go further back than that. In June 1997 President Nelson Mandela met with religious leaders at the suggestion of African National Congress (ANC) officials. The meeting was organized by the ANC's Commission on Religious Affairs (Rauch, 2005). In 1998 a Moral Summit was held in Johannesburg, where in his

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[6] My sincere thanks to the women of WASA who provided invaluable commentary, ideas and discussion on an earlier draft of this paper.

address, President Mandela stated that moral and spiritual renewal, within the lives of individuals and communities is essential to political and social renewal in South Africa as a nation.[7]

It was only after the 1999 election however, that the MRM received increased attention from the Presidency. In February 2000 President Thabo Mbeki, Deputy President Jacob Zuma and Minister of Education Professor Kader Asmal met to discuss the MRM, where they "expressed 'deep concern about the worsening moral situation'", after which a Moral Regeneration Workshop was convened to renew the campaign which had floundered since its original conception in 1997.[8] The South African Broadcasting Corporation (SABC) and the national Department of Education were charged with leading the campaign forward.

After a parliamentary session in November 2001 a national consultative meeting of the MRM made clear that the campaign should no longer be led by government and the religious community, but that leadership for the MRM should arise out of communities and civil society. Once again the MRM was in need of renewed energy – some people felt "that it had been an error to put the campaign largely in the hands of the religious leaders, who appeared unable to agree on an appropriate strategic approach, or to turn the idea of the campaign into action".

The new working committee decided to establish the MRM as a Section 21 company,[9] placing emphasis on the fact that this would allow for a base outside of government and would

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[7] Address by President Nelson Mandela at the opening of the Morals Summit, Johannesburg, 22 October 1998.
[8] Unless stated otherwise, the historical information on the MRM is taken from Rauch, 2005.
[9] A Section 21 company is a non-profit institution.

facilitate funding, given the administrative constraints of the government financial regulations. These decisions were presented by Deputy President Zuma at the end of 2001 and approved by Cabinet, which requested that the MRM be launched in early 2002. The National Department of Arts and Culture was tasked with the management of moral regeneration issues within government, including the administration of grants to the MRM, while the Deputy President's Office remained the political centre of the campaign.

Since then, much has been said but little has been done. It is difficult to pin down what the MRM is about, beyond the rhetoric. As is the case with many initiatives at the public and state level, there has been an "emphasis on structures and process rather than on the content of the messages" (Rauch, 2005). This is endemic of South African state approaches to gender inequality. A survey by the Institute for Security Studies (ISS) among government departments found that the activities that are reported on are not usually initiated for the purpose of moral regeneration, but are ongoing departmental programmes and are used to show the department's contribution to the MRM. When asked to report on their moral regeneration activities, most departments simply cited programmes that they were doing anyway and which were in some way relevant to the campaign. These programmes tended to focus on women and children.

Citizenship, gender and the public-private divide

The liberal notion of citizenship (which is perhaps one of the most dominant internationally, and has certainly influenced South Africa) is premised on the idea of a "public" sphere which is separate and distinct from the "private". The private sphere is a place where the individual can experience the

personal and intimate without interference from the state.[10] "The public sphere is the sphere of justice, where everyone is treated equally. In the private sphere – the sphere of family – citizens may act upon personal ideas and notions of morality" (McEwan, 2005: 179). Involvement in the state or in some kind of public politics has generally been the activity upon which theorists have placed the emphasis when defining, discussing or debating citizenship. While social and economic citizenship have also received some attention, the emphasis has tended to be on what Prokhovnik calls the "citizenship-equals-politics model" (Prokhovnik, 1998: 85), which is that people become citizens "if they actively participate in formal political activity".

The importance placed on freedom within private relations is not necessarily misplaced. The liberal ideal of citizenship is embraced partly because it "is the source of liberal benefits – individualism, rights, citizenship, democracy – ensuring that the area of state power is circumscribed and does not stray into that in which individuals are the final arbiters of their decisions" (ibid.: 87).

Thus, feminists and other activists (such as those campaigning for the legalization of same-sex marriages) support the right to privacy because it affords us the opportunity to make personal sexual and relational choices (amongst others) without state interference. For example, in support of same-sex marriages, Isaack and Judge point out that the "legal prohibition of marriage between two persons of the same sex violates the constitutionally protected right to privacy by denying lesbian and gay people the freedom to make fundamental decisions about their intimate relations, the

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[10] See Prokhovnik (1998) for a discussion of this. Isaiah Berlin refers to this as negative liberty, that is, being free from external restraint (particularly legal restraint). See Hirschmann (1989) for an interesting discussion on feminism and liberalism.

freedom to express their personalities and to establish their own families" (Isaack & Judge, 2004: 68).

More can be said, however, about the extent to which women can make choices in the private sphere even without state interference. Isaack and Judge add that "heterosexual people have the right to choose to marry or not, and freely exercise this right without legal impediments or restrictions" (ibid.). While there are no legal restrictions, it is not necessarily the case that women (in particular) have a choice to marry when and whom they please. Direct or indirect pressure from family can play an important and powerful role in this choice.[11]

From a gendered perspective, citizenship has been founded upon the family consisting of a "male head of household mediating the relationship with the state for women and children" (Van Zyl, 2007). The role of women within this arrangement is that of motherhood (Grimshaw, 1986: 139) thus relegating women to a sphere constructed as "private" and therefore inherently apolitical. Feminists have challenged the notion of a universal sex-less, de-gendered citizen at the heart of modern liberal conceptions of citizenship suggesting that it renders women subject to the (invisible) power relations in the home and family and undermines their autonomy. In other words, the public/private dichotomy upholds gender inequities, partly because the private sphere becomes exempt from liberal principles, such as equality, resulting in the perpetuation of private patriarchies, outside of the realm of state intervention. Prokhovnik (1998: 87) also points out that the public/private dichotomy undermines work in the home (usually carried out by women) as those activities are not as valued as much as work in the public sphere. She also provides a useful discussion on the historical significance of

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[11] For example arranged marriages. No doubt Isaack and Judge would probably also agree that while same-sex marriages are now legal, there are many barriers to this right, including family and societal views on same-sex relationships.

this dichotomy, arguing that the public could only become a reality through the unpaid or poorly paid work of women and slaves.

As a result, women's movements have often focused on moving questions of sexuality into the public sphere by campaigning for women's rights to be enshrined in constitutions, by organizing or supporting highly-publicized international conferences and arguing for equal citizenship rights. A central strand in the feminist movement has long been the idea that the personal is political, an idea which is the focus of Kate Millet's 1970 work, *Sexual Politics* in which she argued that "sex is a status category with political implications" (Millet, 1970: 24; see also Petchesky, 2003: 232).

The South African government has institutionalized women's involvement in the state in many ways, such as through the Office of the Status of Women and the Commission of Gender Equality. In addition, the workings of local government (through councils and community forums) are intended to encourage participation by ordinary South Africans. These measures signify some opportunity for women to participate in the public sphere. In addition, the extension of rights to women and the institutionalization of personal freedoms guaranteed by the state (about sexuality and reproduction for example) has become part of the liberal ideal of citizenship (Gouws, 2005: 72).

There are, however, substantial barriers to (a) political participation (public), and (b) different kinds of roles for women to occupy in the private sphere. I would argue that the latter issue (opportunities for self-actualization in the private sphere) is as important as public participation, but has perhaps not received as much attention from mainstream theorists when discussing citizenship, although feminists have certainly

pointed this out. Given the power relationships in the private sphere (particularly with regard to sexuality) it is essential that we increasingly talk about the role of the private sphere in citizenship. Traditionally defined roles for women, in the family and community constrain participation in the public sphere, as women tend to carry the burden of home-related work, such as cleaning, child-rearing and cooking.

There is no denying that political involvement is important, whether through the structures of government or civil society. Without significant involvement by (gender-conscious) women, the state will continue to pursue the interests of men[12] (intentionally or otherwise): "Power is vested in the intentionality of control – in which different forms of masculinist power appear in different sites of the state, regulating through discourse how women's interests will be represented and what type of solutions will be found for women's lack of equality" (Gouws, 2005: 73). In addition, political and legal discourse can filter down – the state can influence thought and action over time through the discourse that it embraces. Just involving women in politics, however, does not guarantee a substantive improvement in the life of women. A change in the hegemonic definitions of masculinity and femininity is needed. Political rights do not automatically equate to equality because naturalized social roles do not change under the watchful eye of the state.

The state, nation-building and MRM

The MRM blurs the lines between public and private by positing the public as a place where moral regeneration must begin. For example, one of the key documents on the MRM

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[12] I am aware of the problematic nature of assuming that there are definitive (and different) women's and men's interests but use this quote to reflect the exercise of power in a masculinized state over women, men and gender justice, through discourse, state practices and policy-making.

released by the ANC in 1998 states that "In our striving for political and economic development, the ANC recognizes that social transformation cannot be separated from spiritual transformation".[13]

Furthermore, even though the importance of civil society was later stressed, key commentators and intellectuals actively involved in the MRM still highlighted (consciously or otherwise) that the state was a key regulator of morality. For example in a speech delivered by the Deputy President, Phumzile Mlambo-Ngcuka, at the South African National Defence Force (SANDF) Moral Regeneration Movement (MRM) Conference in January 2007, she strongly emphasized the role of the public service as both a leader in MRM and as a role player that needed to ensure that it eradicated corruption within its ranks.[14]

A more apparent statement of this can be found in the report "Freedom and Obligation",[15] which states that the government is "the overarching custodian of the nation's morality through the Constitution, legislation and policies. Such instruments are intended to draw parameters for a morally sound nation. The government is morally obliged to ensure that they do not inadvertently promote behaviour that is incompatible with the agreed upon moral values of society". Some channels through which it was suggested that government should promote moral renewal were schools, political leadership, and the public broadcaster, the last of which should "be mandated and

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[13] ANC, "The Moral Renewal of the Nation".

[14] Address delivered by the Deputy President, Ms Phumzile Mlambo-Ngcuka at the South African National Defence Force (SANDF) Moral Regeneration Movement (MRM) Conference, Cape Town International Conference Centre (CTICC), Cape Town, 30 January 2007.

[15] "Freedom and Obligation: A Report on the Moral Regeneration Workshops I & II", released in July 2000 by the MRM, with a "Message of support" by the Deputy President Jacob Zuma and a foreword by the Deputy Minister of Education Smangaliso Mkhatshwa. It is one of the most important documents released by the MRM as well as the most detailed and lengthy articulation of the aim of the movement.

empowered to contribute, through its programmes, to the quest for moral regeneration".[16]

We see here that the traditional/liberal notion of citizenship, with a clear public-private dichotomy, is partially overturned. Under the MRM responsibility to community is stressed, with frequent mention of *ubuntu*. In addition, this is regularly linked to post-apartheid nation-building, in which morality is conceived as something for individuals, but mostly for the community and nation. The ANC document on MRM states that the transition to a democracy alive with moral and ethical behaviour "throws up people of great vision and commitment, women and men infused by the spirit of ubuntu, who put their energies and enthusiasms into the collective good of the nation". The document criticizes those who are "still dominated by the self-centred individuality of the past." In 2004, on the subject of the MRM, the ANC Commission for Religious Affairs stated that "Morality is not individual goodness, but a co-operative project of survival. It recovers a community consciousness which thrives because people feel involved with one another".[17]

In 2003 the MRM released a document entitled the "Restoration of Moral Communities", which states that a "democracy such as ours, which has emerged from the apartheid ashes, should be founded on sound moral values that will inculcate in each of us a sense of national pride, oneness and commitment to the common good". It also states that "Moral Reconstruction, in our understanding, has to do with a vision of a society whose moral fibre is fully restored, where selfishness and greed give way to the promotion of

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[16] Another example of this trend can be found in the way that Cedric Mayson discusses society under apartheid. He states that "Individuals were left to act on their own with no moral laws to guide them, no sense of responsibility, no awareness of guilt. The State set no moral standards but advocated an unethical position".

[17] Quote by the ANC Commission for Religious Affairs in Rauch, 2005.

common good, and where mutual respect – respect for life, respect for the aged, respect for a fellow citizen's property and sound work ethics – are among shared values".

From the above, we see that the MRM has focused on nation-building as part of the project of morality. The project of constructing a nation or a new national identity inevitably entails moral dimensions: if the old order is construed as morally degenerate, the new order requires the construction of a new morality as a central component of democratic citizenship and identity. But if a new moral order is not to be an imposition of power, the nation-building project needs to entail rigorous debate: about identity, race, sexuality, gender, culture, religion, in short, about the kinds of values a nation can expect its citizens to have.

Citizenship "is an ethical goal, not an achieved reality, a battleground rather than a settled landscape" (Weeks, 1995: 81). People are not passive recipients of a pre-determined concept of citizenship, but it is contested and constructed by the actions and thoughts of individuals and communities (McEwan, 2005: 177). As such, the notion that we can merely extend human rights to women as the primary path to gender transformation is a problematic one, as it focuses on the conferring of citizenship as defined by the state on women citizens. Gender transformation as part of nation-building, however, is a radical process which needs to go beyond political and civil rights.

MRM and gender

The discourse that is encouraged by the MRM (implicitly) is one which is more harmful than helpful to gender justice. The MRM (quite obviously) stresses morality and laments the breakdown of moral laws as guides for behaviour, usually citing apartheid as the reason for this. Gender inequality precedes apartheid. There is no doubt that apartheid

encouraged gender discrimination, especially within families and within the labour force. In addition, the violent nature of the apartheid government through the militarization of the state's armed forces, and the armed struggle which formed part of the anti-apartheid movement both had an impact on constructing and reconstructing aggressive masculinities. But in order to effectively tackle gender injustice, we will need to look further than that for the root causes.

There are four interconnected issues that I wish to raise with regard to the MRM and its approach to gender justice:
1. Morality has traditionally been about keeping women's bodies pure, which opens up the feminine form to policing and regulation, often violently;[18]
2. Naturalized social roles have tended to inhibit women's life choices, more so than men, often rendering their place in the family and society as secondary and inferior to men's, yet the MRM emphasizes the importance of family;
3. Violence against women can only be undermined by changing the dominant notions of masculinity and femininity, which the MRM does not do;
4. The construction of gender in the public realm has posited women as in need of saving, replicating the idea that women need to be protected by men.

Morality and the policing of the feminine body

Perhaps the MRM was doomed to failure from the start (from a gendered perspective) thanks to its overtly religious angle. In general, religion has tended to perpetuate gender inequities, partly through positing a stark gendered binary of sex and sexuality, which entrenches the idea that women's and men's difference is an essential part of maintaining an ordered society, and that the lines between the two genders (and

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[18] This first point is almost a preamble to the other issues.

sexes) should be preserved and protected. Despite this, religious leaders were (and still are) at the forefront of the MRM, without acknowledging the detrimental influence of religion on gender inequity.[19]

Under religious, as well as cultural, principles, morality has been about women's bodies remaining pure. This is often why the discourse around rape and other kinds of sexual abuse posits these acts as abhorrent because they "defile" the feminine body. The result is often the overt or covert policing of femininity and the feminine body, by men and/or women, which is often done violently.

There are concrete examples in South Africa which demonstrate that policing the feminine body is seen as a way to preserve morality. There are two fairly recent high-profile occurrences of attempts to control the way women dress as a way of preserving morality. The most recent is an attack on a woman at the Noord Street taxi rank in Gauteng, in February 2008. According to media reports, taxi drivers took offence at the fact that Nwabisa Ngcukana was wearing a miniskirt. They stripped off her clothes and poured alcohol over her, while sexually and verbally assaulting her. Other commuters and taxi drivers looked on and apparently cheered, instead of coming to the young woman's aid.[20]

Journalists and reporters interviewed people at the taxi rank in the week following the attack and, not surprisingly, found that some men and women agreed with the principle that it was inappropriate for the young woman to have been wearing a short skirt, even if they did not agree with the attack. One taxi driver said that women were abusing men by appearing

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[19] Based on my readings of a wide variety of speeches, documents and presentations made by religious leaders on the MRM, this issue seems to be ignored.

[20] Anger mounts over miniskirt attack, *The Times*, 20 February 2008 and *Taxi* Alliance apologises for miniskirt attack, *The Citizen*, 21 February 2008.

"half-naked" in public, and that before 1994, "women wore clothes neatly and properly, now they say they have rights".[21] Another man was reported as saying that women should not wear short skirts because this aroused men, which led to rape and other crimes against women. He added that he would never allow his children to wear short skirts. One elderly woman said that women should be taught to dress properly and wear skirts down to their ankles, because they were provoking men.[22]

Another taxi driver told a *Mail & Guardian* reporter that while he did not agree with the attack, he did think that the woman was dressed improperly and that skirts should be worn below the knees, as short skirts worn in public provoked men. A woman commuter at the taxi rank stated that "Sometimes, even as a woman, I feel some women are dressed in inappropriately short skirts. I do not believe what happened to the woman was right, but I do realize why they did it ... they try to teach these girls a lesson to respect their bodies. I am sure they will never forget".[23]

The second example is of a reported ban on women wearing pants at T Section in Umlazi, Durban. In July 2007 Zandile Mpanza was attacked for wearing pants, made to walk through the streets naked and her home was burnt down by an angry crowd of people.[24]

The family and naturalized gender roles

The preservation and restoration of the family structure has become one of the key areas focused on by the MRM, as it is cited as essential to the moral rehabilitation of society as a

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[21] Anger mounts over miniskirt attack, *The Times*, 20 February 2008.

[22] *Ibid.*

[23] Cameras needed at taxi ranks, *The Mail & Guardian*, 22 February 2008.

[24] Women "can't" wear pants, *News24*, 25 July 2007.

whole. One of the problems most often cited by leaders within the MRM is the breakdown of the family, as perceived by advocates of the MRM. The tradition of the hetero-normative family, however, is the primary place where gendered power imbalances have been replicated and preserved.

The MRM focuses on the family without problematizing the ways in which this institution has encouraged gender inequity. For example, the "Restoration of Moral Communities" document stated that one of the "critical areas ... identified as problematic in addressing moral regeneration" is the "[b]reakdown and weakening of family life and structures". Freedom and Obligation echoes this by stating that the "breakdown of family as a fundamental social institution" is a manifestation of the moral crisis in South Africa. The solution posited is that the religious sector would spearhead the development of a "culture of responsibility, emphasizing the role of the family and the importance of family values". Meanwhile, the education sector would create "a family base for moral education to take place". The implication here is that traditional family structures and their accompanying values should be reinforced.[25]

The MRM's focus on the "restoration" of morality (which implies that we need to embrace past or "traditional" values) overlooks that the family is usually the locus of women's disempowerment and that other kinds of discrimination, such as the relegation of women to the political and civil periphery follows from this. A rejection of patriarchy in the state and the public domain must be accompanied by a rejection of patriarchy in the home and private relations.

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[25] Advocates for "traditional" values have become far more sophisticated and tend to lament the moral degeneration of society by blaming the breakdown of the family structure in terms which are vague enough to deny that patriarchy is what they have in mind.

Interestingly, there are perhaps three or four places where the problematic nature of power within the family is recognized, but it is never adequately addressed. For example, in the ANC document on MRM, it is stated that "the emancipation of women within the family is a key issue" but it then says nothing more.[26]

Historically, the family (private) is a place where values are transferred from generation to generation, a place where sexual tensions and gender inequities are entrenched. Sexuality, when constructed within patriarchal relations, serves men. Ramazanoglu points out that sexuality is integral in theorizing and understanding the power men exercise over women (Ramazanoglu, 1989: 154). Relations which are constructed as private/personal are in fact often the loci of men's power. Decision-making with regard to sexuality and reproduction have traditionally been under the domain of the husband (Weeks, 1995: 133).

It would seem, therefore, that one aspect of tackling violence against women would be through the problematization of the family as the centre of morality and the transference of values. The traditional notion of a family encourages naturalized social roles. For example, women are often seen as mothers and wives (effectively, as relational rather than individual agents) before we are seen as active role-players within the public sphere. With the (mostly) widespread recognition of women as political and civil actors, women have become increasingly involved in work beyond the home, but it is still difficult for a woman to define herself as only a

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[26] There are also occasions where different life experiences of men and women are noted. For example, Freedom and Obligation notes that women are exploited in the labour force, more so than men, but then fails to follow through with a discussion on why there is this gender discrepancy, and instead puts this phenomenon down to greed and individualism within the private sector.

civil or political agent due to the notion of women as nurturers.[27]

The focus on the family by the MRM potentially reinforces naturalized social roles which have hindered the self-expression and choices of women. Power is not the exclusive monopoly of the state – it operates on a variety of levels. Foucault's conceptualization of power and its forms enables us to give an account of the mundane and daily ways in which power is enacted and contested, such as at the level of relationships. Power is relational and is diffused throughout all social relations rather than simply being imposed by the government. Women are thus subject to a web of power relations which are not reducible to decisions emanating from the state. The private sphere, in the form of the family, is perhaps one of the central institutions in the maintenance of power relations that undermine gender justice.[28]

Violence and the construction of masculinities and femininities

The MRM depicts rapists and men who abuse women as deviants. The ANC document on moral regeneration states that "Most people are moral. They are not criminals advocating unethical behaviour ... People prefer to be good". What this fails to acknowledge is that rape and the abuse of women is the natural consequence of the kinds of dominant

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[27] It is important to note that I am not advocating the devaluation of care. On the contrary, I think we need more nurturing not less. The problem, however, is that women are typecast as inherently caring and nurturing, inhibiting personal expression which may appear contrary to that ideal (for example, choosing not to have children). In addition, as stated earlier in the paper, because of gendered notions of femininity, women unfairly carry the burden of care work, potentially preventing the pursuit of interests which are beyond that role.

[28] See Mills, 2003 for an interesting and useful discussion of gendered power from a Foucauldian point of view.

(heterosexual) masculinities and femininities that are at work in individuals and society.[29]

Gender performance is not consistent, of course, and can be context-specific. For example, a man may be more subservient at work with his employer and more dominant at home with his wife and children. Similarly, a woman may be more assertive at work but more submissive at home with her husband. In addition, there are differences in socialized gender roles across racial, ethnic, religious and class lines. The importance of human relationships to gender roles, as well as how these roles relate to one another, indicates that masculinities and femininities play off each other in ways which can entrench them further. There are different and sometimes contradictory ideas of (heterosexual) masculinity and femininity, but a common thread is that masculinity is characterized by an aggressive, penetrative strength. This is accompanied by a dominant notion of femininity which is nurturing, docile and passive (i.e. it is what masculinity is not, and vice versa).

Patriarchy, by its very nature (i.e. by playing into notions of masculinity as being aggressive and domineering), is a power imbalance which encourages the domination of men over women.[30] For gender transformation to become a reality, we need to address the connection between violence and masculinity. The history of South Africa (which includes an oppressive, militarized state as well as an armed struggle, both dominated by men) has had a large impact on the

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[29] See Harris, 2000, for a useful discussion on the construction of masculinities and its relationship to violence.

[30] By this I mean gendered power imbalances which favour men by providing them with more opportunities and life choices, whether between individuals, or within institutions, communities and society. However, patriarchy can limit the choices of individual men by positing masculinities that they have no desire to embrace. On the whole, however, patriarchy serves the interests of men rather than women, as it subordinates women to rules and ways of being that are largely beyond their control.

construction of masculinity in South Africa. This is often a violent process which results in a violent subject. As such, violence against women can be the "result of masculinity ... as a cultural ideal", as men can sometimes "use violence or the threat of violence as an affirmative way of proving individual or collective masculinity".[31] Harris points out that despite the varied notions of masculinity, they are all premised on the need to establish themselves as what they are not: "men achieve masculinity at the expense of women ... at best, by being 'not a woman', at worst by excluding, hurting, denigrating, exploiting, or otherwise abusing actual women" (Harris, 2000: 785) as well as other men who fail to live up to the masculine ideal.

The belief that men should be in a position of power over women as an affirmation of their masculinity will inevitably lead to violence – we cannot challenge violence against women without addressing the dominant notions of masculinity. Unfortunately, there is often a split between gendered identity and violence when people are talking about these issues. For example, in a Women's Day speech by KZN Health MEC, Neliswa Nkonyeni, the MEC managed to strongly condemn the abuse of women wearing pants in KZN without condemning the belief that a man has the right to dictate how a woman should dress, and then added later in her speech that "man being the head of the family is susceptible to abuse by men", again without condemning the idea that men should

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[31] Harris, 2000, p. 781. At this point, Harris is talking about violence perpetrated by men against anyone, while her paper deals specifically with violence against men by men, as a component of constructing and demonstrating "manliness". Her comments, however, on the construction of masculinity through violence as well as violence as an expression of this masculinity can offer important insights into violence against women as perpetrated by men. I have not, in this paper, addressed the relationship between poverty and violence. As an aside, I would argue that the relationship between these two issues is made more complex by gender – the dominant ideal of a man as economically independent and as a provider is perhaps one of the reasons why some men turn to violence as a means of asserting their masculinity in the face of economic poverty (i.e. in the face of their perceived failure to live up to the masculine ideal).

be the head of a household.[32] This kind of rejection of violence while failing to challenge dominant notions of gender identity, power and difference can be more harmful to gender transformation than an outright dismissal of gender inequity as an area of concern, as it obscures the powerful but often subtle gendered power dynamics that are such a large part of our everyday life experience.

This lack of understanding or acknowledgement of the more subtle and insidious power politics of gender is indicated by the fact that the SABC was tasked with spearheading the MRM. The media usually perpetuates gender stereotypes, re-constructing the spaces within which women and men should move – for example, women are in the home so they will buy the washing powder and clean the toilets. Amidst these normative messages on masculinity and femininity, the SABC must somehow be trusted to encourage a discourse which undermines gender inequities. This reinforces the idea that violence against women is a moral issue rather than a gender identity issue.

Importantly, the power of socialization is such that women can become complicit in the perpetuation of gender injustice, either by censoring themselves and others (by policing femininity and the feminine body, which is often done violently), or by blaming women for rape and other kinds of sexual abuse. The behaviour of women at the Jacob Zuma rape trial as well as the comments of women interviewed at the Noord Street taxi rank illustrate that women are not

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[32] Speech by KZN Health MEC Neliswa Nkonyeni on the occasion of the women's celebration at Howard College, "Women emancipation – is it fairly practical?", delivered 9 August 2007. There were more encouraging statements. See for example, a speech by KwaZulu-Natal Premier Sibusiso Ndebele during Pan African Women's Day, Durban, 31 July 2007, in which he stated that women have the "the right to choose whether they want to wear pants".

merely victims of violence but can also buy into gendered power imbalances as an integral part of feminine identity.

The construction of gender in the public realm

We need to be wary of the way that gender becomes constructed within the public sphere, not only the private, particularly when the former invokes the language liberal notion of citizenship – i.e. the language of political and civil rights. The idea that the extension of rights to women is the primary solution to gender inequality ignores the power of the gender socialization and the role of power in personal relationships.

Secondly, the state has the potential to problematize women by constructing us as in need of protection and special attention for our own good. "Gender becomes constructed in way that represents women as lacking agency, as clients of social programmes or victims of political processes ... The 'gender problem' is therefore in need of administrative intervention through which an already defined gender solution exists" (Gouws, 2005: 78).

The primary way in which the MRM does this is by continually linking women to so-called "vulnerable groups". For example, the "Restoration of Moral Communities" document states that "We have to convince ourselves that women, children, the physically weak and the poor will never again be taken advantage of". In addition, the ISS research into MRM found that most of the departmental activities and programmes which are offered as evidence of involvement in the MRM are related to women and children (ISS, 2000-2004) as they were perceived to be in need of assistance.

Conclusion

The history of women's activism in South Africa is difficult to separate from the history of the national liberation movement. The former sometimes sat uncomfortably with the latter, however, and when it came time to craft a new democratic nation, the emphasis was on addressing men's power and gender inequity in the state rather than challenging structural barriers to women's liberation.[33] This approach, what Hassim calls inclusionary feminism (Hassim, 2005: 177) has been the focus of women's activism in the post-apartheid era, where the democratization of the public sphere has received precedence, sometimes at the expense of overturning social norms and gendered discourses which serve to maintain men's position of power and privilege. Liberal or inclusionary feminism "emphasizes upward linkages to power brokers and rarely questions the structural conditions of women's inequality. The result is a tendency towards accommodation with existing institutions, ideologies and powerholders" (ibid.: 178).

Women are certainly given rights and freedoms under our Constitution and other legislation, but what real impact have these freedoms given women? There are many obstacles facing us when trying to access rights encoded in the Constitution. For example, despite the legal right to abortion, many women find themselves unable to access this right for a variety of reasons, such as refusal by the father, or unwilling and abusive health care workers in public hospitals. After the 2004 elections, we had the eleventh highest number of women in parliament in the world (Gouws, 2005: 10) yet the level of violence against women is exceptionally high, which

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[33] Hassim (2005) and Meer (2005) provide interesting discussions of the role of women in the anti-apartheid movement, including an examination of how women's rights and gender activism were sometimes undermined and discouraged in the national liberation movement. Hassim does, however, address the role of grass-roots movements and their recognition of the relationship between private and public power.

erodes the Constitutionally protected right to safety and bodily integrity.[34] In addition, the socio-economic position of women has tended to be more unstable than that of men, denying them access to education, housing and food (among others). Despite substantial legislation and policy that is aimed at women, the high levels of violence against women as well as the high levels of poverty reflect a disjuncture between the legal aspects and the realities of women.

To what extent has structure and discourse been tackled? In other words, where is the radical voice of feminism[35] which confronts constructions of masculinity and femininity, and which attacks private patriarchies? That voice is certainly there, but the challenge is how do we begin using this radical voice to achieve gender transformation? To what extent can a radical transformational feminist movement remain outside the state and still have an impact on policy? Or should we be subsumed into the state and risk the de-politicization of the feminist movement? Can the state transform gender in the private sphere?

It is difficult to envision ways in which the state can make an impact on gender transformation in the private sphere without becoming an oppressive, overbearing force. "The conceptual challenge for a 'liberation movement in government' [like ours] is to identify, define and demarcate those areas of social life of its citizens that are largely outside of its sphere of responsibility and direct control, without thereby neglecting its historic obligation to fundamentally transform society."[36]

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[34] Chapter 2, Bill of Rights, Section 12.

[35] Here, I would support Hassim's definition of feminism (which is implicit in her use of the word in her paper) as a radical movement which challenges gendered power and structure beyond the public sphere, which is different to women's activism which focuses mostly on political power.

[36] Jakes Gerwel in Rauch, 2005.

These questions, and others, have no easy answers. As a preliminary observation, I would say that the feminist movement needs to reinforce and retain a strong presence which remains outside the ambit of state power. The formulation of gender under the MRM indicates not just a failure on the part of the state to embrace a more radical approach to gender transformation, but it also potentially shows that the processes which make up state action (planning, budgeting, policy-making, law-making etc) are unable to drive gender justice at a satisfactory pace, partly due to the direct or indirect, intentional or unintentional behaviour and choices of individuals and forces within the government which obstruct gender transformation.

Thus, we should be wary of the notion of gender mainstreaming, for example, which has increasingly been embraced by the state as, too frequently, it refers less to substantive institutional transformation and more to "head counts" of women as a way to justify the non-transformational agenda of institutions, as well as potentially depoliticizes the feminist movement by obscuring the radical nature of gender justice. In other words, gender mainstreaming can dilute the radical voice of the feminist movement. Furthermore, its focus is on the public sphere and has ignored the power of the private in gender inequality.

This does not mean that we should not be interacting with the state, but "feminists cannot afford not to engage with powerful institutions because they have serious policy implications" (cited in Gouws, 2005: 77). Yet as McEwan argues, it is "not to the state, government policy or institutional change, therefore that one should look for future possibilities of transforming private patriarchies and constructing substantive citizenship, but to those localized resistance in homes, communities and neighbourhoods" (McEwan, 2005: 182).

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Feminism on the frontlines: Reflections on bringing young women and men into the feminist conversation in Canada

Sandra Rein

L ocating the "frontline" for feminism is a virtually impossible task. So, rather than one frontline, this paper is premised on the notion that there are multiple "frontlines" on which feminist scholars and activists engage a variety of prejudices, misogynist behaviours and attitudes, and closed-minded attitudes. Likewise, the act of defining what constitutes feminism is equally impossible. The very use of the term leads to questions of which feminist theories? Whose feminism? One can be quickly overwhelmed by the "waves" of labels, theories, arguments, and expectations. The very real contestation that surrounds the label "feminist" often sends us off looking for alternatives that are less polarizing or more politically attractive. Many today argue that we have left the behind the 1st, 2nd, and 3rd waves of feminist activism to find ourselves in a post-feminist world. Some suggest we should simply abandon feminism entirely and look for something new, while popular culture has all but declared feminism dead. And this says nothing of the "feminist backlash" that has organized around an antifeminist, neoconservative politics that negatively labels scholarship and activism "politically correct" if gender equality is a stated goal. Amidst this contested terrain I find that my "feminist frontline" is the university classroom where I teach political studies. It is from this frontline that I want to reflect on the future of feminism as an idea that is attractive to students. To do this, I will outline a

number of gender contexts – global, national, local/individual (classroom) – and examine the likelihood of the label "feminist" attracting the political energies of female and male students, given my classroom experiences. The ultimate goal of this reflection is to suggest ways in which young women (and men) can be brought in as active participants in a feminist conversation. Rather than reject the label feminist, I want to suggest that it continues to represent an important political identification that should not be abandoned in the pursuit of a less "inflammatory" term.

As already suggested, the university classroom as a feminist frontline, exists in relationship to other important "frontlines" – most notably, global, national and local environments in which gender is generally recognized as a salient category or is being minimized in a deliberate way, as we are currently experiencing in Canada. I will briefly examine these contexts in order to best situate my experiences in classroom teaching. In the classroom context, it is important to acknowledge that I attempt to create a classroom environment that is critical and employs pedagogical methods that bring students into the educational process as knowledge producers rather than "vessels to be filled" with knowledge provided by the professor. In this sense, I attempt to align my classroom experience with the pedagogical work of Paulo Freire: "Teachers and students, co-intent on reality, are both subjects, not only in the task of unveiling that reality, and thereby coming to know it critically, but in the task of recreating that knowledge. As they attain this knowledge of reality through common reflection and action, they discover themselves as its permanent re-creators" (1970: 56).

Gender in a global context: the international frontline

It is beyond the scope of this paper to take up the question of transnational feminist movements and their potential for success; however, it is essential to outline the way that feminist activities have ensured a global presence for gender equality claims in the areas of international development policy and international law. In fact, I would argue that feminists from a variety of theoretical perspectives have been jointly responsible for introducing the gendered division of labour internationally as a relevant political economy concept and ensuring recognition of the growing feminization of poverty as important markers in development and equality discussions since the 1970s. The decade 1975-1985 was declared by the United Nations a "Decade for Women" and the follow-up conference in 1995 in Beijing provided a global platform from which issues of gender were raised on a world scale. The United Nations Development Program (UNDP), as a practical matter, has added a number of gender development indicators to its annual statistical reports on development, poverty, and social exclusion. Indeed, due to women's efforts, gender equality was written into the very foundations of the 1948 Universal Declaration of Human Rights and today the act of rape in war contexts is recognized as a crime against humanity. Globally, numerous NGOs work toward gender-equality goals and recognize the differential placement of women in relation to men. The final testament to the successful recognition of gender as a salient category must certainly be that even the World Economic Forum has recently felt compelled to complete its own global assessment of the gender gap across areas of income and economic opportunity, and political efficacy (Hausman et al., 2007).

For feminist scholars in the field of international relations, the inclusion of feminist theory remains somewhat uneven;

however, major textbooks include chapters that take up gender as a key category in international relations and most cover a range of feminist theories. While feminist theories are still not viewed as mainstream, it would be unlikely that a graduate student could successfully complete a program without giving some consideration to feminist contributions to the discipline. In this sense, the sustained efforts of feminist scholars from a variety of theoretical positions have etched out a tentative place for feminist international relations; though, it remains a project requiring ongoing vigilance.

This may appear to be a rosy picture of international relations insofar as inroads have clearly been made in the policy fields and in the discipline broadly understood. Yet, there are at least two global warning signs that suggest to me a slippage in terms of these gains. The first is of greatest concern: in spite of the attention paid to gender in areas of international development policy and law there remains a significant "gender gap" in terms of development indicators. The most recent UNDP Annual Report (2007) highlights the ongoing significance of women's disempowerment, noting:

> Discrimination against women
> is a fault line running through
> every society in the world
> today, varying only by degree.
> Women are consistently paid
> less than men, have a weaker
> political voice, often have
> access to fewer educational
> opportunities, and generally
> benefit least from the use of
> natural resources. While 200
> million women entered the
> global workforce in the decade
> before 2003, 60 per cent of
> the one billion poorest people

> are women. Women perform
> 60 per cent of under-protected
> and underpaid informal jobs,
> despite lower overall
> employment rates (UNDP,
> 2007: 4).

Thus, in spite of an awareness of the importance of gender in global development and the longstanding work of feminists in this regard, women continue to face nearly universal social exclusion and discrimination – albeit in varying degrees.

The second sign for concern, or at least caution, is one that must be read carefully as it is not solely a negative consequence of the focus on gender, but does have the potential to erode gains made by women internationally – this concern is the rise in interest about men, boys, and the construction of masculinities. The result of this redirection on the question of gender is that a study of gender relations runs the risk of being "taken over" by what are largely male interests. As Connell notes, developed countries have largely driven this interest but similar attention is increasingly being applied to programs and policies in developing states (2005: 1802). While there are many important reasons for gender relations to be more broadly defined and studied internationally, the more reactionary approach has been to evolve gender equality policies through the creation of parallel programs that are sex segregated. As Connell notes "[t]his approach [separate and differential policies] acknowledges the wider scope of gender issues. But it also risks weakening the equality rationale of the original policy. It forgets the relational character of gender and therefore tends to redefine men and women, or girls and boys, simply as different market segments for some service. Ironically, the result may be to promote more gender segregation, not less" (2005: 1806). Unsurprisingly, the inclusion of male interests has been quickly incorporated in international policy statements, beginning with

the 1995 *Beijing Declaration* (Connell, 2005: 1806). Today, nearly all international statements on gender equality highlight the importance of male roles in achieving equality. Again, this second concern is raised here in order to highlight an emerging and potentially damaging reconfiguration of the notion of gender and gender relations in international development policies but also in areas of academic study, i.e. the potential to see masculinities studied with more attention and interest than gender relations more broadly understood. However, this concern is a "double-edged sword" as it also holds the potential to move toward more constructive discussions of gender and gender relations that transcend the stereotype of male-bashing and "men-hating" that is often (wrongly) ascribed to feminist thinking and to institute positive demands for male participation in questions surrounding gender equality. I will return to this opportunity in the conclusion as it is plays a key part in creating meaningful dialogue in the university classroom.

Gender in the Canadian context: the national frontline

I want to turn from the international context to the Canadian national context as this is the immediate political environment for my students – even if they at times appear oblivious to the way that this context impacts their experiences and understanding of gender. At the federal level, the Canadian government adopted policies of official multiculturalism and gender equality in the late 1970s and early 1980s. The issue of gender equality was a significant consideration in the 1970s following the release of the *Report of the Royal Commission on the Status of Women in Canada* (RCSW) in late September 1970. In 1982 Canada officially "patriated" its Constitution and adopted the *Charter of Rights and Freedoms* in which sex discrimination was specifically identified as an

infringement of the fundamental right to equality. Section 15
reads:

> 15. (1) Every individual is equal
> before and under the law and
> has the right to the equal
> protection and equal benefit of
> the law without discrimination
> and, in particular, without
> discrimination based on race,
> national or ethnic origin, colour,
> religion, sex, age or mental or
> physical disability.
>
> (2) Subsection (1) does not
> preclude any law, program or
> activity that has as its object
> the amelioration of conditions
> of disadvantaged individuals or
> groups including those that are
> disadvantaged because of race,
> national or ethnic origin, colour,
> religion, sex, age or mental or
> physical disability.

In addition to enshrining equality into law, the federal
government also created a number of agencies and programs
to promote gender equality, the most significant of these
being the Status of Women Canada (SWC). Government
funding to specific programs and arms-length bodies was also
provided as part of an ongoing commitment to equality and
gender rights in Canada, perhaps the most significant and
well-known of these groups is the National Action Committee
on the Status of Women (NAC).

Although the actual equality gains for Canadian women may
be debated, it was the case that during the 1970s and 1980s
the issue of gender equality was widely debated and

discussed in the Canadian polity and redress in some areas of law was attempted in order to prevent discrimination. However, the first "attack" on these gains occurred in the early 1990s as the federal government underwent extensive "cost cutting" measures ostensibly to reel in the annual budget deficit and the growing federal debt. While programs and initiatives were "starved" in the early to mid-1990s, the rhetoric was still generally favourable toward equality; however, the most recent federal election in Canada has witnessed the Conservative party's elevation to minority government. The Conservative Party, under the leadership of Steven Harper, is an amalgamation of two "right-of-centre" political parties – the Progressive Conservative Party and the Canadian Alliance/Reform Party of Canada. Harper is from the decidedly more reactionary wing of the merged party. The Conservative Party, while generally promoting neoliberal economic policies, espouses a neoconservative stance toward social issues; for example, the party opposes the legal recognition of same-sex marriage, advocates tax incentives for women to be "stay-at-home" mothers, and generally adopts policies aimed at strengthening traditional definitions of the family.

Under the mantle of "fiscal conservatism" the Harper government recently initiated its own fat trimming exercises that "happened" to target equality-oriented agencies and programs. The breadth of these cutbacks is quite significant, as Brodie recounts:

> The Court Challenges Program (CCP), which provided public funding for individual and group challenges to public policy under the equality provisions of the Canadian Charter of Rights and Freedoms, was terminated as was the Law Commission of

Canada (LCC), which provided independent research on pressing and controversial legal questions, many of them grounded in equality claims such as same-sex marriage.

Although this fat trimming exercise also sliced through aboriginal health, adult literacy, and youth employment programs, Status of Women Canada (SWC), the core interdepartmental agency responsible for promoting women's equality within the federal state, appeared to be the new government's primary target. Its operating budget was cut, most of its regional offices were closed, its Independent Policy Research Fund was eliminated, and funding was withdrawn from non-governmental organizations that conducted research, lobbied Canadian governments, and engaged in advocacy on behalf of women's equality. Even more telling, the word "equality" was purged from the SWC mandate and from its website (Brodie, 2008: 146).

While the Canadian government now claims that there is no need for these "special" programs, that equality has been enshrined in the Canadian *Charter of Rights and Freedoms*, the

obvious empirical evidence that equality has not been achieved has been virtually ignored by Canadians. Again, as Brodie documents the Conservative case is quite weak:

> Research generated by Statistics Canada in 2006 also indicated that, on a variety of fronts, gender equality remained an elusive goal of public policy. *Women in Canada: A Gender-based Statistical Report* (Statistics Canada 2006) noted that the increased participation of women in the paid workforce, and especially of women with young children, was one of the most significant social trends of the past thirty years. In 2004, fifty-eight per cent of women aged fifteen and over was employed, while the participation rate among women with children under three (65%) and children aged three to five (70%) had effectively doubled since 1976. Still, the report found that compared to their male counterparts, women were far more likely to lose time at work because of personal or family responsibilities, work part-time, and earn less. In 2003, Canadian women working full-time (full-year) earned seventy-one per cent of what men working full-time (full-year) earned. Similarly, thirty-eight per cent of families headed by lone-parent mothers lived below the poverty line compared to thirteen per cent of male lone-parent families and seven per cent of two-parent families. Statistics Canada also reported that, in 2004, females were six times more likely than males to be victims of sexual assault and far more likely to experience criminal harassment, stalking, and spousal abuse (CCPA Monitor, 2006: 29) (Brodie, 2008: 146-7).

I should also note that in addition to funding cuts to these important government programs and agencies, the Conservative government is also in the process of cutting

federal monies for social science research in these areas. When specialized pockets of money are made available, the focus is most often on business and financial research projects with little or no room for projects that would emphasize equality, the study of gender relations, or employ feminist research methods.

At the provincial level, there is a wide variety of government responses to equality demands. In my province, Alberta, the Progressive Conservative Party has held government (by substantial majorities) for 37 uninterrupted years. The province enjoys tremendous wealth due to oil and gas resource exploitation. Alberta is often referred to as the "Red-necked" province in Canada while others simply call it "Canada's Texas". Although gender and equality have risen to political prominence on occasion, the province significantly cut budget spending in the 1990s, adversely affecting programs that primarily served women and their children in the province. In recent times, Alberta has been more likely to see public support for "Father Rights" movements and the formation of antifeminist women's groups like REAL Women Canada than public policy implemented to realize gender equality. Given the ideological convergence between the federal Conservative party and the provincial Progressive Conservative party, it is not a stretch to anticipate that may of the hard-fought political battles for gender recognition (if not equality) are being quickly but quietly undone in Canada. These losses are combined with a largely successful feminist backlash.

The classroom as frontline

It is within the combined federal/provincial environment of the late 1990s and early 2000s, that most of my students entered formal public education. The majority of my students graduated from high school in 2002 or later. Although they learn about Canada's *Charter* and early 20th century suffrage movements, they tend to enter the classroom with a pre-set

notion of feminism and the firm belief that their own equality is already guaranteed – or, if discrimination does still exist, it is just a "matter of time" until it too makes its way into that famous "dustbin" of history.

Before I address gender and feminism in the classroom, for comparison purposes it is important to specify the demographics of my campus and the "average" class constitution. The campus is one of five non-contiguous campuses of the University of Alberta. While total enrolments for the university reach about 37 000, my campus consists of approximately 900 undergraduate students. Nearly two-thirds of the student population on my campus are female. My classroom demographics range from majority female in introductory courses to near gender parity in senior level international relations courses. The average age is approximately 20 years. The students generally come from smaller, rural communities, are white and lower to middle-class. Many of my students have grown up on farms and a significant number of them work part-time or full-time to pay for their university studies. A large percentage are the first in their families to attend university.

Overall, my experience of introducing gender and feminism to first year classes has left me with a generally pessimistic outlook toward the possibility of young women "enlisting" in any cause (or analysis) that they see identified as feminist. Moreover, I find an overall hostility – or at least reticence – on the part of nearly the entire class to engage feminist ideas or gendered identities. When introducing gender and politics, I start the lecture by drawing a distinction between sex and gender. This generally goes well enough. The idea that identity is a social relation rather than biologically determined seems intuitive to this age group. So, I move on to the suggestion that gender is relevant to politics – there is always resistance at this point, but it is mild. Then I write the word

"feminist" on the board. I can feel the classroom change. There is sometimes hostility and almost always an unwillingness to engage. At this point, I simply ask the students to tell me what words come to mind when they see "feminist". With much coaxing the typical adjectives appear: bitch, man-hating, bra-burning, hairy, ugly, dyke, strident, self-serving, etc. Usually, one or two brave students introduce "equality-seeking" but the bulk of words are always negative. When this process has reached completion, I always ask: "Can men be feminists? If so, what adjectives apply to a male feminist?" Outside of the odd suggestion that such men are "effeminate", most use adjectives like: compassionate, selfless, equality-seeking, kind, etc. And when asked why "male feminists" have such good traits compared to their female counterparts, the obvious gendered nature of their assessment (not to mention irony) seems lost on the majority of the students.[37]

In many ways it would be easier to say my experiences are an aberration and my campus exceptional; however, survey research in the United States investigating feminist attitudes among young women also indicates that there is considerable ambivalence toward feminism as a political label (see Aronson, 2003; Peltola et al., 2004), particularly for young women (in fact, I have found very little data with regard to male attitudes toward feminism; studies of male attitudes are more likely to address pornography and its relationship to male violence against women). National survey data from the United States generally demonstrated:

> ... once background factors are taken into account, cohort differences in feminist self-identity appear: Women in the Baby Bust cohort

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[37] I must acknowledge that this reflection takes little account of my identity and presence in the conversations and dialogue I propose here. Clearly, being a woman and relatively new to teaching are both elements that should be reflected upon, although I have not done so here.

> are less likely to identify as feminist than are
> women in the two older cohorts. Whites, those
> with higher family income, and those who attend
> religious services are less likely to think of
> themselves as feminist than those who are non-
> white, less wealthy, and less frequent religious
> service attenders (Peltola et al., 2004: 134).[38]

However, as uncomfortable as the ambivalence is – and as disappointing as it can be to start a conversation about gender and feminism from a negative starting point – I do believe that it opens a great deal of pedagogical space and creates the opportunity to de-centre many identities and tightly-held orthodoxies with the real potential for critical engagement. This is not just about opening space for a teachable moment, but is rather a critical opening for dialogue and investigation.

Strategies

At this point, one can forgive the reader for asking how international and national contexts are important to the classroom environment. In fact, from the account above, it would seem that in international contexts feminism and gender are more easily integrated into discussions, analysis and research than what has just been presented as the initial attitudes of undergraduate students I encounter in the classroom. Yet, at the outset I indicated that these other "frontlines" were key elements in the classroom experience. But how? First, the international context furnishes a place in which gender remains a salient category for discussion. International documents reference gender routinely, statistics and development indicators provide developed/developing comparisons that can often be shocking to students. But, left on its own, the international context can serve to reinforce "orientalist narratives" about "those women" who are

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[38] There is considerable disagreement about interpreting national survey data of this type, see Hall & Rodriguez 2003.

impoverished, abused, excluded, overworked – an "other" held up in judgment against her "equal" Canadian counterpart. This is where attention to the national context plays an important balance. Students may be shocked to learn that national programs have in the past attempted gender redress or that Canadian women's rates of poverty and income mirror global rates. In other words, the temptation to place gendered identities "outside" of national and local contexts needs to be actively resisted. Thus, the national and international contexts are important gateways for meaningful discussions about gender.

Let us return to my introductory arguments. Having established a conceptual distinction between sex and gender and encouraging an honest airing of responses to the word "feminist", I turn to outlining a variety of feminisms, drawing on international and national examples to demonstrate the insights gained from different theories. For me, however, the turning point is the use of the term feminist as it is the key to opening a conversation. When students enter classrooms they are not blank slates and professors should not believe it is our task to "imprint" them with the truth. Such belief is only a recipe for failure. Rather our task – or at least as I see my task – is to engage students in informed, critical dialogue that challenges common wisdom and closely held prejudices. But such critical "de-centering" as some would call it, still requires a starting point of some kind, what philosophers might term a "shared horizon of meaning" and the term "feminism" is a label that at the very least establishes that starting point. Because students have preconceptions that can be drawn out, debated, discussed and even redefined, it strikes me that forgoing the word "feminism" would be to give up the frontline entirely.

At the outset I also promised to outline some strategies for these uncomfortable, challenging classroom conversations.

Two are already implied in early sections of this paper. The first is to ensure that there is a shared context. For my introductory courses this means ensuring a global and national context for political discussions. For other disciplines, other contexts may be more appropriate. The point is to give students something concrete to which they can relate and draw on in order to deepen their own analysis. The second strategy is to open classroom space for students to openly air their own assumptions and opinions. For dialogue to meaningfully occur the room needs to be respectful, but honest. Maintaining a balance between honest utterances and respectful ones can be trying but the effort is ultimately worthwhile.

Two additional strategies are needed to accompany the previous suggestions. The first is to ensure that male students are "in the loop" and active participants in discussions. Again, as suggested at the outset, this has to be carefully balanced. Feminism cannot appear to be closed to male students but neither should male experience dominate the discussion. Focusing on gender as an ongoing social negotiation, a set of relations that have real, material effects for men and women, boys and girls, is key. As a corollary to engaging male students, I find it essential to keep gender present across course materials rather than restricted to one defined segment of a course. A lecture or week dedicated to feminist theories is important but in order for a conversation to take hold, related questions must be raised throughout the course and across a discipline's (and degree's) curriculum. Although beyond the scope of this reflection, the last statement clearly highlights the need for "feminist conversations" across the university as well.

Finally, as a practical matter, students also need the space to reflect about feminism and gender and their classroom engagements. In Political Studies we often neglect this aspect

of student learning, but I would advocate written assignments that place students in a critical, thoughtful discussion with each other. One of the most interesting expressions of such a written dialogue of this nature that I have encountered was done by a colleague and her daughter, Roxanne and Erin Harde. This piece literally is a conversation between mother and daughter on "being feminist" (Dicker & Piepmeier, 2003). The very act of "thoughtful correspondence" is one that I have used in the classroom and I find that it challenges students to be reflective but to also engage the argument and thoughts of others. In the context of gender and feminism, for many students it is the first time that their very identity is implicated in what they write, think, and reflect upon. Certainly, an unsettling experience for all of us, but one that is rewarding if an outlet is developed as part of an overall learning experience.

Borrowing from the Harde and Harde model, I think there would be tremendous merit in professors writing in conversation with students (Dicker & Piepmeier, 2003). In Aronson's survey results (2003), she reported that young women gained a great deal of insight by narrating their own experiences, she writes: "Nearly a quarter of the interviewees did not originally label their own experiences 'discrimination' but realized through telling their stories that gender inequalities were, in fact, part of their life experiences" (911). For young women and young men writing in conversation will be a new and difficult experience that could be facilitated by it being part of a larger conversation with a professor – and it is quite likely that the gained insights will not be unidirectional. These types of multi-participant assignments can be easily facilitated via online discussion forums, class blogs, journaling, or even the "old-fashioned" exchange of paper. The goal is for professors and students to be engaged participants – both active and reflective.

Conclusion·

When I first began to reflect on my experiences of teaching feminism and gender, I must admit that I did not view it as a particularly rewarding endeavour. Moreover, I was entirely pessimistic with regard to the attitudes I was finding predominantly in young women. In fact, I was ready to declare feminism "dead" for all intents and purposes. But as I continued to reflect and teach, I became less convinced of my pessimism and more convinced that the opportunity for a meaningful, feminist pedagogical enterprise existed in the very midst of these negative experiences. It is likely the case that how I understand feminism and gender categories will not be shared by the young women and men that I teach, yet this is not sufficient grounds to abandon the label feminist or the category of gender in a variety of political contexts. In fact, the recent erosion of equality gains in the Canadian context leads me to the conclusion that ensuring a continued conversation is particularly urgent at this time.

The strategies and suggestions I have outlined here may not work in all disciplinary settings but are intended to highlight that the professor's place in the process of education is not to inscribe certain truths on their students, but to engage, to provoke, to de-centre, and to participate. In other words, I see my task to be on the frontline. It is through this engagement that young women (and young men) may again find something worthwhile in feminist analysis; that both female and male students will see themselves reflected and implicated in what we teach. This is ultimately the way that education is transformed from passive "truth telling" to active engagement with meaningful social change.

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Part Two:

Women's rights

Women's rights and the effect that crimes committed against women have on those rights

Nikki Turner

Women in South Africa have inalienable rights, particularly to bodily integrity and dignity, and the freedom to go about their daily lives without the fear and apprehension that they will fall victim to a crime of a sexual nature.

Recently two events occurred almost simultaneously which encouraged me to consider crimes against women from a different perspective. The events which initiated the thought process were a trial I recently completed involving the attack on five elderly women in their homes in Barkly East by the same accused. The two events prompted me to consider whether the rights of women enshrined in the Constitution, those words which are so beautifully crafted on paper, make the transition, intact, from that document into the reality of the South African situation. I concluded that they do not.

Briefly it was alleged and proven at the trial to which I referred that the accused had, during June 2006, broken into the home of a woman who lived alone and attempted to rape her. He did not succeed because by means of a ruse she managed to free her hands and activated an alarm. The noise scared him off and by the time he had returned to try his luck again, the elderly woman had secured her home and he was unable to gain access. About two weeks later the same accused broke into the home of a second elderly woman who was

sleeping in bed with two young grandchildren. He succeeded in raping her repeatedly in full view of her terrified grandchildren. In October of the same year and during a Sunday afternoon, he broke into the home of a third woman, tackled her on the bed where she was lying having an afternoon snooze, but was unable to rape her because she was too alert and heard him gaining entry to her house. She was able to fight him off and scream for help. Not discouraged, he moved to a house in the vicinity which he entered and took a fourth woman, who lived alone, by surprise. He succeeded in raping her. From there he moved to another area, broke into a house of a fifth woman who lived alone, waited for her to return home and raped her. That night he was arrested.

Although the five women were of a similar age and background, the two women who were not raped had considerably better living circumstances, in terms of housing, and were better educated than those who were raped. This prompted me to consider, based upon a broad consideration of the cases that I have prosecuted over the years, whether the fact that two of the women were not raped was merely fortuitous or whether there was a distinction to be drawn between them and the women who were raped.

I divided the victims, male and female, that I have dealt with over the years into three broad categories. Please bear in mind when I refer to these categories that I am of the view that no woman, including a sex worker, invites a rape, constituting as it does "a humiliating, degrading and brutal invasion of the privacy, the dignity and the person of the victim" to borrow the words of the late Chief Justice Mahomed in the matter of *S v Chapman*.

The smallest number of victims appear to be those who have the financial means to secure themselves properly and who

take care to protect themselves against sexual predators. And yet, despite having done so, nevertheless fall prey to an attack.

The second category, larger than the first, but for whom the consequences are just as traumatic, are those women who court danger knowingly. In this category I include women who, for example, go to a party and elect to walk home at 2am on their own. So often these women take considerable risks, despite having other options, in the hope that "it will not happen to me". Unfortunately, as one sees all too often, these women become the victims of appalling gang rapes and the like. The reality is that women do not have freedom to go where they please and to do what they want to. That right has been significantly limited by the practical dangers attendant upon day-to-day living in this country.

I have not included children in this category. The children with whom we work fall mainly into the age category of 2-12. They do not knowingly court danger because they are too young to appreciate the dangers inherent in any particular situation. It is their guardians who court the danger. In 99% of the cases where a child becomes the victim of a rape, that child has been allowed to wander around unsupervised and without an adult having any idea where the child is going or when he or she will be returning. Children are sent by adults to the shop at night, or on an errand alone. The examples are countless. The worst-case scenario, relating to children who were still alive to tell the tale and were not killed after the rape, involved three little girls living high up in the mountains near the Lesotho border. Two of them were seven and one was eight.

Not one of them had a mother who was present or even interested in their welfare. All three of them had been palmed off onto relatives or extended family. They were playing

together in the veld one day, unsupervised, when the accused called them to his house, offering them food. They went to his house, whereupon he succeeded, by means of threats, in blindfolding all three of them and raping them one after the other. The accused was convicted and was sentenced to three terms of life imprisonment and 10 more for anally penetrating one of the little girls in addition to raping her. The accused got his just deserts. He is a monster whose presence cannot be tolerated in a civilized society. The sad truth is, however, that the adults who should have been looking after these children also have to take responsibility for what happened to them. Crimes against children will never abate whilst they remain freely available to sociopaths within our society. Another case is that of a 14-year-old mentally retarded girl who lives in a village near Grahamstown. She was raped and sodomized in December 2006 after she and a little group of younger friends went to the accused's house at his request to run an errand for him. The 14-year-old was left behind at the accused's house. He was convicted and sentenced to 25 years' imprisonment. At the beginning of June last year, the same girl was sent on an errand. The accused managed to persuade the girl to accompany him to the railway line where he took the opportunity to rape and sodomize her. The accused was convicted of that crime as well as the rape and sodomy of a 10-year-old girl whom he subsequently murdered. On all three counts he faces a prescribed sentence of life imprisonment. Now the 14-year-old girl has been raped for a third time.

Clearly the National Prosecuting Authority is the end of the line for grave societal problems and, seemingly, the responsible adults are not taking any steps to prevent these crimes from being committed. I might add that the 14-year-old is not the only little girl that I have had as a complainant in a rape case more than once. From my perspective at the receiving end of serious crimes committed against children,

the children who most often become victims are those who live in poor socio-economic circumstances where there is a serious lack of education. Children are regarded as unpaid skivvies for adults, and drinking takes precedence over the needs of children and the necessity to ensure their safety at all times. I can understand and empathize with the desire to drink oneself into oblivion, bearing in mind the appalling circumstances in which large numbers of our population live. However, the consequences for children in these communities are far-reaching and tragic.

That brings me to the third category of victims. The victims who fall in this category account for at least 85-90% of all victims with whom I work and against whom serious and repeated crimes of sexual violence are perpetrated. The three elderly women who were raped by the accused in Barkly East fall into this category.

I consulted with each in her home. The circumstances of the consultation with the grandmother who was raped in front of her grandchildren will remain with me forever. It was a freezing cold day, the sky was grey and an icy rain was falling. The grandmother and I sat in her shack on a wooden bench, the only piece of furniture, next to the door. The door, a makeshift iron sheet, was open because it gave the only source of light in this tiny smoke-filled abode. The rain was pouring in and both the grandmother and I shivered with cold as we discussed the humiliating event which had befallen this aged woman. I was leaving at the end of this consultation, but she was remaining there in the cold, spartan, unlit hovel that she called home. What chance do women such as these have to protect themselves against violent criminals when home is nothing more than I have described and the door is kept closed from the inside by nothing more than a nail? The notional rights to security of person, dignity, privacy and bodily integrity mean nothing to these women. These rights

may be written on a piece of paper but in practice they do not exist at all. These are the women who walk vast distances on their own to pension payout points because they cannot afford the transport costs. These are the women who are robbed, raped and murdered on the way home. I know because I prosecuted a case last year where a woman was robbed of her pension money, raped and murdered. She was left lying naked on the commonage. The accused further defiled her body by smearing mud over her face and genitals.

These are the mothers who leave their children with relatives to go and seek work in the cities because they can't find employment in the vast rural areas of this country which are home to so many.

These are the women who face abuse in all its forms on a daily basis from men who hang around the shebeens because they too have no employment and nothing better to do than rape the womenfolk. These are the women who have no education and no prospects of a better life.
When, not if, they become the victims of serious violent and sexual crimes, we, the prosecutors, are there to take them through the court process and to offer them as much comfort as is possible in the circumstances.

But by the time the matter reaches our hands, it is too late. The damage has been done. Whilst I maintain that a criminal trial is a cathartic process for a victim of rape, it is a process through which very few women and children should have to go. And yet, as things stand, hundreds of women go through this process on a daily basis and many of them go through the process more than once. Whilst the new Sexual Offences Act is perhaps encouraging, it is reactive legislation and will do nothing to prevent the deterioration of women's rights in practice. That is because it deals only with the situation after

the offence. The Act itself recognizes this fact in the preamble.

Returning to my trial of the five elderly women from Barkly East. Whilst I acknowledge that chance plays a role in all things in life, it is my considered opinion that the two women who managed to avoid being raped did so because they were better equipped, both in terms of living standard and education. One of the women was actually described by the presiding judge as "an empowered woman" who looked after herself and used her intellectual ability to outwit her assailant. If the other three women who fell prey to the accused had been similarly empowered and living in better circumstances, I am certain that they would have been similarly enabled to protect themselves better.

In conclusion, until women in this country are empowered by education and better living conditions, including employment opportunities, their rights will continue to exist on paper only. The creation of more courts, the employment of more prosecutors, judges and magistrates is not the answer to the wave of crime against women. The government has to look at the victims themselves and ask itself the question as I have done. Why are these women becoming victims of violent sexual crimes? The answer is simple: debilitating poverty, appalling living conditions, not good enough for a dog to live in let alone a human being invested with special rights, and the lack of enabling education as a path to reaching true potential as a useful member of South African society. And until the government recognizes that the tax rands that fill the coffers of SARS should be directed in vast quantities to enabling these people, the societal problems that beset us and manifest themselves in heinous sexual crimes against women will continue unabated. Those very same tax rands will be spent instead on keeping larger and larger numbers of criminals who have to serve longer and longer terms of

imprisonment fed, watered and entertained. Ask yourself the question – where would you rather have your tax money go?

Women in our country all have equal rights; uplift the women of our country so that all of them can enjoy their rights enshrined in the Constitution! And in the interim, I hope that someone will come up with a suitably catchy slogan for banners. "Stop those who contravene section 3 of the Sexual Offences Act" isn't nearly as persuasive as "Stop the rape of our women and children!"

Sexual and reproductive health of young women students at SA universities and institutional responses

Nomafrench Mbombo

Sexual and reproductive health of youth in SA

No doubt, South Africa has very progressive policies and programmes to address the Sexual and Reproductive Health (SRH) needs of its youth. Yet major threats in SRH still persist in this group. The SA youth are still faced with high rates of sexually transmitted infections, including HIV/Aids, that mostly is a result of unprotected sex and early sexual debut. This affects mostly those who are out of school (the 19-24 year category), the majority being women. A full 98% of sexually active youth in SA practice unsafe sex. Research shows that those who use drugs and alcohol often don't recall using condoms whilst under the influence of these. Among the 12% of HIV infected youth, the majority are women, with age 21 being the common year, and it is when they start university. HIV infection is common during this period, as well as unplanned and unwanted pregnancy. The youth make up a significant proportion of the country's population, and they are the major contributors to the labour force and national production.

Generally the root causes of these are multifaceted and show violation and infringement of young women's sexual and reproductive rights. The country has a role to play in addressing these by providing sound programmes and policies, and by providing youth-friendly sexual and reproductive health services.

It is crucial that programmes and policies to improve the sexual and reproductive health of the youth must immediately create a social environment that fosters personal development and open communication to encourage them to adopt healthy behaviour. Youth need to be provided with accurate and up-to-date information regarding their sexual and reproductive health – specifically life-skills-based information and education; they need access to sexual and reproductive health services that are receptive to them, and they need a supportive and enabling environment. Also, the SRH youth programmes/policies should be based on principles of human rights, gender equity and empowerment, because many of the factors that adversely impact upon the sexual and reproductive health of young people stem from their immediate social environment, which includes poverty and unemployment, gender inequities and inequalities, and traditional culture.

The General Education and Training institutions have been very proactive in providing life skills on SRH education programmes targeting school-age youth (14-19 year olds). These programmes are often embedded within the General Education and Training (GET) and Further Education and Training (FET) curricula which the government prescribes. This might have contributed to the drop in teenage pregnancy (although still high) in this category. The older youth (19-24 year olds) are not catered for, yet, this is the majority at risk. As mentioned earlier, they are engaged in SRH-risky

behaviours with poor SRH outcomes and with the majority being at tertiary institutions.

In this paper, I suggest that institutions of higher learning have to respond to this if they are serious about building and strengthening the country's intellectual life, and if they are alert of the context from which their students come from. Universities, because of their structural setup and based on what they assert through their mission statements, have potential to go beyond providing SRH life skills information and education only, as is the case with GET, but also quality SRH programmes and services that are youth friendly and also sound institution policies.

Students mostly stay at residence and these become their homes, with no parental guidance. If universities live their mission statements and not just rhetoric, they have potential to create a supportive environment so to develop positive lifetime behaviour and skills related to SRH for their students.

Why sexual and reproductive rights?

Many people consider sexual rights to be a subset of reproductive rights. These two sets of rights are, however, conceptually different in significant ways, and hence require different remedies. Reproductive rights apply to certain groups, that is, during the person's reproductive years. If reproductive rights are put together with sexual rights it means older people and those with no children will be excluded.

Sexual rights create the conditions which enable individuals to determine whether to connect sexual activity with desired reproductive ends. They reinforce people's right to engage in a range of non-reproductive sexual practices. As long as they are having sexual relations, they have sexual health needs – related to information, education, services, and protection

from sexually transmitted diseases, and to problems of sexual function. The term "sexual rights" includes the right to sexual health, irrespective of one's reproductive status.

Sexual and Reproductive Rights (SRR) are human rights, and in this context, they are also women's rights. Women's rights are not separate claims, but because of issues specific to women, such as gender inequities and inequalities, the public and private divide, there are human rights instruments specifically addressing women's issues. Prior to the 1990s, there had been several UN conferences on women, but they had not focused on human rights, or on issues concerning reproduction and sexuality. The first world Conference on Human Rights, which took place in Tehran in the 1960s, made mention of the right to determine the number and spacing of one's children. It was in 1993, in Vienna, that the second world Conference on Human Rights set the stage for what happened in Cairo (International conference documents on Population and Development held in Cairo (Cairo Programme, 1994) and then in Beijing (International conference documents on Fourth World conference on Women, held in Beijing (Beijing Platform, 1995, Beijing +), CEDAW and others.

This was the first time a comprehensive framework for realizing reproductive rights was set out at the international governmental level.

In the context of Africa, examples of human rights instruments addressing sexual and reproductive rights of women are:

- African [Banjul] Charter on Human and Peoples' Rights, adopted 27 June 1981, *entered into force* 21 October 1986.
- Rules of Procedure of the African Commission on Human and Peoples' Rights, *adopted on* 6 October 1995.
- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa,

Adopted 13 September 2000); *entered into force* 25 November 2005.
* SADC Protocol on Health 2001.
* The New Partnership for Africa's Development (NEPAD) 2001.

Nationally, the Constitution of the Republic of South Africa, Bill of Rights (1996) recognizes the reproductive rights of individuals.

Selected examples of sexual and reproductive rights

These rights can be used to protect and promote gender equality in reproductive and sexual health:

The right to life:

Traditionally this was understood to relate to freedom from arbitrary deprivation of life. Now it includes the positive obligation of the state in relation to, for example, maternal mortality. Think of all the pregnant students who do not have access to safe motherhood at their institutions. Hypertension is the second major cause of maternal deaths common in this age group in South Africa. Early identification through early antenatal care visits can reduce the complications.

Rights to bodily integrity and security of the person:

This was understood to relate to actions concerning individuals in the custody of the state. In the context of SRR, it includes security from sexual violence and assault at the hands of a partner or others and also in relation to population programmes that compel abortion, or those that physically prohibit women from receiving abortion services.

The right to privacy:

This does not only refer to privacy in relation to a person's home and correspondence, but includes some protections in relation to sexuality. Sexuality is covered by the concept of privacy because moral issues are subject to review for

consistency with international human rights instruments, not only within the national sphere.

The right to the benefits of scientific progress:
This was traditionally understood to relate to technology transfers between countries of the North and the South. It is also applicable to the recognition that a woman's right to control her own reproduction would obviously be enhanced by access to microbicides: female-controlled methods of contraception.

The right to seek, receive and impart information:
This transcends media and a free press related information. It relates to how realization of this right is critical to reproductive health, for example with respect to reproductive decision making, a woman's ability to make fully informed choices, as well as her ability to protect herself against sexual exploitation, abuse, infection (HIV transmission).

The right to education:
This goes beyond literacy, which is obviously critical to reproductive health, and encompasses education about sexuality, which is an element of the human personality.

Non-discrimination:
It used to be understood to mean that all people should be treated equally and given equal opportunity, including assurance of equal protection under the law. However, there has been progress in acknowledging that some distinctions are necessary to promote rights for people who are differently situated – but that all differences in treatment must be based on objective and reasonable criteria and a goal which promotes rights. Therefore, applying different approaches to women and men in sexual and reproductive policy and programme development must be based on a valid recognition of gender-related differentials.

Sexual and reproductive rights at tertiary institutions

Several tertiary institutions do have policies and provide SRH programmes for their students. For example, the University of the Western Cape has an on-site campus health clinic that provides pregnancy testing services; family planning services and counselling on termination of pregnancy; HIV/Aids counselling and testing, ARV-therapy services; peer-education programmes to develop life skills for first year students; and management of Sexually Transmitted Infections (STIs). There are structures in place for managing sexual violence and rape "cases". There are various SRH policies, for example on HIV and sexual harassment. These services are found at most HEIs, although some of these services have been outsourced at some institutions.

No studies that evaluate these programmes and policies are available. It is unclear if these are adequate for the needs of the students, specifically women. It is unclear to what extent these programmes and policies are based on principles of human rights, gender equity and women-empowerment. The availability of a SRH service does not translate to accessibility, and utilization rates are not sufficiently documented. An unpublished survey I conducted among 276 undergraduate third-year students attending a Sexual Health course at the University of the Western Cape showed that students are not eager to go for VCT (Voluntary Counselling and Testing) services offered free at the university health clinic because they don't see it as being necessary.

In some ways the institutions of higher learning, directly and indirectly contribute to the violation of women's SRR. At one institution, for example, women students are expected to vacate the residences once they fall pregnant. The question is what happens to men students who are potential fathers? At

another institution, students were barred from talking to the media to avoid labelling the institution as "University of Rape Town", after an outcry about several reported rapes occurred at residences, to which the management didn't respond. A journalism student was taken to court and his studies suspended by another institution for his media exposé about the prostitution trafficking at residence by female students with older men who were not students and who were old enough to be their fathers. Like the state, universities have obligations to respect, protect and fulfill the Sexual and Reproductive Rights of women students. I briefly explain what this might entail.

Respecting rights means the institution cannot violate rights. For example, some institutions base their mission statements on Christian values, promoting an environment that can be restrictive for women to access abortion counselling services, although their policies reflect an open-door approach to these kind of services. **Protecting the right** means the institution has to actively prevent violations of rights occurring on campus by other people, and offer redress. **Fulfilling the right** means the institution has to take all appropriate measures – including but not limited to legislative, administrative, budgetary and judicial measures – towards the fulfilment of the SRR, including promoting the right in question. It would incrementally allocate resources to SRH programmes to meet the SRH needs of the students. Providing safe motherhood programmes is one example.

Conclusion

There is a need for research to assess university programmes and policies, to explore if these programmes and policies are based on principles of human rights, gender equity and women empowerment, if these are adequate for the needs of the students, specifically women.

We have an obligation to empower the youth, and the evidence shows that this is a challenging task. However, the ability of the youth to contribute to the nation depends to a great extent on how well they can avoid health risks, especially those associated with their sexual and reproductive health. The major contributory causes of death in women of reproductive age are related to sexual and reproductive health. In the South African context, HIV/Aids has been the main contributory cause of the death of women during pregnancy. We know that the majority of these women are very young (19-24 year olds), and this is the age category which is a pool to universities.

State accountability for violence against women

Wendy Isaack

Introduction

In an article titled "South Africa Confronts Impunity", Benedicta Monama draws a distinction between legal and de facto impunity (Manama, 1987). De facto impunity is defined as perpetrators enjoying impunity because the justice system is weak or there is a lack of political will on the part of the government and the population to punish widespread human rights abuses.

The impunity of perpetrators of gross violations of women's human rights is widespread in South Africa where the criminal justice system is unable or the State state is unwilling to effectively respond to violence and discrimination against women. This routine subjection of women to violence and discrimination and/or the daily threat thereof, makes it impossible to speak of South Africa as a substantive democracy. Consider the following:

1. In July 2007 two lesbians were tortured, raped and brutally murdered in Soweto. One was found with her hands tied together with her underwear and her ankles tied with her shoelaces. She had three bullet holes in her head and three in her collarbone. Four suspects were arrested two weeks after the incident and subsequently released due to lack of evidence. To date, no other suspects have been arrested.

2. In August 2007 in Section T Umlazi, a young woman was physically and verbally assaulted by a group of

men for wearing trousers. She was forced to walk
through the streets naked. After assaulting her, they
proceeded to burn her house down. Four suspects
were arrested and subsequently released on bail.

3. In February 2008 a racist video was made by four
    white male students of the University of the Free
    State, expressing their opinion on integration. The
    video shows three black women and one black man
    being made to eat dog food mixed with garlic and
    urine of one of the white boys. Everyone expresses
    shock, horror and disgust. University authorities refer
    to the video is something which might be perceived as
    racist but may have actually been about something
    else.

When I saw the blatantly racist video; when I consulted with
the woman from T Section in Umlazi; when I have informal
discussions with colleagues and friends and when at POWA
we dedicate all available resources to the legal advocacy work
of the 777 Campaign, which was formed after the murder of
the two lesbians in Soweto, I am filled with rage. As Audre
Lorde asks: "What other creature in the world besides the
black woman has had to build the knowledge of so much
hatred into her survival and keep going? What other human
being absorbs so much virulent hostility and still functions?"
(Lorde, 1984). Lorde goes on; "we are black women born into
a society of entrenched hostility, loathing and contempt for
whatever is black and female, but we are strong and
enduring".

Women are violated in different ways, we are routinely
stigmatized, threatened and intimidated, and the reality and
threats of sexual and other forms of violence are constant
reminders that we are not free. We are black women and the
experience of inequality and discrimination resulting in

violence is our daily reality and the impact of these is experienced in a fundamentally different way from the experiences of black men and white women in South Africa.

As South Africans we react to racism/racial discrimination with shock, horror and disgust. On the other hand, the violence and discrimination that women are subjected to does not always elicit such a powerful response and this is partly due to the fact that violence against women in the home and within our communities has been accepted as the norm. Sexual violence in particular has reached epidemic proportions akin to a country in the throes of violent political conflict. The failure and/or unwillingness of the State to act with due diligence to prevent persistent violations of the human rights of women results in the flagrant enjoyment of impunity by perpetrators, and communicates to the majority of women that they are not worthy of protection.

Responding to violence against women

People Opposing Women Abuse (POWA) was established in 1979 in response to the excessive levels of violence against women experienced in our society. POWA is a women's rights organization whose mandate includes addressing and responding to violence and discrimination against women. It started by providing direct legal and psychosocial services to women. The Head Office of the organization is in Berea, Johannesburg, with four branch offices in the surrounding townships of Katlehong, Vosloorus, Soweto and Sebokeng. There are two satellite offices in courts, namely at the Tembisa Family Court and Johannesburg Magistrates Court. In addition, POWA operates two women's shelters in the Gauteng East and West Rand respectively. It conducts support programmes in four South African provinces, namely Limpopo, Mpumalanga, North West and Free State. Over the last two decades and more, while POWA has retained direct service delivery, including providing shelters for abused women and

their children, the organization has gradually incorporated numerous other programmes with a proactive approach to ensuring the enjoyment of women's human rights. Consequently, its direct service provision and advocacy work straddles South Africa's political transition: from the brutality of apartheid where women's human rights were routinely violated without access to legal recourse, to the new constitutional dispensation where even as these violations continue unabated, civil society organizations such as POWA, by working in partnership with women at local level and other human rights organizations nationally and in the region, is in a position to not only ensure access to justice but additionally to advocate the protection of fundamental rights and freedoms guaranteed by the South African Constitution.

In engaging in both direct service delivery and advocacy campaigns, POWA has established that, despite the new constitutional order:

1. Women continue to experience high levels of domestic and sexual violence; are subjected to severe secondary victimization within the criminal justice system; are routinely violated in civil law processes and generally lack the necessary support which would enable them to fully enjoy the benefits of democracy and the rule of law.

2. The extent, or lack thereof, of women's access to justice is reflected in conviction rates. Statistics indicate that only 1 in 9 rape incidents are reported and 7% of reported rape cases are successfully prosecuted, resulting in a guilty conviction.

3. Officials within the Criminal Justice System, contrary to their constitutional mandate, encourage and support impunity for perpetrators of violence against women.

4. The threat of secondary victimization and a general lack of efficiency within and ineffectiveness of the criminal justice system results in women not reporting domestic and sexual violence or accessing the criminal justice system.

5. Maintenance, criminal cases arising from domestic violence and sexual violence are notoriously slowly processed and under-reported. Rape cases take on average over two years to finalize and are frequently not successfully prosecuted.

6. A major challenge within our judicial system in both criminal and civil processes is the gendered nature of judicial decision making. In criminal matters, not only does the adversarial system have a negative impact on women but additionally by its very nature it is antagonistic to women. Our case records illustrate the experiences of clients and the practical impact of the law on women's lives, in particular what has been commonly referred to as the role of the law in the construction and perpetuation of a gendered social existence.

State accountability for violations of women's human rights

The United Nations Secretary General's "In-Depth Study on All Forms of Violence against Women" (2006) identified ways to ensure more sustained and effective implementation of State obligations to address all forms of violence and discrimination against women and to increase accountability.

1. In order to ensure gender equality and protect women's human rights, States should ensure that women have access to justice and equal

protection of the law and that perpetrators of violence against women do not enjoy impunity.

2. Engaging in advocacy initiatives to end all forms of violence against women is crucial for all actors, including civil society organizations.

3. Closing the information gap and strengthening the knowledge base about all forms of violence against women should inform strategy.

The adoption of the 1996 Constitution ushered in a new constitutional order. Section 7 of our 1996 Constitution enjoins the State to respect, protect, promote and fulfil the rights in the Bill of Rights. These are both negative and positive duties. The obligation to **fulfil** requires States parties to take steps to ensure that in practice, men and women enjoy their rights on a basis of equality. The obligation to **respect** requires States parties to refrain from discriminatory actions that directly or indirectly result in the denial of the equal rights of men and women to their enjoyment rights. The obligation to **protect** requires States parties to take steps aimed directly at the elimination of prejudices, customary and all other practices that perpetuate the notion of inferiority or superiority of either of the sexes, and stereotyped roles for men and women.

In 1995 in *S v Makwanyane* the Constitutional Court found that the positive duties imposed by the right to life mean, at the very least that the State is under a constitutional obligation to protect its citizens from life-threatening attacks.[39]

In 2001 the Constitutional Court heard an appeal in the case of *Carmichele v Minister of Safety and Security and Minister*

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[39] *S v Makwanyane* 1995 (3) SA 391 (CC) para 117

of Justice Carmichele had been assaulted by Coetzee who at the time had been awaiting trial for on a charge of rape and was out on bail. He had already been convicted of assault. It was while he was out on bail that he assaulted Carmichele. Carmichele then filed a claim for damages in the High Court against the Minister of Safety and Security and the Minister of Justice. Her claim was basically that Coetzee should not have been released on bail. That his release constituted a breach of legal duty on the part of these government departments to protect citizens from crime, that it was this breach of legal duty that resulted in Carmichele's assault. The High Court granted the respondents (Ministers) absolution from the instance on the basis that there was no special relationship between Carmichele and the authorities that founded a legal duty to protect her from harm. Carmichele, through her legal representatives, appealed to the Supreme Court of Appeal. The appeal at the SCA was dismissed on the same basis of absence of a relationship. They lodged a further appeal at the Constitutional Court to overturn the judgments of the High Court and the SCA. The Constitutional Court found that both the High Court and Supreme Court of Appeal had erred in granting an order of absolution from the instance without considering Carmichele's constitutional rights. The matter was referred back to the High Court. At the proceedings the duty to prevent harm was established.

Unlike the Zuma judgment, this is a precedent-setting judgment which articulated in no uncertain terms the legal responsibility of the State and all its organs. But why should Carmichele be an exception? As civil society organizations we have a responsibility to build on these landmark constitutional court decisions. In *Carmichele* the Constitutional Court considered the positive duty to protect in the context of violence – reference: the right to be free from all forms of violence in section 12 of the Bill of Rights and held as follows:

> there is a positive duty imposed on the State and all of its organs not to perform any act that infringes those rights. In some circumstances there would also be a positive component which obliges the State and its organs to provide appropriate protection to everyone through laws and structures designed to afford protection.

In other words, there is also a procedural aspect to this duty to protect and that is: the State must investigate, prosecute and it must punish perpetrators of violence. In determining State accountability for violence against women, Rebecca Cook argues that State responsibility is a fundamental principle of international law.

> If a State facilitates conditions, accommodates, tolerates, justifies or excuses private denials of women's rights however, the State will bear responsibility. The State will bear responsibility not directly for the private acts but for its own lack of diligence to prevent, control, correct, or discipline such private acts through its own executive, legislative or judicial organs (Cook, 1994).

In *Carmichele v Minister of Safety and Security*, in the course of a discussion of the common law duties of the State to protect human life, the court adopted the following description of the positive dimensions of article 2(1) of the European Convention on Human Rights:

> It is common ground that the State's obligation in this respect extends beyond its primary duty to secure the right to life by putting in place effective criminal law provisions to deter commission of offences against the person backed up by law enforcement machinery for the prevention, suppression and sanctioning of breaches of such provisions. It is thus accepted by those appearing before the Court that Article 2 of the Convention may also imply in certain well-defined circumstances a positive

obligation on authorities to take preventative operational measures to protect an individual whose life is at risk from the criminal acts of another individual.[40]

The reality and constant threat of violence also impinge on the right to freedom and security of the person[41] and the right to bodily and psychological integrity.[42] The State has a positive duty to ensure the realization of the right to freedom from violence. Failure on the part of any branch of the State to act in accordance with these duties is a prima facie violation and gives rise to legal accountability in both national and international law.

Conclusion

A couple of years ago I wrote an article calling for a declaration of a state of emergency. When we begin to acknowledge the excessive levels of violence against women as a threat to stability and democracy, and if we would conduct research on the cost of violence against women, such a declaration will not seem too far-fetched.

While the State fails to act on its international and constitutional obligations to protect women and prevent violations from occurring, in this new democracy no woman is safe from the daily reality or threat of violence and discrimination. South Africa is abdicating on its constitutional imperatives and obligations in international law. More than a decade ago apartheid ended, there was transfer of political power and various institutions, such as the Human Rights Commission and the Commission on Gender Equality were

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[40] *Carmichele v Minister of Safety & Security* 2001 (4) SA 938 (CC)

[41] Constitution (n29) section 12 This right includes amongst others the right to be free from all forms of violence from either public or private sources, not to be tortured in any way; not to be treated or punished in a cruel, inhuman or degrading way.

[42] Constitution (n29) section 12(2) includes the right to make decisions concerning reproduction; to security in and control over their bodies; and not to be subjected to medical or scientific experiments without their informed consent.

established to support the new democracy. However, not all women's experiences of the continuum of violence have been addressed or accounted for. There is a need for transformation at all levels of society and this transformation must go beyond legal and political arenas. It must address and go to the root causes of all forms of oppression to facilitate the shift from violence to peace and security. The two UN Special Rapporteurs on Violence against Women have explored the meaning of the due diligence standard in relation to societal transformation. The incumbent present Special Rapporteur in her third annual report to the Human Rights Council explored this and focused on the obligation of the State to transform societal values and institutions, in other words the patriarchal gender structures and values that sustain gender inequality and entrench violence against women, while simultaneously effectively responding to violence against women when it occurs.[43]

As Kimberlie Crenshaw so succinctly articulates, in the context of violence against women, the elision of difference is problematic, fundamentally because the violence that many women experience is often shaped by other dimensions of their identities such as race and class which creates an additional dimension of disempowerment (Crenshaw, 1991). In the South African context identities of race, class, gender, sexual orientation and gender identity underpinned and continue to do so, women's inability to claim, exercise and enforce their constitutionally entrenched rights. The intersection of multiple forms of identity-based discrimination results in the particularly grave and disproportionate vulnerability of black women. Violent homophobic attacks of

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[43] Report of Special Rapporteur on "Violence Against Women: Its Causes and Consequences on the Due Diligence Standard as a Tool for the Elimination of Violence Against Women".
E/CN.4/2006/61<http://daccessdds.un.org/doc/UNDOC/GEN/G06/103/50/PDF/G0610350 .pdf?OpenElement> (accessed 15 September 2006).

black lesbians and transgender women, read together with the excessive levels of violence against women generally, threaten and undermine the society envisaged by the Constitution, one that is based on values of human dignity, equality, freedom and guarantees of various forms of security. Ultimately, any work on violence against women must be cognisant of the fact that women are not a homogenous group, we must consistently engage with our history of colonialism and by extension, apartheid.

Proposals for the way forward

1. We need to seriously talk and write about intersectional discrimination – where several grounds operate simultaneously and interact in an inseparable manner with the effect of producing distinct and specific forms of discrimination ... because I am black, because I am poor, because I am a lesbian, because I am HIV + ve.

2. Let us ask ourselves, how we as individuals, activists, feminists, academics, on a daily basis, betray the constitutional promise to equality, human dignity and freedom by not engaging in critical political debate?

3. Let us once again return to the normative constitutional framework which not only promised us formal equality, but went further in its promise of corrective and substantive equality. It is the only route to social transformation.

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Part Three:

Women in workplaces

Women health workers in South Africa: half a century's observations

Trudy Thomas

f I were to speak on the state of our health services, there are plenty of facts and figures about which I can spout – venomously – at any opportunity.

I am less scientifically based when it comes to women health worker issues. All I can offer, this being my 50th year as a woman doctor, are some personal interpretations and theories based on these and numerous conversations – and lamentations – with nurses from the "good old days" with whom I worked, on the lines of "What's gone wrong?"

Actually I can go back 75 years, to when my mother was a nurse for a day. This was enough to convince her that she was not cut out to be a chambermaid or, more aptly, a bedpan maid, with its cleaning up of puke and pooh. So she rose from her knees from the floor she had been set to scrub and braved the sergeant major matron to tender her resignation with immediate effect.

First, a quick glance at women doctors through my time in the profession: When I entered medical school in 1952, I was one of three young women amongst 120 men. Only two of us graduated after the requisite six years, the third dropped out to marry. I married the day after I graduated and over the next ten years had four children while also working as a mission doctor. As this left no time for career advancement I remained at a low job and salary rung until 30 years later when, in my mid fifties, I had the life space to specialize. The other woman

doctor, heralding the present trend, put off children into her 40s to become a cardiologist.

Gender proportions at medical school have changed dramatically since my day. In the early eighties we saw about equal numbers of men and women in medical schools. Although women doctors have, numerically, become quite a strong force in the health services, they have also, for the most part, remained the primary homemakers, either carrying the exhausting double load of career and primary childcare or opting for part-time work, so halting their careers and reducing their income, current and accumulated. This can be a serious economic problem if they fall victim – as is not uncommon in their strata of society – to a husband's mid life crisis, ending up divorced. Or they self-actualize more fully and themselves opt out of an unfulfilling relationship.

While woman doctors are now an unremarkable phenomenon – it was as recently as the late seventies that one of my children came home crying because her schoolmates said she was a liar for claiming her mother was a doctor. That was impossible, they said, she could "only" be a nurse.
Even if nurses are still "onlies" in the public mind they are arguably the most important component of the quality of health outcomes.

In the Eastern Cape there are 16 000 nurses to its 800 doctors – a ratio of 20 to 1. But their importance does not lie in their numbers only. They are the main primary care health practitioners, from diagnosis to recovery, in a country in which primary health care is the main component of health care and deals with about 80% of the sickness for which people seek help. In addition nurses must be sufficiently educated to recognize conditions they cannot manage and need to refer, to prevent dire consequences. They deliver most babies and, again, have to be expert monitors of the

progress of labour. If they fail, women die in childbirth, babies are born palsied etc. Sadly, an alarming increase in these sorts of outcomes is occurring.

Now a call is being made to make nurses the Aids practitioners, from diagnosis, through investigation, treatment initiation and then lifelong management of this chronic disease. South Africa has the highest number of HIV-infected people in the world, but the doctor-based service of the department's reluctant ARV trickle-out over five years has only reached about 30% of those in life-and-death need. Nurses are the majority of ICU experts, much more qualified than most doctors in this field.

And then, there is their traditional role – a woman's care and nurturing. These stamp them as by far the most important category of health workers for reducing the pain, discomfort and anxiety of the sick, but also perpetuates in the public mind, their image of sacrifice and selflessness which asks for no material reward.

Health services in the Eastern Cape

Which brings me right back to my favourite rant – the parlous condition of our state health services and the consequent disastrous health outcomes. Examples abound.

- Like the little boy of six who was brought to the village clinic as a baby with a sore on his face. The nurse gave him some ointment. The sore grew and his mother brought him back and the nurse gave him some more ointment. And the sore grew and it began to eat away his nose. Ointment and white medicine. It invaded his eye. Ointment, pink medicine, and an injection. He became so grotesque over the years that his family kept him from school and hid him away.

A chance visitor saw him and rushed him off to a dermatologist who took one look and diagnosed a TB ulcer. This could and should have been detected and treated in weeks, if the nurse had done a routine TB test, especially relevant in a province with one of the highest TB rates in the world. Or she should have referred him when her interventions were not working.

- In 1994 I visited Mthatha Hospital where nurses had gone on strike about a merit award gripe. They had walked out the day before on a 14-year-old boy with 70% burns. His drip had run dry and his pain was uncontrolled.

- Last year in Port Elizabeth a husband threatened to call the police, when repeated requests to nurses to attend to his wife who had been lying on a stretcher for five hours with a dead foetus beside her, went unheeded. She was also bleeding steadily and it was later found that another dead foetus was still in her womb. The nurse had told him "she must wait her turn".

- At least 80% of pregnant women attend a health service during pregnancy but for only 30% of those who are HIV + ve do nurses get around to ensuring that they receive ARVs to prevent them passing the virus onto their babies.

Nor are any of these freak situations, rather they indicate the tattered, even rotten, fabric of the present health services.

So: what factors underlie these attitudes and behaviours, these shocking outcomes? Indifference? Impassiveness? Negligence? Apathy? Callousness? Unprofessionalism? Un-vocationalism? Incompetence? Ignorance? And all these negatives in a group of professionals who were, until quite recently, characterized by their opposites?

Some common speculations include: the erosion of a "military" hierarchy in hospitals, poor working conditions, higher material expectations, careerism versus vocationalism, training deficiencies, Aids, racial factors. I would like to add "feminism".

Whereupon hangs my hypothesis: that nurses, and especially black nurses, are waging a feminist and human rights battle in their workplaces.

Management style

The military hierarchy management style with its command and discipline structures held sway for most of the last century. Nurses, like my mother, literally had to work themselves up from their knees with a maid's cap perched on their heads. The ward sister had to be obeyed without question as her underlings slowly advanced through the ranks with epaulettes on their shoulders as a constant reminder of their place.

Such an autocratic system can certainly ensure the discipline, accountability, diligence and application which are necessary for good patient care. Unfortunately it is also an open invitation for tyrannical matrons to exploit, abuse and demean their underlings.

Even if practised professionally and fairly, today's professionals reject such control and demand a more democratic style of management. In fact many are well-versed in the defiance of authority, of parents and teachers, long before entering the workplace This may result in a vocal and desirable insistence on personal democratic rights - although, sometimes coupled with less attention to the personal responsibility the same democracy imposes.

A democratic, participative management style can, of course, get the whole team working well and , indeed, working more willingly and intelligently, for the good of the task. But it can also be diverted to address unrelated issues and discontent when it easily becomes a recipe for patient neglect and suffering.

Of course there is plenty for nurses in this country to legitimately overthrow, stamp upon, exorcize – and when conditions in their workplace re-create these, or are perceived to do so, it readily precipitates defiance, from passive aggression to walking out on dying children writhing in pain.

These remarks apply with special force to black nurses who bore the brunt of apartheid. Doreen Foster in her book *Lahlekile* chronicles personal interviews and cameos, about their realities through the last century to date.

She notes that in the early 1900s black nurses were officially considered intellectually inferior and so were discriminated against for enrolment in state courses. They were barred from institutional posts and only allowed to work in communities supervised by white health seniors. A master-servant relationship between white doctors and black nurses prevailed when, in 1940, some black nurses were allowed into hospitals.

In their own words:
Regina said "As final year trainees at Frere Hospital we were greatly offended and diminished by the racial discrimination especially when we had to subject ourselves to junior white nurses whenever our (white) seniors were off duty, in fact we felt embarrassed and humiliated by this blatant racism".

Mary says: "I was working at a clinic with two entrances, the front one for the whites and the back one for the blacks.

Should a black dare to go to the front entrance he or she was at risk of being chased away like a wild animal. We black nurses were thoroughly demoralized as were our communities".

Nanziwe was working in Port Elizabeth in 1952 during the defiance campaign and says: "What further repelled me was seeing the police chain our people to their beds. It was clear to me that their humanity had fallen into ashes" and, on another subject "just to show you how indescribably sad nursing often is, it happened one day that the wrong lung of a patient was operated on. He was placed in a side ward and we (the nurses) had to monitor his death".

Constance, also speaking of the 1950s, says: "A very shocking thing occurred. Before my eyes people were kicked into casualty. The police threw them out of the vans from where they were rolled and kicked as if they were rags. I saw it happen so no-one must come along to deny this."

Later she reflects "It seemed our people were inclined to bow to whites. You joined the troop because you needed the job but day by day you suffered the embarrassment of the slave to the master. By conspiratorial silence we hung onto the delicate thread of our jobs."

She adds "one distressing feature of the whites in charge was that reprimands could fall off their lips as easily as water from a leaking tap. In this they showed no remorse that they were dealing with adults who were entitled to be treated with respect."

In 1961 nurses went on strike at King George Hospital in Durban to protest an incident of corporal punishment of black nurses by a matron. Twenty-five were fired.

Working environment

According to basic management principles one the most important conditions for creating a contented and productive work force is a good working environment. In 1994, as new broom MEC of Health, I undertook a tour of the health services in the Transkei and included the following in the report that I filed on my findings:

- Insufficient clinics and poor repair of existing ones, often accommodated in tumbledown structures without water, electricity, fridges, gas cylinders or telephones
- Gross dilapidation of most of the 34 hospitals which included sewerage contamination, non-functioning water-purification plants, roofs fallen in, swaying walls, three children per cot, one stinking toilet per 80 patients (male and female)
- Up to 12 nurses in bunk beds in one room, doctors living in caravans, etc.

And of course the chronic drug crisis. Maybe the phrase "chronic crisis" contains an inherent contradiction. But I would argue that if a granny walks for 10km with a breathless baby on her back and the nurse diagnoses pneumonia and says that the baby needs antibiotics but that she doesn't have any, and the baby dies the next day, that is a crisis. And if that goes on for years then it is chronic. Hence "chronic crisis". QED. It also does not build the credibility of, and the community's respect for the nurse.

Then there are the ARVS which should have been supplied in 1996 when the sickness phase of Aids manifested in our country. ARV treatment was only allowed to trickle out nearly eight years later, during which time nurses had to watch people, including babies and small children, endure horrible, prolonged death agonies. Even now ARVs are reaching less

than 30% of those who need them. And it is nurses who are the obligatory front-seat spectators of this tragic drama which daily underlines their helplessness and uselessness. Why try?

This huge load of sickness in an environment of unsavoury premises; lack of bed linen; indifferently maintained equipment, so that babies die from lack of oxygen when the electricity fails; and empty medicine shelves, shouts disrespect and callous unconcern for the people who come to these services for help. All this has to be carried by a severely depleted staff complement. In the Eastern Cape for instance, there are 16 000 nurses when a reasonable minimum for their workload is 24 000. The shortfall is further aggravated by frequent absenteeism, another predictable symptom of a disenchanted work force.

These circumstances alone can explain the sullen, defeatist, passive-aggressive behaviour – "let the old man lie in his excreta till the next changeover in two hours" – that characterizes so much nursing at present.

Monetary incentives

We undoubtedly live in a more materialistic society than half a century ago, women health workers are not exempt. Some ascribe the nursing crisis – both their work place behaviour and the flight of nurses from state to private institutions or other countries or careers – to dissatisfaction with their remuneration. This despite substantial increases since 1996.

All nurses at the same rung now receive the same salaries – in the range of R90 000 a year for a professional nurse. Although improved and equal for all race groups it still falls far short of market-related remuneration. The differential between doctors and nurses is about 4 to 1 for similar levels of responsibility. Even though women doctors are much better paid, they are often less well off than their male colleagues,

paying rather than being paid for taking on the double job of medicine and home.

Remuneration discontent must also be seen against the widespread poverty and unemployment in black communities. Also, the destruction of black family life by apartheid, with its iniquitous migrant labour which was so dominant in this province, has resulted in many nurses being the main or only breadwinners in their families.

As I have noted there is an idealized version of a nurse as a Florence Nightingale, responding to a sacred call, eternally ministering unto the sick, herself needing no sleep or sustenance or remuneration.

Certainly there were – and are – nurses for whom nursing itself is its own reward. But its choice at all times has been driven much more by economic realities. Our stratified racial society provides some illuminating proof of this.

In the last century most white nurses came from working class families with very few career choices. My mother was the sixth child of a train driver. She left school in Std 8 as there was no money for further education. Nursing was seen as her only option because it paid while it trained. Her two younger sisters, as the family fortunes eased, were able to matriculate. Strongly influenced by a substantial government training subsidy for whites, they became teachers.

These conditions – the payment of student nurses and subsidization of teacher training were later extended to black girls and so became their two main choices too.

As they became more affluent, fewer young white women chose nursing and instead went off to do social anthropology at university. Now at nursing graduation ceremonies they

make up perhaps 3% of the graduates. A similar pattern occurs as coloured and black families can afford other options. But unemployment and poverty is still so high that for young black women nursing remains their main hope for that promised better life.

So nursing is not predominantly a vocational choice but a hard socio-economic one. When the workplace provides little personal gratification or fulfillment – and I have tried to show the many reasons why it is not doing so – the present nursing non-ethos and the distressing prevalence of all the other negatives I listed above, become explicable.

And into this mix must also be stirred the near collapse of nursing training. Many mission hospitals had training schools, but these fell into disuse in the 1970s with apartheid's homeland policies. Also, nursing students sometimes insist on applying democracy to examination results, demanding a "pass one, pass all" approach which seriously affects their professional competence.

Racism and feminism

This is too blatant even to need comment. Racism's evil thread of insults and inequities runs through nursing in South Africa – young black women declared too stupid, so barred from training, paid less, not allowed to nurse white patients etc. Ironically many are now national directors of health with masters degrees and doctorates. This is the stuff of simmering resentment which can be expected to explode when the lid is lifted.

And so, finally to feminism. They say that you must think it before you can speak it but, for me, I had to hear the discourse of feminism and human rights spoken before I could think about them coherently. Like a computer, the material may be there, but you have to press the right key to access it.

Feminism places personhood, with its responsibility of claiming all the rights and shouldering all the responsibilities that whole personhood requires, centrally. It is intolerant of imposed societal labels, roles, stereotypical behaviours – the culturally subservient role of women to men, blind respect for authority, pegging of your intelligence and competence by the prevailing powers, the devaluing of "women's work" reflected by grossly below market-value wages making it difficult for them to afford to pay someone else to care for a hot, sick baby at home when they themselves are on night duty.

Black nurses have been subjected to all of these over more than a century. But with the discourse of feminism and human rights now available to them they are rebelling. But, trapped in their need for jobs and money at the end of the month, the conditions which daily and hourly demean them, deny their personhood, insult them and those they must serve, in a word violate their human rights, remain in place. They have no redress. So they leave nursing if they can, or they act out their frustrations and kick the proverbial dog – the patients in their care.

Start toyi-toying!

Health workers, under the guise of professionalism, have been required to "be apolitical". Put your blinkers on and your head down and get on with your job. Don't be cheeky. Don't complain. Don't blow the whistle.
But if your working environment and conditions make it impossible for you to do your job – caring for patients – what then?

It is time to become political – and not in the sense of voting for the ANC or the DA – but in the sense of demanding human rights both for those who you are meant to serve and yourself. Indeed Doreen Foster demands "ultra politicism." It is

also salutary to recognize that "apolitical" is in fact a misnomer. It is, instead, a very political choice to NOT explore and develop your full personhood, your humanity, your responsibility to humanity.

Women health workers in South Africa today – not just nurses but doctors who are not allowed to treat Aids and physiotherapists without equipment and radiographers with dangerous X-ray machines and pharmacists who must send patients away empty-handed – must start protesting and toyi-toying – it is very healthy exercise – against these conditions and must start demanding that they be corrected.

And they must separate these activities from their present main form of revolt, the desertion or maltreatment of patients. This is the feminist imperative of the responsibility to insist on full personhood and the unrelenting campaign for human rights, for themselves and for those in their care.

Women on farms

Lali Naidoo

Introduction

W hat are the conditions facing women on farms since the demise of apartheid? What have post-apartheid policies and legislation done for farm workers and dwellers given that the structures that maintained oppression, exploitation and dispossession under apartheid have not been fundamentally transformed in post-apartheid South Africa? Vulnerability and dependency have a clear gender dimension. The oppression and exploitation of women on farms in South Africa involves a complex interaction between patriarchy, racism and capitalist social relations of production. Race, class and gender combine to (re)produce the isolation and vulnerability of women farm workers and dwellers. Women who live and work on farms are discriminated against because they are black, because they are women, because they are poor, and because they live in rural areas.

While women on farms do not constitute a homogeneous group, and there are multiple differentiations among women on farms, two broad categories are discernible: first, those who are employed on a full-time, part-time or seasonal basis; second, those who merely reside on the land (referred to as farm dwellers). The impact of post-apartheid policies and legislation on the lives of women can be broken down by the various categories of women and on their position in rural labour markets. Women in stable employment on commercial farms have more opportunities to access labour legislation, to

advance their rights and improve their quality of life than women farm dwellers do. Likewise, women employed on a full-time and permanent basis are relatively better off than those engaged in seasonal labour and who are therefore under-employed. Certain categories of women employed in agriculture stand to benefit more than other categories in the post-apartheid period.

The first section of the paper provides an overview of land and labour legislation that applies to the agricultural sector. This is followed by a discussion of the conditions of women on farms in the post-apartheid context with respect to land, tenure and labour. The paper concludes with suggestions through which the organizational capacity of farm workers and dwellers can be bolstered to mobilize for transformation. The information used in the paper draws on the research and fieldwork conducted by the East Cape Agricultural Research Project (ECARP).[44]

Laws and policies in agriculture

A contrast can be made between protectionist measures applying to labour standards and the weak measures around tenure and land rights. Women who sell their labour in agricultural labour markets have some protection from unfair labour standards. However, tenure and land redistribution policies have had little or no impact on women's precarious tenure conditions First, land redistribution and access to basic services are determined by the market, which effectively inhibits rural workers from acquiring rights to land and improving their living conditions. Second, post-apartheid policies and legislation applicable to rural areas tend to have narrow provisions and enforcement mechanisms that in a

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[44] . ECARP is a non-profit organization based in Grahamstown in the Eastern Cape, South Africa. ECARP's focus is on land and labour issues and agrarian change.

sense discriminate against certain social categories such as women.

Land redistribution policies

The Land Redistribution for Agricultural Development (LRAD) policy is an aspect of the land reform programme and has three sub-programmes or components:

1) agricultural development where land is made available to people who want to farm;
2) settlement where land will be made available for settlement purposes; and
3) non-agricultural enterprises, which entail providing land for non-agricultural activities such as tourism (Department of Agriculture and Land Affairs, 2002: 2-4).

The redistribution strategy makes provision for grants on a sliding scale based on the contribution of the participant. These grants vary from R20 000 to R100 000. The types of projects that LRAD provides for are varied. First, those who want to supplement household food security can apply for land under the food safety net project. The second project is the equity scheme where participants can receive equity in a farm that is equivalent to the value of the grant including their own contribution. Third, commercial farming on a large scale is regarded as production for the markets. The fourth aspect is concerned with assisting farmers in the communal areas who lack the means to engage in productive use of the land. The government's redistribution focus has been on the third aspect.

Farm workers and dwellers who want to own land for productive use can only access the food safety component because of their low financial base and subsequent low contribution. Their contribution in most instances is through their labour. They therefore qualify for the lowest grant level

of R20 000 per LRAD participant. In the ten LRAD projects that ECARP works with farm workers acquired land through the food safety component. Women in most of these projects are participants in name only, since less than 50 per cent are actively using the land for productive purposes. Farming is still largely male-dominated, while women in most instances tend to the homestead vegetable gardens, look after the poultry, and see to the household chores.

Strategies to advance gender equality in land redistribution must overcome historical and cultural barriers that inhibit women's access to land and their non-participation in key aspects of the production processes and financial decision-making. A necessary step in this respect is to question the ability of a market-led and technical approach to land reform to begin to address gender disparity in ownership and use of land. Market-led land reform will not significantly transform the continuation of racial and patriarchal land ownership and utilization patterns. Instead, technical approaches to land redistribution and a narrow focus on the creation of a highly productive, black commercial farming sector diverts attention away from the sexual division of labour and how this reinforces women's subordinate positions in the ownership, access and use of land.

The slow pace of land reform has resulted in widespread criticism of the programme. Only four per cent of land has been redistributed nationally, raising questions about the ability of the government to meet its target to redistribute 30 per cent of land by 2014. In response to these criticisms, the Department of Land Affairs (DLA) has developed the Proactive Land Acquisition Strategy (PLAS). PLAS has five national objectives:
  - to redistribute five million hectares of white-owned land to 10 000 new farmers,

- to increase black ownership in agribusiness by ten per cent,
- to provide support services to the new farmers,
- to increase agricultural production by 10-15 per cent, and
- to increase agricultural trade by 10-15 per cent.

Farm workers; dwellers and people residing in the former homelands, are identified as priority groups for land redistribution through PLAS. PLAS is not concerned with reversing land dispossession and the gendered patterns of land acquisition and control among the historically disadvantaged. Those who acquire land will rent the farm from the DLA for a three-year period.During this period, they will have to show that the business is profitable. The farm will be repossessed by the DLA if participants fail to generate profits. New tenants will be identified to take over.Farms that are earmarked for this programme are highly productive, capital-intensive enterprises. Women farm workers and dwellers are not part of the PLAS projects that are emerging around Grahamstown. The government's two-fold objective of redistributing land and using these farms to increase agricultural export and trade leads to narrow criteria for the identification of farmers.because highly productive farms are earmarked for acquisition, male workers who are central to the day-to-day running of the farm are favoured over female, seasonal labour, part-timers, casuals and farm dwellers.

Tenure Legislation

The Extension of Security of Tenure Act (ESTA) of 1997 regulates terms and conditions of tenure and sets out the procedures for lawful evictions. It applies to all those living on farms and land zoned for agriculture. This includes farm workers and their dependents as well as those who are not employed on the farms and not dependents of farm workers. ESTA does the following:

- defines the tenure rights of occupiers,
- places certain duties on these occupiers,
- states when and how an occupier may be lawfully evicted, and
- allows occupiers to acquire long-term rights to the land.

Chapter 2 of the Act provides measures to facilitate the long-term security of tenure for occupiers. In so doing, it makes provision for the Minister of Land Affairs to release subsidies to enable planning and implementation of on-site and off-site developments. However, this provision has yet to be realized for the many farm workers and dwellers that are unlawfully evicted and those who continue to live under unstable tenure conditions on commercial farms. On the one hand, the Act provides for people to access long-term security. On the other hand, Chapter 2 sets down conditions that must apply before any subsidies are released. Conditions, such as "mutual accommodation of the interests" of occupiers and owners and the development of a plan, are often non-existent on commercial farms. A conflict of interest exists between the land needs of farmers and farm workers and dwellers making it difficult to forge "a mutual accommodation of interests" between the parties.

The provisions of ESTA are limited, in that they apply to workers and dwellers while residing on farms. The Act fails to articulate a strategy that enables workers and dwellers to access land when they have been evicted, dismissed or retrenched. Loss of tenure on commercial farms is not linked to a robust programme to secure off-farm tenure and land access. The Act fails to address the gender-differentiated forms through which employment, housing and tenure are secured on farms. In fact, it reinforces the trend whereby women's access to tenure and housing on farms is mediated

through males. ESTA makes the link between employment and access to tenure quite clear. By doing so, it has produced varying degrees of tenure precariousness among women and men. Furthermore, it increases the vulnerability of women and young people on farms. Women dwellers not in the farmer's employ – and their families – can be legally evicted after a year if their husbands die while in employment on the farm. Seasonal workers and young workers who do not work on the farm where they live can also be legally evicted at any time.

The Act lays down the rights and duties of farm workers and dwellers and farmers and sets out the principles and values that should regulate relationships between land occupiers and farm owners. Included are: (a) human dignity, (b) freedom and security of the person, (c) privacy, (d) freedom of religion, belief and opinion and of expression, (e) freedom of association, and (f) freedom of movement. For ESTA to be effective in securing the tenure rights of farm workers and dwellers on commercial farms, certain conditions must exist. One is the farmers' acceptance and implementation of its provisions, and the other is the enforcement mechanism of the DLA. Farmers regard ESTA as a serious constraint on the productive capacity of farms. For example, on livestock farms conflicts are common around the number of livestock workers and dwellers can graze on farmers' lands, while the concern for game farmers is with ensuring upmarket standards and quality. The mud and wattle houses of workers and dwellers are not compatible with this upmarket image. Moreover, the need to exert their control over their property and an inherent fear of land reform heightens farmers' aversion towards ESTA.

Increasingly farmers' economic interests clash with the land and tenure needs of workers and dwellers. In the 195 ESTA-related violations documented by ECARP between September

1998 and July 2007, 1 041 people experienced adverse changes to the status and conditions of their tenure. Women dwellers and children under 18 years constitute 55 per cent of the total. Examples of violations include unlawful and forceful evictions, farmers preventing workers and dwellers from holding traditional ceremonies, and farmers refusing to uphold burial rights, visitation rights and the right to family life. Changes to the quality of life for dwellers and workers are also emerging when farmers:

- lock farm gates, thereby limiting the times that workers and dwellers may leave and return to the farms,
- cut off water supplies and force people to relocate to a part of the farm with less favourable accommodation,
- restrict movement on farms to certain areas thereby preventing people from acquiring food, fruit and medicinal herbs available on some farms, and
- impose severe restrictions on the number and type of livestock, and impose grazing fees for livestock on workers and dwellers (ECARP, 2007).

Compliance with the limited provisions of ESTA is largely dependent on enforcement procedures. The DLA has not developed a comprehensive grassroots approach to the enforcement of ESTA, which serves to encourage farmers' indifference and/or non-compliance with the Act. The weak enforcement procedures are discordant with apartheid-embedded rural contexts. As a result, past practices, traditions and norms on farms are bolstered. ESTA offers very little force in transforming power relations in the countryside as it attempts to balance the farmers' economic and land ownership interests with the tenure security needs of workers and dwellers.

Labour legislation

The Labour Relations Act (1995), the Basic Conditions of Employment Act (1997) (BCEA), the Unemployment Insurance Act (2001), and health and safety legislation have been extended to the farming sector in post-apartheid South Africa. This legislation regulates working conditions and governs employer-employee relationships, but does not deal with wages. The agricultural sector is one of the lowest paying sectors in the economy. The absence of trade unions and collective bargaining structures meant that the setting of remuneration was arbitrary, individualistic and determined by the farmer. The BCEA enables the Minister of Labour to make sectoral determinations where workers are not organized and where collective bargaining structures are non-existent. The sectoral determination for agriculture came into effect in March 2003 with the introduction of the sectoral determination No. 8 (SD 8). SD 8 ran for a three-year period that ended on 28 February 2006.

Table 1: Minimum Wages for Farm Workers in SD 8

AREA A					
1 March 2003 – 29 February 2004		**1 March 2004 – 28 February 2005**		**1 March 2005 – 28 February 2006**	
Hourly rate	R4.10	Hourly rate	R4.47	Hourly rate	R4.87
Monthly rate	R800.00	Monthly rate	R871.58	Monthly rate	R949.58
AREA B					
Hourly rate	R3.33	Hourly rate	R3.66	Hourly rate	R4.03
Monthly rate	R650.00	Monthly rate	R713.65	Monthly rate	R785.79

(Source: Department of Labour, 2003).

SD 13 replaced SD 8 in March 2006. Essential provisions of SD 8 with regard to terms and conditions of service are retained in SD 13. Changes however have been made, in SD 13, to the level of minimum rates and the phasing out of the two-tier system of the SD 8 by March 2008. Minimum wages for agriculture will be regulated through a single wage system from March 2008.

Table 2: Minimum Wages for Farm Workers in SD 13

AREA A					
1 March 2006 – 28 February 2007		**1 March 2007 – 29 February 2008**		**1 March 2008 – 28 February 2009**	
Hourly rate	R5,10	Hourly rate	R5,34	Hourly rate	R5,59
Monthly rate	R994,00	Monthly rate	R1 041,00	Monthly rate	R1 090,00
AREA B					
Hourly rate	R4,54	Hourly rate	R5,07	Hourly rate	R5,59
Monthly rate	R885,00	Monthly rate	R989,00	Monthly rate	R1 090,00

(Source: Department of Labour, 2006).

The determinations apply to the employment of all workers in farming sectors including domestic workers and security guards. They make it compulsory for every farm worker to have written particulars of employment. This includes a job description as well as terms and conditions of service. Ordinary hours of work are 45 hours a week, and any additional work is overtime and has to be remunerated at one-and-a-half times the ordinary rate. Overtime plus the ordinary hours of work cannot exceed 60 hours a week or 12 hours a day. The maximum overtime allowed in a week is 15 hours.

Farm workers are entitled to 21 days of annual leave, 36 days sick leave for a cycle of three years, four months maternity leave, and three days family responsibility leave per annum. The farm worker must agree in writing to any deduction made from his or her wages. Ten per cent of a worker's wage may be deducted for accommodation and rations. However, the house must at least be 30m^2, have a durable and waterproof roof, electricity, a toilet, and a tap must be available inside or close to the house. With respect to the provision of rations, food must be provided on a regular basis and be worth the amount deducted or more. Deductions for protective clothing, equipment and tools are prohibited. The labour inspectorate is responsible for ensuring enforcement of and compliance with the determination.

Conditions of women on farms

Most farm workers in South Africa live in conditions of absolute and relative poverty. A report by the Employment Conditions Commission in 2001 on minimum wages for farm workers found that the average farm worker earned R544 per month. It also found that farm workers generally do not receive any compensation for working overtime; some do not get annual leave; there is widespread employment of children of 14 years and younger; pregnant female workers do not get paid maternity leave since few are members of the Unemployment Insurance Fund; only one in four children on commercial farms has a secure source of food, and almost a third are at risk of hunger; farm workers have the lowest rates of literacy in the country; there are stark gender differences in the allocation of employment benefits; and there is a cycle of debt, together with high interest rates, either to farm shops or directly to the farmer. The conditions that farm workers face in post-apartheid South Africa are rooted in the particular course that commercial farming followed in South Africa.

The conversion of African producers into wage labourers was accomplished through land dispossession, which translated into their loss of ownership of the means of production. Racially skewed land ownership patterns emerged that led to whites owning more than 80 per cent of land while Africans were forcefully relocated to Bantustans that comprised the remainder of the land. This was sealed in the promulgation of various racially discriminatory land laws that not only prevented black people from owning land in areas designated for white people but also placed severe restrictions on their movement between areas in "white" and "black" South Africa. This forced people living on farms to remain on the land, and tied the site of production to that of reproduction. This set of conditions resulted in farm workers' dependence on farmers for a job and a place to stay. Unequal power relations between workers and farmers became firmly entrenched and were reinforced by the absence of labour regulations on wages and terms and conditions of employment. A lack of collective capacity among farm workers meant that farmers unilaterally set terms and conditions of employment.The means to advance worker rights and improve working conditions and wages on white commercial farms did not exist.It was only in the early 1990s that labour legislation was extended to the farming sector, so ending "a history of exclusion" (Le Roux, 2005) from labour law.

The making of the agricultural proletariat had different outcomes for men and women. Patriarchy and capitalist social relations of production, coupled with racism, resulted in forms of vulnerability unique to women on farms. The material circumstances of women on farms and the sexual division of labour bind them to the rural areas and to the farming sector.Their isolation on commercial farms prevents them from accessing alternative possibilities.Their ties to the farms prevent women from searching for and gaining employment in

other sectors or industries. Their skills and educational levels often make it difficult for them to acquire employment other than menial farm labour.Their relations with their families on farms make it difficult for them to leave and work elsewhere. Their mobility is restricted and this heightens their vulnerability.

Some feminists analyse patriarchy and women's oppression as undifferentiated across space and time (McDonough & Harrison, 1978). In so doing, class, spatial and temporal dimensions of women's oppression are undervalued. A materialist understanding of gender relations situates the particular forms of patriarchal relations within an analysis of the relations of production and reproduction at different conjunctures. Women's position is explained in terms of "the relations of production and reproduction at various moments in history" (Kuhn & Wolpe, 1978: 7). For example: women on farms, unlike women who live in the former homelands or urban areas, rely on their husbands and male relatives to secure employment and access to housing. This has been a tradition since the advent of commercial farming in South Africa and guaranteed a cheap and ready source of labour to white commercial farms. When a male was employed, it was expected that his entire family would supply their labour as and when required. Women's access to employment and housing on farms continues to be mediated through their husbands or other male relatives. Seasonal workers, however, can acquire employment on farms independently of men. This introduces changes to the traditional way in which women gain employment on the farms. Sub-sectoral demands for female labour influence these changes to an extent.

When the demand for seasonal labour is high on fruit, vegetable and wool producing farms, women who do not live on the farms are employed to supplement the labour of those who do reside on the farms. Women who constitute the

roving seasonal workforce are hired without a male's assistance. Women seasonal workers who reside on the farms where they work acquire their employment through their husbands. Women employed in sub-sectors such as game and dairy – sub-sectors that make use of limited or no seasonal labour – are often employed in full-time positions by virtue of their male relative's employment on the farm. No differentiations with respect to wages and terms and conditions of service exist between on-farm resident seasonal female workers and those who live off the farm. Seasonal workers generally tend to group at the lowest rung of the agricultural labour market. Women who work on a full-time and permanent basis have more job security and income compared to women seasonal workers who are often under-employed because of the discontinuous nature of the work they perform. This leads to a rise in earnings inequality between permanent and full-time women workers and seasonal or casual women workers.

The labour context of agricultural workers is a sharp contrast to the land context where there is a lack of strong protection against tenure insecurity and landlessness. This set of conditions as well as the cost-recovery approaches to the delivery of basic services makes it difficult for farm workers to improve their overall quality of life significantly. The Department of Labour (DoL) 2001 audit found that only 25 per cent of workers have indoor bathing facilities while 20 per cent have indoor toilet facilities.Similarly, the ECARP research shows that of the total number of workers interviewed, 50 per cent have no toilets, 48 per cent have no electricity and 33 per cent have no access to clean and reliable sources of water.

Only 11 per cent of the workers in the sample have accommodation that meets the requirements for lawful

deductions (Naidoo et al, 2007: 43).45 Other research conducted by ECARP on the living conditions on 72 farms on which 1 783 people from 785 households reside confirms such findings. Houses on 32 farms are built out of either mud and wattle or a combination of brick, mud and wattle.

On 12 farms houses are made from either zinc and corrugated iron; or zinc and mud and wattle.on 26 farms people live in brick and cement houses. On 35 farms there are no toilets, only pit latrines. On two farms workers have flush toilets. On many farms households have to share the ablution facilities. On 32 farms, rivers, dams, reservoirs and boreholes supply workers and dwellers with water, which they often share with animals. On 28 farms the farmers provide water tanks, while eight farmers have provided taps for people. The municipality provided water on only two farms (Manganeng, 2005). State provision of services to farm workers and dwellers is insignificant in extent.

Employment conditions

The jobs that women assume on commercial farms are largely influenced by their position and roles in the family. Domestic work, seasonal labour and part-time work constitute the bulk of women's employment. Women perform domestic tasks in the farmhouse in all agricultural sub-sectors. They make up the bulk of service sector workers on game farms, where they are employed to clean lodges, wait on guests and render cultural items for entertainment purposes. On vegetable, fruit

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[45] This research examines the implementation of SD 8 in the Makana, Ndlambe and Sunday's River municipalities in the Eastern Cape from the perspective of farm workers. A stratified sample of 608 workers was interviewed between April 2003 and December 2005. The research was conducted in two stages: 313 workers were interviewed between April 2003 and February 2004 and 295 workers were interviewed between April 2004 and December 2005. The sample was stratified in terms of gender, employment status, job categories, sub-sectors and geographical area. Three hundred and seventy three men were interviewed, of which 195 were employed on farms in Area A and 178 were from Area B. The overall number of women interviewed was 235. Of this total 99 were from Area A and 136 were from Area B.

and wool farms they are the largest workforce employed in the fields to weed, sow seeds, harvest and pack, and to sort wool. On diary farms women are employed to milk cows and/or to process milk into yoghurt. The sexual division of labour constrains women's ability to acquire jobs that are traditionally regarded as men's work. They are therefore relegated to jobs that are considered to be peripheral to the farming operation. Women workers are one of the lowest paid groups in agricultural labour markets. As the table below indicates, white, male, organized and urban agricultural workers earned considerably higher hourly wages than their black, female, unorganized and rural counterparts.

Table 3: Mean Hourly Wages in Agriculture in 1997

CATEGORY OF EMPLOYEE	MEAN HOURLY WAGES - Rands
Skilled	3.95
Unskilled	2.54
Male	3.85
Female	2.85
Black	3.04
White	17.48
15-30 years	2.94
31 + years	3.93
Non-unionized	3.18
Unionized	6.76
Urban	7.80
Rural	2.83

(Source: Statistics South Africa and Department of Labour, 2000).

ECARP's research on the rate of compliance of the SD 8 shows the extent of low pay among women workers in the

research sample as well as the continuation of gender disparity in wages (Naidoo et al, 2007).

Figure 1: Male and Female Wages Before and After the Sectoral Determination in 2003
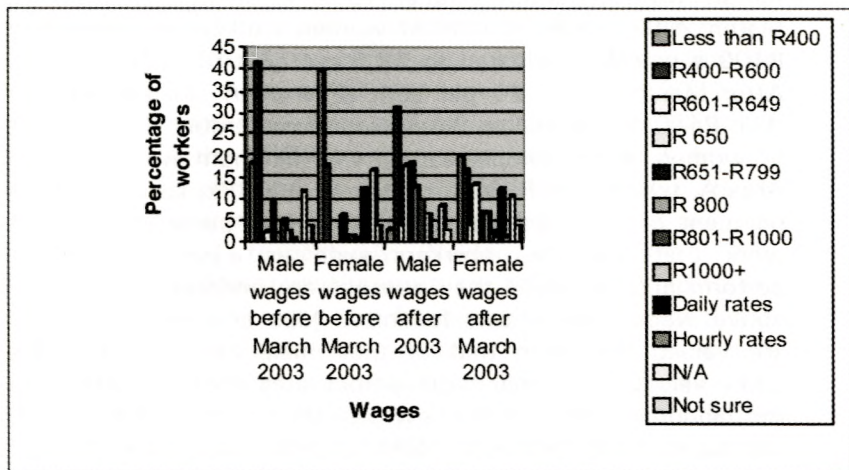
N/A refers to workers employed after March 2003.

The figure above depicts major differentiations in the dispersion of wages before the introduction of statutory minimum wages. The introduction of the minimum wage in March 2003 led to overall shifts in the rates of pay. There was movement from the lower scales to levels closer to the minimum wage rate for Area B, which was R650 per month. Not only were wages improved as a result of the minimum wage, there was also a slight narrowing of the gap in wage differentials. The low level of the minimum wage rates together with the weak bargaining position of women workers means that farmers are able to absorb the impact of the minimum wage with very little change to the organization and compensation of work. As Adam-Smith et al (2003, 43) point out, the extent of control employers in low paying sectors have over the "wage-work bargain" gives them immense

possibilities to accommodate the minima without a serious impact on the overall labour costs.

Although the minimum wage resulted in improvements in female wages, gender inequalities in income persist. Before March 2003, 39.6 per cent of women workers earned below R400 a month, compared to 18.5 per cent of male workers. After March 2003, 20 per cent of women still earned less than R400, compared to 3 per cent of men. Just 6.8 per cent of women in the sample earned the minimum wage rate for Area A, which was R800 after March 2003. In contrast, 12.9 per cent of men received this rate in the same period. The work that low paid workers such as agricultural labour perform and the skills they possess are undervalued. As the above wage rates show, feminized jobs and women's skills are valued less than that of their male counterparts. This under-valuation of their work perpetuates their low status in the labour market and the low pay they receive (Sachdev & Wilkinson, 1998; Shaheed, 1994; Deakin & Wilkinson, 1992).

Statutory regulations such as minimum wages can be a useful tool to redistribute income and narrow the gap in earnings (Brosnan, 2003; Rubery & Edwards, 2003; Freeman, 1996). Yet, the efficacy of a minimum wage in addressing low pay, redistributing income and closing the wage gap between different segments of the workforce is dependent on a combination of factors. The level at which the minimum rate is set, the extent of coverage, the levels of enforcement, and the means that farmers use to adjust to the minimum wage rates have a combined influence on its impact. Where inadequate and weak methods of enforcing the minimum rates exist there is likely to be a lower rate of compliance. There are only 64 labour inspectors for the entire Eastern Cape, which raises questions about the capacity of DoL to carry out vigorous enforcement campaigns on farms.

The ECARP research found that in the first year of its implementation there was widespread non-compliance with the minimum wage, particularly in Area A, where in 2003 the non-compliance with women's gross monthly wages stood at 88 per cent, while in Area B 69 per cent of women did not receive the minimum wage. The combined Area A and Area B figure for the rate of non-compliance with the wage rate for women workers stood at 57 per cent in 2003. In 2004, 42 per cent of women workers still earned below the minimum wage rate. In the 2004 sample, non-compliance in Area A dropped to 46 per cent. In Area B, 69 per cent and 36 per cent of female workers did not receive the minimum wage in 2003 and 2004 respectively (Naidoo et al, 2007: 42). Effective enforcement mechanisms are not only linked to the number of inspectors and the frequency of farm inspections. The methods and approaches adopted by the DoL to ensure compliance and detect violations are of equal significance. When inspections are conducted, farmers select the full-time male workers, who often receive the minimum wage, to be interviewed by DoL. Methods of inspection are not based on a sharp understanding of the work conditions and relations of production that apply to different segments of the workforce. Consequently, violations of the rights of women; seasonal and casual workers are often undetected. In order to cope with the minimum wage, farmers often underpay these workers and/or may partially comply with the requirements of the sectoral determination.

Although compliance with the minimum wage rate was low, the ECARP research shows that there was a greater level of compliance with this aspect of the SD 8 than with the administrative requirements. For example, particulars of employment were not stipulated on payslips where these were provided to workers. This is not unique to farming in South Africa as it is found in other countries and industries. Non-compliance with the administrative requirements effectively

means that farmers can disguise the real hours of work so that they can pay workers sub-minimum levels (Rubery & Edwards, 2003: 461). The provision of sick and annual leave and payment for work performed after hours, over weekends and on public holidays continues to be contested between workers and farmers.The lack of effective and comprehensive labour inspections contributes to low levels of compliance that in turn could lead to a rise in the earnings inequalities between male and female workers, or fail to significantly alter the wage differentials between workers in the agricultural labour markets. Segmentation in agricultural labour markets is heightened between female and male workers; full-time and atypical workers; and between workers in different sub-sectors. The impact of the minimum wage on farm workers will therefore not generate uniform and predictable outcomes.

The minimum wage does provide a platform for workers to mobilize for improvements to wages as well as the terms and conditions of service. A minimum wage, however, in itself cannot eradicate poverty, overcome discrimination of farm workers and end exploitative social relations of production. The concerns of workers on commercial farms not only revolve around low wages, poor working conditions and paternalistic employments relations. They share common concerns with dwellers pertaining to their precarious tenure status on farms, poor housing conditions and the lack of basic and essential services. In light of this, the minimum wage should be seen as one mechanism that forms part of a multi-pronged attack on discrimination, oppression and dispossession. The homogenized minimum wage provides opportunities for workers to collectively enforce the minimum wage and other provisions and in this way move away from the practice of dealing with common problems as individuals. Enforcement mechanisms should not only focus on strengthening government mechanisms but also on workers' capacity to make labour laws self-enforcing as a necessary

condition to mobilize workers for a broader agrarian transformation agenda. This depends largely on:

- the workers' ability to organize and unite with the different categories of male   and female workers and dwellers;
- the collective strength of farm workers and dwellers to shift the balance of forces in their favour;
- product market conditions of the farming enterprise which ultimately shape the social relations of production and tenure relations; and
- farm-specific conditions.

Conclusion

Building the political muscle of farm workers and dwellers, creating the platform for them to debate, discuss and critique the neoliberal agenda, and creating the space for an articulation of the alternatives and the means through which the alternative is to be pursued are crucial for the viability of a pro-poor agrarian transformation agenda. Strategies to organize and mobilize workers can be strengthened by focusing at the level of the farm as a first and necessary step in ways that produce conditions that build the collective structures of farm workers and dwellers. Bottom-up collectives provide the environment for the development of solidarity at the farm level among all who live and work on the farms – female and male workers, full-time and atypical workers, young and old, and workers and dwellers. A strong sense of solidarity among farm workers and dwellers is the bedrock to promoting gender equity and transforming the current context. It is difficult to advocate for the rights and improvements to the conditions and positions of women on farms, as it is difficult to talk of their freedom in isolation from that of men who live and work on farms. Agrarian transformation campaigns are more solidly grounded when

framed within a gender perspective committed to creating equal relations between men and women. Bottom-up processes can also provide the space for workers and dwellers to articulate the nature, form and content of their struggles. In so doing, grassroots leadership and organizations are encouraged to grow and consolidate.

A focus on the formation of bottom-up collectives encourages a linking of the different terrains of struggles, such as land access and use, decent housing, access to basic services and improvements in the workplace, all of which are central to the overall agrarian transformation agenda. This presents opportunities for combining minimum demands and everyday struggles with maximum demands and strategic interests, such as pushing through fundamental changes to the neoliberal agenda on which land reform and socio-economic redress strategies are based. Attempts by farm workers and dwellers to organize are gaining momentum in parts of the Eastern Cape where ECARP is based, as is demonstrated in the formation of farm and area committees. The farm committees have achieved results in ensuring that farmers comply with the minimum wage rate and other SD 13 provisions for all categories of workers. These committees were responsible for mobilizing farm workers, dwellers and small-scale farmers in four municipalities in the Eastern Cape to participate in a land march held in Grahamstown in August 2007. The demands that farm workers and dwellers put forward were around land access, redistribution, and service delivery that require an overhaul of LRAD, PLAS, ESTA and the developmental plans of local municipalities. The land requirements of farm workers and dwellers cannot be catered for within the current paradigm. For this reason, initiatives that challenge the land reform programme and poor service delivery must be intensified alongside the efforts to organize farm workers and dwellers.

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Sex work as labour

Nicolé Fick

Introducing SWEAT

The Sex Worker Education and Advocacy Taskforce (SWEAT) is a non-profit organization that was started in 1994 to promote the health and human rights of sex workers. SWEAT is not a membership-based organization and does not represent sex workers. The organization advocates for the recognition of sex work as work and the decriminalization of adult sex work. We acknowledge that some people object to sex work on a moral basis, but we take the view that laws should not be used to legislate and enforce the morality of a specific group of people. As an organization we take a non-judgmental position on sex work and our focus is on the welfare of those who are *already* working within the industry. SWEAT uses the term "sex work" as it is a relatively neutral term that emphasizes the labour aspect of the work. Our focus on the labour aspect of sex work is to ensure that sex workers have access to the same protections that other workers have.

The work we do is directed by the needs of sex workers. The organization is active in work that supports the development of sex worker led activism, and encourages the active independent involvement of sex workers in issues that affect them. Some of the direct services that SWEAT offers to sex workers in Cape Town are the distribution of condoms, provision of safer sex education, as well as crisis counselling and the referral of sex workers to other organizations that could be of assistance. In addition SWEAT assists sex workers

who have experienced violence and advises sex workers about welfare and legal issues.

Legal approaches to sex work

Different countries and organizations have different approaches to the issue of sex work. Marjan Wijers (2001) provides an excellent summary of the legal approaches to sex work and this is discussed briefly here.

In a prohibitionist system sex work and all activities related to sex work are completely prohibited by law. Sex workers are seen as criminals who should be punished and the aim of the laws against sex work are to eradicate the industry (Wijers, 2001). South Africa currently takes a prohibitionist approach to sex work. The Sexual Offences Act of 1957 criminalizes selling sex and all associated activities.[46] The reality is however that the police rarely use the Sexual Offences Act to arrest sex workers. The Act is difficult to enforce, as the prosecution has to prove beyond any reasonable doubt that sexual services have been exchanged for reward. Generally, the only way to do this would be to make use of police entrapment, which is labour intensive and raises evidentiary difficulties in court. The majority of sex workers are therefore targeted and arrested through the use of municipal by-laws.[47] They are arrested for minor offences like loitering or causing a public disturbance.

Criminalizing the industry in South Africa has not resulted in eradicating sex work or reducing the number of people involved in sex work. The criminalization of the industry increases the vulnerability of sex workers to violence and

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[46] Associated activities include keeping a brothel, participating in the management of a brothel, pimping, convincing or persuading someone to become a sex worker, soliciting (encouraging someone to do business with you as a sex worker), selling sex and living off the earnings of a sex worker.
[47] Standard by-law relating to Streets P.N.562/1987.

exploitation, by forcing sex workers further underground, hindering access to health and legal services and increasing the stigma attached to the work. In addition it is difficult for sex workers to access their labour rights or organize to form unions in a criminalized industry.

In an *abolitionist* system sex work is seen as a form of exploitation that is inherently harmful to women. For abolitionists sex work is a form of sexual slavery and sex workers need to be made conscious of their oppression and encouraged to leave the industry. Their approach is slightly different to that of prohibitionists, because in an abolitionist system sex workers are seen as victims. Therefore sex work itself is not a crime, but all third party involvement in sex work is criminalized. In other words the involvement of pimps, brothel owners or others who facilitate women's entry into the industry is criminalized (Wijers, 2001).

Regulationist approaches argue that it is impossible to eradicate sex work and that sex work is a necessary evil that needs to be accepted and controlled or regulated by the state. Regulationists advocate the introduction of systems where there are red light districts (zones where sex work is tolerated) or mandatory health checks for sex workers (to promote public health). The focus of regulating sex work is to protect the public from the harms of sex work by controlling it and keeping sex work contained within certain areas. This system is problematic because it leads to the development of two sectors of the industry. A legal sector that complies with all the regulations and an illegal sector of the industry that does not or cannot comply (Wijers, 2001).

Those who see sex work as labour take a completely different approach. In this view sex work is seen as a means of earning a living that is chosen by adults. Legally prohibiting sex work

is seen as violating people's fundamental right to earn a living. In a labour approach all the criminal laws related to sex work are removed (sex work is decriminalized) and sex workers are protected from exploitation by labour laws and their ability to organize or join unions as other workers do (Wijers, 2001). SWEAT has the view that sex work is work and that the industry should be decriminalized.

Feminist views of sex work

In addition to the largely legal views discussed above it is important to note that feminists have traditionally had opposing views on the issue of sex work. For some feminists sex work is seen as just another way in which men dominate women and the work is regarded as a form of exploitation. Being engaged in sex work is seen as reinforcing the status of women as sexual objects. Sex workers themselves are seen as individuals who are misguided and who need help in getting out of the industry. According to these feminists most women are forced to enter the work by a pimp or by the more indirect force of poverty and economic marginalization (Jeffrey & MacDonald, 2006). According to the English Collective of Prostitutes, however a different view could be to see sex work as a way that women escape poverty or being dependent on men (Scrambler & Scrambler, 1997).

Other feminists argue that sex work is a form of work and should be understood in the context of the number of jobs in which women are underpaid or exploited. The view is that sex work exists and is better understood as a form of work rather than as sexual exploitation. The focus is on promoting the labour and human rights of sex workers and advocating for the removal of the laws that make sex work a crime. Contractarian feminists see sex workers as individuals who are contracting out their sexual services for a period of time for monetary reward, rather than seeing sex workers as

people who sell their bodies. Defining sex work this way means you see "the trade of sex for money as a sale of sexual labour, power and energies" and thus similar to the right to sell labour in other forms (Issue paper on adult prostitution, 2002; Kempadoo, 1997). SWEAT takes the position that sex work is a form of labour, and does not construe women in the industry as being victims, but rather as women who have made choices, even if these choices have been difficult or constrained by circumstances.

Contextualizing sex work

SWEAT did a survey of 200 adult sex workers in 2005 in the Cape Metropole area. This survey provides a snapshot view of the diversity of the sex work industry in Cape Town, and does not reflect the sex work industry in South Africa.

Sex workers in Cape Town work in a variety of locations, the most visible are those who work on the street, while less visible are sex workers who work in bars, clubs, escort agencies and massage parlours. The survey was done using convenience sampling and the group surveyed was almost equally divided in terms of those working at brothels – 104 people – and those working on the street – 96 people (Fick, 2005b). The large majority of sex workers in the sample were female (93%), 6% were male, and 1% of the sample was transgender. It is also SWEAT's experience that the sex work industry is made up largely of women. Those engaged in sex work were mostly adults, with the average age being 27 years and most being between the ages of 22 and 29 years. The majority of the sex workers who had been surveyed had quite low levels of education, with about 50% of the sample having completed Std 9 or 10 and the other half only having completed schooling up to Std 8 or below (Fick, 2005b).

Why do people enter the industry?

When asked about their reason for having started to do sex work, half of the survey participants indicated that it was because they were not able to find another job (through a lack of suitable skills or available job opportunities). Overall 22% of the participants indicated that they do this work because it allows them to earn more money than they could in any other job. Most of the participants in the sample (78%) indicated that they had done other jobs besides sex work. The majority of people had done domestic work, or worked as shop assistants or in administrative jobs (Fick, 2005b).

When sex workers speak about what they do the majority of them frame sex work as a job (Jeffrey and MacDonald, 2006). Sex work is also framed as a way of resisting the low salaries and long hours of other work. The other aspect that participants in this study mentioned was the benefit of being able to control their own time and the prices they charge for their work.

In other words women are choosing to enter the industry as a result of either lacking skills, being unemployed or making a logical choice of being able to earn more than they could in, for example, domestic work. In addition women working on the street who were surveyed indicated that they work between 3 and 8 hours per day and that they can choose which days of the week they want to work.

In the context of the information presented above and the high levels of unemployment for women in South Africa (30.7%) (Statistics in Brief, 2007) the calls to create alternative employment for sex workers are unrealistic. It would be impossible to offer these flexible working hours and "create jobs that pay equivalently for women with low levels of skills or education" (Ditmore, 1999). In addition sex work must be one of the few occupations that allows women to

earn more than men. Bindman (1997) argues convincingly that; "the solution to this injustice lies beyond the scope of the law alone and in the field of economic and social rights."

The majority of sex workers we encounter have indicated that they do this work to either support themselves or their families. The 200 sex workers who were surveyed supported as many as 405 dependents, of which 279 were children and 126 were other adults. In other words, every sex worker who participated in the study was supporting two other people on her income (Fick, 2005b).

Most of the sex workers who participated in the survey had been in the industry for between 1 and 6 years, with the average period of time spent in the industry being 4 years. Despite the long periods of time most people had spent in the industry, 68% of the sample indicated that they saw sex work as a temporary job. This reference to their work as temporary could be related to wanting to avoid the stigma attached to the work or as a result of people genuinely seeing this as something to do to tide them over difficult financial circumstances.

Our understanding of this is that even though people work in the sex work industry for about 4 years at a time they do not work continuously, but move in and out of the industry as their circumstances change. This may be for a variety of reasons including that they feel the need to take a break from the work or that their financial situation improves or changes. One of the attractions of this kind of work is that it is so easy to exit and enter the industry in accordance with your own needs (Fick, 2005b).

Precarious working conditions in a criminalized industry

In most of the discourse about sex work, sex workers are seen as social deviants and are sanctioned because they are believed to be women who do not adhere to the sexual norms of society. Persons engaged in sex work are seldom viewed as human beings who have lives outside of the sex work industry. While clients are seen to be engaging in a once off activity, sex work for females becomes part of their identity and this identity is stigmatized. This stigma leads to social exclusion of sex workers and leaves them vulnerable to abuse and exploitation (Kempadoo, 1997; Bindman, 1997; Fick, 2005a).

Katz (2001) mentions in her study that the stigma related to sex work leads to sex workers being seen as people that society should be protected from. Sex workers are seen as dangerous, through the strong association of sex work with crime and disease. We argue differently that the association of sex work with crime is as a direct result of the laws criminalizing sex work. The following quote illustrates this alternative argument:

> As for criminals, hookers tend to be surrounded by felonious confederates because what they do is illegal. The enterprise attracts violent people because violence is often useful in a business that can't expect protection from the cops. The retail liquor trade used to be that way too, during Prohibition. Since repeal, it has been about as violent as the dairy industry.

Street-based sex workers work in a different environment to those who work indoors and therefore face different challenges in their working conditions. In addition to stigma, our experience is that the main problem that street-based sex

workers deal with is the harassment and violence they face at the hands of the police. It remains difficult for sex workers to respond to this threat of harassment and violence from the police in the current situation where sex work is illegal.

Sex workers report that their strategies for coping with police violence are often largely based on trying to avoid contact with the police as much as possible by hiding or working at times when they think the police are less likely to be present. In order to hide from the police sex workers often work in remote, poorly-lit areas where they are more vulnerable to violence. Their fear of the police means that sex workers are unable to access the services of police for protection or even to report crimes that they may have witnessed.

A study by SWEAT found that one in three of the women who made complaints about the police at SWEAT told of being forced to have sex with police officers or of their knowledge of other sex workers who had been forced to have sex. Women spoke of police officers that offered to release them from jail in return for sex (Fick, 2006).

> Sometimes they ask for sexual favours in the cells (one policeman will come to the cell and choose who he would like to have sex with, so that he can free them all) and if that sex worker doesn't want to do that they all had to sleep there [in the police cell].

One in two of the women who made a complaint to SWEAT spoke of being physically assaulted or sprayed with pepper spray by the police, either while being arrested or during detention (Fick, 2006).

> ... a white golf car with three SAPS police officers stopped. They told me to get out of the car and the client to go. After the client left they sprayed me with

a spray gun, at the same time they were kicking me all over my body as I had fallen down at the time ... the two were swearing saying: "Jy wil nie hoer nie, jou jintoe, jou hoer jar, slegte goed." As I was trying to run they followed me, I felt that they wanted to knock me with the car with the intention of killing me, I thought they were planning to do a hit and run.

Sex workers indicate that they seldom feel able to lay charges against violent police officers with other members of the police force. In most cases they would need to lay a charge at the same police station where the perpetrator works and risk encountering him or her again. In our experience sex workers do not want to risk exposing their identity and they are afraid of retaliation by police officers if they complain about police brutality (Fick, 2006).

In addition to being assaulted or raped by police officers, sex workers face the threat of continuous arrest and release that effectively amounts to harassment by police officers. Approximately half of the sex workers who made complaints to SWEAT spoke of being arrested repeatedly. They described high levels of contact with the police and frequent arrests, sometimes as often as 4 or 5 times a month. They also had concerns about the fact that despite these frequent arrests they were not charged or brought before a magistrate (Fick, 2006):

"every second night they pick us up for loitering, not even giving us a warning."

"I was arrested twice in the last month without appearing in court."

"I was locked up for no reason and I did not want to come out [of the cells] because I was there for no

reason and wanted to go to the court, but they would not allow me to go."

The cycle of arrests impacts particularly badly on sex workers who work in the area where they live. Sex workers report that they are arrested even when going about their daily business, as a result of being known to be a sex worker. Sex workers often speak of feeling trapped in their homes, unable to go to the shop or to buy daily necessities without the threat of being arrested. One sex worker reported that she was arrested while talking to someone on a public phone. Others described their experience as follows (Fick, 2006):

> "I can no longer walk in the area where I live for fear of being arrested."

> "A police officer told me that I must not even think of going on the road as he was locking the workers up that day. I asked him why I couldn't even walk on the road... he said that the moment he sees me on the road he will lock me up."

Sex workers who work from brothels or escort agencies are largely tolerated by law enforcement, as they are not in the public gaze. Those working at agencies face a different set of difficulties in their working conditions. The criminalization of the industry results in brothel-based sex workers (working for someone else) being vulnerable to labour exploitation. Their situation is similar to that of others who work in the informal and unregulated sectors of the economy. In an illegal industry sex workers have no recourse to the protection of labour law or even to basic conditions of employment. In her paper addressing sex work as labour, Melissa Ditmore (1999) correctly states that: "in no other industry does moral sentiments about the profession interfere with a person's right to acceptable working conditions."

To protect themselves from prosecution, agencies often employ sex workers as "independent contractors" who are not their employees but who rent premises from them. However these agencies still have control over working hours, time off, fees charged, and whether sex workers can refuse a client. What results is a situation where sex workers have all the obligations of an independent worker, but none of the benefits (Caixeta, 2003). Sex workers working indoors are therefore working in conditions where they are denied sick leave or maternity leave, their workplaces are not subject to health and safety regulations and they have no recourse if they are unfairly dismissed (Overs & Longo, 1997; Banach & Metzenrath, 2000). They are effectively in a position where they have to rely on their employer to provide fair and reasonable conditions of employment. Sometimes even payment for the services they provide is dependent on the honesty of agency owners who ultimately need to make this payment to the sex worker as agreed.

Managers or owners of agencies determine the working conditions and labour practices under which the women work in private agencies, clubs or massage parlours. In most cases sex workers hand over a significant part (40-60%) of their earnings to owners or managers of agencies. In addition managers charge for the placement of advertisements and issue fines (Fick, 2005a). SWEAT has found that some of the exploitative practices that sex workers experience – being fined for coming late to work, being forced not to leave the premises, being charged high fees for the use of premises and sometimes being prevented from accessing health services by managers or owners (Zetler, 1999) – show the need for sex workers to have as much control as possible over their work environment. Like other people working in the informal labour sector and other vulnerable workers, sex workers often do not have an awareness of their rights as workers (Caixeta, 2003)

and, because their work is illegal, they have no recourse to the normal legal protections.

Conclusion

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) calls on all states to ensure equal protection for women from poor working conditions (Bindman, 1997). South Africa is a signatory to this convention and yet we have a situation where both street-based sex workers and those working at brothels are forced to work in poor conditions, because the work they do is not being recognized as labour. This lack of recognition of sex work as labour is surprising in the face of both sex workers themselves and organizations like the International Labour Organization (ILO) calling for the recognition of sex work as a type of work (Ditmore, 1999).

Countries like New Zealand have taken the lead in this respect. In consultation with sex workers they have decriminalized the industry and in addition they have put in place the Prostitution Act, which focuses on protecting both sex workers and the general public from harm. This has resulted in a situation where a sex worker in New Zealand felt empowered enough to take a client who insisted on unprotected sex to court.

Sex workers who feel they have the right to better working conditions are increasingly approaching SWEAT. Recently SWEAT has supported a sex worker, who felt she was unfairly dismissed, in taking her case to the Commission for Conciliation, Mediation and Arbitration (CCMA), and subsequently to the Labour Court. It is for this reason that SWEAT advocates decriminalization of adult sex work in South Africa. This would entail removing all the laws that make adult sex work illegal. In a decriminalized system sex

work would be governed by the same rules and regulations governing other businesses and no new structures or extra policing would be required to govern the sex work industry. In a decriminalized system the sex work industry would be subject to regulation and sex workers could set standards for the industry and would be able to use structures like the CCMA and the Department of Labour to support them in disputes around working conditions. They would also have better access to health, legal and protection services.

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Women in the academy

Elaine Salo

Introduction

Almost ten years have passed since the 1998 Employment Equity Act ushered in a host of affirmative action policies and procedures. The debates over their relevance have, it seems, become less fraught with time. Ten more years hence most South African universities, we hope, will reflect greater diversity especially in relation to student enrolments and faculty employment. However, we can only achieve such a "naturalization" of diversity if we move beyond the current focus on statistics to transform the processes that produce institutional culture.

Universities have created equity plans, employment equity and transformation committees at virtually every level of management. Plans are replete with statistics which have become a regular feature on the agendas of faculty boards and other management bodies.

Yet it appears that the goals of increased student and staff diversity are more elusive than originally appreciated. In particular, universities have found it difficult to retain students and staff from the designated communities. The shortfall suggests that in implementing equity policies educators have focused too exclusively on getting the numbers right, without due consideration for the importance of cultural transformation, which is necessary, especially in retaining the individuals who will diversify these institutions.

Cultural transformation means greater sensitivity to the manner in which everyday social interactions reproduce exclusive gender and racial biases. We know a little about the quotidian processes that facilitate long-term staff retention, but we need a more critical examination of these everyday practices and processes to identify the obstacles that actively preclude the development of an environment hospitable to under-represented groups such as black (specifically African) women. This paper will examine the experience at the University of Cape Town in order to illustrate the specific challenges that institutions have to overcome in trying to naturalize the value of diversity. I use the term "diversity" rather than "affirmative action" throughout this paper, because the latter term has been assigned pejorative connotations in the new South Africa. For many black professionals, affirmative action implies employment on the grounds of one's race and gender, rather than on the basis of suitable qualifications and merit. In short, for many South Africans, affirmative action has come to connote inferiority.

Recognition of diversity: the University of Cape Town case

The University of Cape Town (UCT) has a long history of resisting racial discrimination in education. During apartheid it was officially regarded as a whites-only university, but still it managed to admit a minority of black students, albeit under the constraints of the despised permit system. UCT was also the first institution in the country to appoint a black woman vice chancellor, Dr Mamphela Ramphele, in the early 1990s. Its formal symbols have changed in subsequent years: graduation ceremonies have African forms of affirmation and celebration alongside European-style ceremonies. The institution's mission locates it within the African context, and attempts to recognize linguistic and cultural diversity. Works of art, commemorative plaques and building names now bear

the names of prominent South African men and women of all races alongside colonialist names.

In 2007, of a total of five senior managers, two were white; and 50% of faculty deans were women. But as one digs down into the academic staff complement, African women professional academics are largely clustered in the lower ranks. Statistics such as these often reflect what Pumla Gqola (2004) calls a façade of apparent, rather than actual, transformation. Gqola insists that actual transformation demands a critical analysis of the processes behind the statistics, and an active cultivation of systems that create and support enabling environments for members of under-represented groups.

Statistics on the racial and gender profile of academic staff (April 2006) show 71% of Cape Town's academic staff was white and 29% was black. This can be compared to April 2004, when 80% of academic staff was white and 20% was black. Forty-five per cent of academic staff were women in 2006, to 55% men. This gender ratio has remained more or less constant since April 2004 (UCT Employment Equity Plan, 2004).

While the institution was able to increase the racial diversity of its academic staff between 2004 and 2006, it has not been able to do the same for gender diversity. Looking further into the data, gender diversification has benefited the employment and advancement of white women more than black women, because the former group already possessed the educational skills they needed to immediately take advantage of new equity provisions. Table one below indicates that black women (Indian, Coloured and African) constitute 8% of the total number of permanent academic staff at UCT, while African women constitute a mere 2% (Mohammed, 2006).

Table 1 Academic staff profile at UCT, as of 1 April 2006

Rank	African	Coloured	Indian	White	Black Total	Female Total	Total Male and female
Prof.	1	0	1	23	2 (1%)	25 (13%)	187
Asso c. Prof.	1	2	3	45	6 (3%)	51 (30%)	172
Snr Lect urer	5	12	4	83	21 (9%)	104 (42%)	247
Lect urer	8	18	4	61	40 (23%)	91 (53%)	173
Total	15 (2%)	32 (4%)	12 (2%)	212 (27%)	59 (8%)	271 (35%)	779

We need to give more careful consideration to the reasons for the relative absence of particular groups from higher education; and to the processes needed to ensure the equal mobility of these groups upwards through the full hierarchy of academic employment.

Research on gender equity shows that in South Africa gender together with race, socio-economic background and poverty continue to determine individuals' educational opportunities (Morley, 2005). African women remain the most economically marginalized sector of our society. These women are also the most under-represented group in our institutions of higher education.

Where are the African women students and academic staff?

We need to examine factors that contribute to perceptions of the university as disinterested at best, or hostile at worst, to African women's presence and career ambitions. To appreciate how central features of the dominant culture – whiteness, masculinity, heterosexuality and socio-economic privilege – are naturalized, we have to examine the gendering and racialization of ordinary, everyday practices in the institution, including its language, admission and financial aid policies. It would also entail looking at the "hidden curriculum" which finds expression in the pedagogies in the classroom. and practices such as staff mentoring and development and strategic professional actions that influence promotion.

African women students, like their female peers, tend to be concentrated in traditionally feminized disciplines in the humanities and the social sciences. Yet, even there, many academics are unwilling to regard gender as a central analytical concept or a legitimate subject of academic inquiry. Western feminist philosophers of science such as Donna Haraway (1991) and feminist anthropologist Emily Martin (1989) have argued convincingly how the positivist, scientific knowledge is often produced through a research lens that is coloured by gendered assumptions.

UCT has seen a growth in the numbers of women students registered in the Faculty of Engineering and the Built Environment: they constituted 26% of students in 2003. Women who choose to apply to study any of the sciences often had to break with familial and communal notions of gender-appropriate study programs and careers (Byrne, 1993; Morley, 2005). Yet admission to academic programs in the sciences such as engineering or information technology is just

one of many hurdles women have to overcome to succeed. Research reports (see for example Phillips and Hausbeck, 2000) on women students in these fields suggest that the particularly masculine culture in these fields tends to create a hostile environment that actively alienates women students. The masculine culture in the sciences tends to be reinforced by the over-representation of men as students, teachers and researchers in this field, as well as the male images and masculine languages used in the curricula. In addition few of these men tend to be African, thereby reinforcing the racial exclusivity of the field. Gender biases are also reflected in the strict divide that exists between the Humanities and the Social Sciences on the one hand, that are regarded as soft, more feminine courses, and the Sciences and Engineering on the other, that are considered to be the more masculine, hard courses. This isomorphism which equates gender with academic field of study has a negative impact on women's gendered identities in the sciences and engineering, whilst reinforcing that of men (Thomas, 1990). Women students in the sciences often have to face questions about their gender identity and sexual orientation that reinforces crude gender stereotypes which suggest that "only butch women and lesbians do science". At the same time, the gendered characteristics associated with academic achievement such as self-discipline, diligence and perseverance are considered to be feminine – so academic under-achievement is, paradoxically considered to be a positive masculine trait. Such gender stereotypes undermine not only women's but men's academic performance as well.

At UCT organizations such as Women in Science and Engineering (WISE) provide a supportive environment for women students. More active support needs to be provided for women, specifically black women, to form their own mentoring networks. The greater presence of professional women academics in this field would also engender a transformation in the predominantly masculine culture. The

need for a greater gender and racial balance in the employment of teachers and researchers in the sciences cannot be over-emphasized. Research on gender and access to higher education is replete with case studies that illustrate how the representation of minority identities such as black women in particular fields positively influence a younger generation's ambitions.

Creating an organizational culture that is sensitive to gendered and racial differences

Organizational culture finds expression in the quotidian aspects of social interaction in the university and is often an expression of wider power relations. These everyday practices relay the minutiae of power through subtle acts of discrimination on the basis of gender, race, sexual orientation and ability (Gqola, 2004; Mabokela & Magubane, 2004; Morley, 2005). Women students and staff alike are subjected to the gendered biases in these everyday practices that are expressed in simple acts such as deciding how to dress, what spaces to inhabit in the institutions at various times during the day, when to request assistance and from whom one can expect help, or even which bathrooms to use.

For black and African women in particular, these gendered experiences are further heightened by race, so that they constantly have to fight off the perception that they are bodies out of place in the academy. There are only so many times African women academics can courteously reply that they are not the cleaning staff. Individual women face a lonely struggle as they constantly have to assert their place, and legitimate their authority to students and colleagues alike.

Gender-based violence is now openly acknowledged as a particularly insidious feature of institutional culture. At UCT this problem is being addressed by structures such as the Discrimination and Harassment Office (DISCHO) and the

formulation of a sexual harassment policy. These processes affirm the institution's recognition that gender-based violence is a major obstacle to the academic advancement of women of all races, and of members of the lesbian, gay, bisexual and transgendered and intersexed communities.

Yvette Abrahams (2004) has argued that her own experience as a junior academic teaching the historiography of gender and colonialism at UCT constituted a novel form of sexual harassment. She was faced with responsibility of teaching course material on Sarah Baartman (famously known as the African Venus) which contained explicit images of the latter's genitalia and thus continued the stereotypical representation of Baartman as a mute, sexually exotic object. Abrahams argued that whilst she found these images outrageous to her person as well as to the other black women in the class, these images did not evoke a similar response from other participants in the class or from the course convenor.

African women are located in the most junior academic positions across academic departments at UCT. Pumla Gqola (2004) cites how the concentration of African women in the lower ranks of the academy disempowered them from being active agents in transforming teaching pedagogies and curriculum content. This disempowerment occurred simply because it was not common practice for senior academic staff members to consult junior staff members such as postgraduate tutors about teaching practices and curriculum content. Yet these junior tutors and assistant lecturers were often the first individuals whom students encountered in the classroom. She reflects upon the contradictory position she held as a tutor at UCT, teaching course themes that she had played no part in selecting, and yet having to convince undergraduates of their relevance.

UCT has staff development to support the academic staff's research and a research fund which targets academics at different levels of professional development; regular seminars

on the use of information and communications technology, and an excellent system of information dissemination about research. Senior academic members of staff are also expected to consult with their junior colleagues in their departments about professional plans and progress. These systems need to be retained, monitored and expanded to include research mentoring sessions, especially for junior academics. Such sessions should focus on topics such as writing and submitting fundable proposals; formulating and managing research budgets; setting up collaborative research networks nationally and internationally; familiarizing junior researchers with the publication process and so on.

Balancing work and personal lives

The masculine culture of the academy renders invisible women's multiple roles as professionals, spouses or partners, mothers, and daughters – and so too the numerous competing priorities that demand our time and energy. Activities such as writing and research are often the solitary pursuits that effectively isolate professional women. Add family responsibilities to this, then it is clear that few women have time to socialize after working hours, to advise each other about effective strategies to cope with family responsibilities whilst still managing to be an effective professional. In many cases women academics are forced to forgo travel to international conferences, or applications for fellowships abroad. Yet, as Morley et al (2005) have argued, these international networks are a key feature of a successful career in the academy.

A few precious institutional support structures exist, such as the childcare centre at UCT which assists professional women in managing these competing roles and responsibilities. This centre was established only after the student women's movement of the 1980s fought long and hard for its existence. Other women cope by "choosing" to remain single,

and/or childless, thereby circumventing the conflict between work and personal responsibilities.

Women, especially black women, cannot wait upon these institutional support structures to be set in place. Forming our own supportive professional networks for black academic women will facilitate institutional structures to support our professional development.

Conclusion

Focusing on the needs of African women is one way to ensure that the institutional environment at universities becomes sensitive to the inherent racial and gender biases. An enabling environment might be created for other black women and men. The quotidian processes and practices of institutional culture that actively set up obstacles to entrenched gendered and racial diversity might be addressed by ensuring that equity policies and practices in the institution articulate with all levels in the institution, not simply at the top.

Universities need to strengthen linkage programmes with the high schools in previously disadvantaged areas, to encourage the recruitment of black, specifically African, women. They need to expand funding sources that support African women, and academic support programs should be gendered to include African women as peer mentors.

The disciplines should be gendered through the curriculum. This could include expanding access to women and gender studies courses to disciplines such as the sciences and engineering. Senior academic supervisors should encourage the formulation of research projects that affirm women as knowledge producers in their specific fields. Similarly we need to critically examine pedagogies employed in the classroom and create new approaches that are more inclusive, and that will support the participation of minority students such as African women. These processes would entrench the

importance of institutional sensitivity to gendered and racial diversity. Ultimately, if they are sustained, we may progress to a moment where diversity that emphasizes both gender and race is normalized.

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Part 4:

Gendered media, morality

and control over women

Linking the popular, the personal and the political: Compulsory heteropatriarchy in mainstream magazines

Nadia Sanger

The aim of this presentation is to reflect on the linkages between the popular, the personal and the political. I do this through highlighting the ways that normative heteropatriarchy establishes women's representation as hyper*hetero*sexual for an often invisible and unmarked masculine audience in a select group of mainstream South African magazines – *FHM*, *Blink*, *Femina* and *Fair Lady*. Using a feminist methodology informed by post-colonial ideas about gender, race and sexuality, I suggest that heterosexual feminine performances continue to be racialised – white femininities are presented as normative, and black femininities as 'other' and exotic. Magazines do not operate in a vacuum – they play a significant role in the normalisation and reinforcement of particular ideas about gender, race and sexuality. As a result, the messages in magazine scripts are often reminiscent of colonialist ideology.

The media shapes our identities and operates as both a *site* and *instrument* of transformation. While not all media operate

from heteropatriarchal[48] racist foundations, much of the mainstream media appears to reproduce and reinforce imaginary binaries of gender (woman/man), race (black/white) and sexuality (heterosexual/homosexual), amongst others, at a time when transformation is a priority. I chose magazines as a site of exploration because they provide substantial insights into the dynamics of a patriarchal heteronormative society that remains divided by constructs of gender, race, socio-economic status, sexuality and other socially-significant markers. The magazines I explored over a period of three years (2003 to 2005) include *Men's Health, FHM (For Him Magazine), Blink, Fair Lady, Femina* and *True Love,* all which except for *Blink,* are owned by Media24 and claim the largest readerships in South Africa.[49] In this presentation, I only refer to *FHM, Blink, Fair Lady* and *Femina* to substantiate my argument.

Hyperheterosexuality

The term 'hypersexual' has been used in black feminist literature specifically to describe the ways in which black physical bodies have been eroticised and exoticised through colonial obsession with racial difference (see Mama, 1995; hooks, 2004; Osha, 2004; Lewis, 2005). In the magazines I explore, it is both black and white women who are hypersexualised – their bodies are represented as overtly sexual with an emphasis on particular body parts often deemed sexual in patriarchal society, such as breasts and buttocks. But as the exoticised 'Other' black women's

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[48] Heteropatriarchy suggests an institutionalised system of male domination over women within a heteronormative society. This system legitimises the subjugation of women and has been naturalised within most cultural, economic, social and religious spaces including the media.

[49] In October 2007, Touchline Media, a consortium within Media24, was accused of manipulating magazine circulation figures. The magazines affected include *Men's Health, True Love* and *Fair Lady.* It is important to note that I consider readership figures, and not circulation figures, in my analysis of the magazines in Chapter Four.

hypersexuality has been represented differently from that of white women, in ways that construct black femininity as excessive and abundant, beyond the hypersexual representations of white female sexuality. This is particularly true of magazines targeting male readers, such as *FHM*, *Men's Health* and *Blink*.

In addition, the term 'hypersexual' in describing representations of both black and white female sexuality, is inadequate for an analysis of the ways in which female bodies are sexualised within a heteropatriarchal matrix. By adding 'hetero' to 'hypersexual', I attempt to visibilise and emphasise the ways that representations of women as hypersexual are not neutral, but deliberately positioned for a male audience as spectator. In the magazines I explored, it is this male audience which is central in defining female sexuality.

Hyperheterosexuality can be found in the ways that women are presented - lounging, standing or sitting - where attention is drawn to their buttocks, breasts, legs and mouth - and where they are presented as 'available' to the male reader. Such images and its accompanying text appear in *FHM*, where images of white women are accompanied by stereotypical statements foregrounding their passivity and availability. Text accompanying an image of a white woman lying on her stomach, wearing only panties, where she describes her "best assets" in "three words: lips, legs and boobs" also reads that it's her "dream to be arrested for indecent exposure" (*FHM*, March 2005: 104 and 106). Another image in *FHM* foregrounding white women's availability is complemented by the text "Do you know anyone? I'm still single" (November 2004: 27). These images and statements depict white women as passive, vulnerable and available sexual objects for a male audience. An example of hyperheterosexuality in *Blink* magazine's 'Sticky Pages' feature, depicts an image of a black woman accompanied by a male voice who fragments and

fetishises the black female body in the statement "with skin like that, a man is almost convinced she can slip anything down on it" (*Blink*, May 2005: 89).

Text suggesting that women are agents tends to be overwhelmed by a combination of images of women's sexualised bodies designed to appeal to heterosexual male readers, alongside language meant to be titillating, and repeatedly articulates the message that women do not really control their sexualities, their bodies or even their minds. Even when women express agency within magazine scripts, their bodies are still (hetero)sexualised. In many ways, these images and texts combine to produce discourses that reflect the ways in which women's physical bodies operate as sites of male ownership and 'desire' where women are presented as having little agency in presenting themselves differently.

One such example in FHM (January 2005: 90) reads as follows: "I've got bruises all the way up and down my legs from the guys grabbing me". This (white) heterofeminine exhibitionism often makes up the pages of of the South African version of *FHM*. The tone evident in the relaying of this experience seems to legitimise male abuse of women's bodies. The competitiveness between white women ("harder to beat these college girls") and what seems like 'pride' in being found attractive and desirable by a male audience, reflects the centrality of male 'desire' within normative heteropatriarchal discourse. Women, *FHM* says, want to be desired at any cost.

Also common in FHM in particular is the presentation of mostly white women performing sexually with other women for male titillation, meant to titillate male viewers. In this context, lesbian desire and practice is located within the logic of heteronormativity where "women are encouraged to partake in sexual activities that men (supposedly) desire"

(2006: 307). These depictions do not centralise women's pleasure outside the heteropatriarchal male gaze. One example is an image of two women (one black woman and another who appears to be white) drawing on notions of sadomasochism where the accompanying text reads "He ravishes me on his vibrating tractor as the heavens open" (*FHM*, January 2005: 62). The magazines make it clear that these performances are located within a patriarchal heteronormative matrix, where women perform for men, even though the masculine audience is hardly ever named and visibilised. In one example, however, it is clearly stated that a woman being with another woman "doesn't make you a lesbian, it's just for fun...yeah, I need a man. There's gotta be a man in there!" (*FHM*, January 2005: 104).

The idea of women loving women denies and challenges the heteropatriarchy. The possibility of women not needing men, not wanting men, is unpalatable to a heteronormative world. The magazine messages clearly illustrate this in its distortion and reconstruction of what it means to be a lesbian, so that it once again centralises heteromasculine desire. This serves and reifies the heteropatriarchy.

Black hyperheterofemininity

In South Africa, magazines with a large white female readership such as *Femina* and *Fair Lady,* seldom present black women (black African, 'coloured' African or Indian African women) in their imagery, across editorial and advertisement contents. When black women are presented in *Femina* magazine, more often than not, they are exoticised in ways which mark the black female body as hyper(hetero)sexualised in ways that the white female body is not.

A special report on a book titled *The naked woman: a study of the female body* authored by Desmond Morris - who is set us as an expert on women's bodies – discusses his 'discovery' of 'not one but four female G-spots' (*Fair Lady*, January 2005: 33) features a full-page photo of a black African woman's naked body shown from behind (see image 8 below). Another example of this racialised hyper(hetero)sexualisation appears as a half-page promotional advertisement in the February 2005 edition of *Femina* magazine selling *JôJô Africa* body products. The main heading of the advert reads 'My African Dream' and is accompanied by text and an image of a naked black woman lying on her stomach with her face turned towards the camera against a backdrop of mountain and land, part of the African soil, emblematic of the African landscape. Using terms such as 'rare and distinctive', 'pure' and 'indigenous' (February 2005: 55) to describe the product, the text and imagery imply that black femininity, as signifier of Africa, is hyper(hetero)sexualised in ways that white women in *Femina* magazine are not. Within the context of minimal representation of black women in magazines targeting white women readers, where black women's bodies are shown and spoken about in these magazines, they are presented as *more heterosexualised* than white women's bodies.

It is noteworthy how black women are presented when they are portrayed in magazines with a dominant white female readership. While women across racial constructs in women's and men's magazines are often presented as erotic – hyperheterosexual - simply because they have vaginas, the racialised dimensions of hyperheterofemininity in magazines with large numbers of white readers, give way to racist presentations of black women. This construction not only hypervisibilises black women as the 'Other' or 'the African' but simultaneously presents white (hetero)femininity as normative and 'empty' through its apparent lack of 'culture', 'ethnicity' and exoticism.

Hyperheterosexual representations of women across race reveal that women remain constituted as the sexualised 'other' within the normative gender binary. Black women, although seldom presented in magazines with large numbers of white female readers, such as *Fair Lady* and *Femina*, are exoticised and presented as the excessive and abundant 'Other'. In the world of South African magazines, these normative constructions suggest very little space for resisting hegemonic ideas around gender, sexuality and race and owning different ways of being women and men. These magazine messages reveal that the socio-political climate in which we live continues to define women's sexualities in ways reinforcing and maintaining heteropatriarchy, implying an unfulfilled 'democracy' where sexual rights to freedom and bodily integrity for women are yet to be realised.

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May 2003; September 2004; October 2004; December 2004; January 2005; March 2005; September 2005.
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Gendering children's lives: TV fiction for South African kids

Jeanne Prinsloo and Priscilla Boshoff

Blame for violent behaviour and promiscuity among children and young people is frequently laid at the feet of the media. In fact, every significant technological innovation whether comics, TV, video games or the internet has been greeted with anxiety, particularly in relation to its implications for children. Childhood has come to be viewed as a time of innocence (Duhn, 2006) that is considered precious and needing to be guarded and monitored. Many parents are therefore at pains to ensure that their children watch suitable TV or movies. Parental guidance (PG) indicators and age restrictions supposedly indicate suitability for children. In this way parents seek to protect their children from those aspects of life that are considered too adult or worldly, and therefore inappropriate. The concern is to exclude media representations of violence and sex/sexuality. We consequently have dedicated programming for children that is meant to be different. Parents let their children watch children's TV or cartoon channels in the belief that this is appropriate.

We make a counter-argument that what parents are doing is taking a giant leap of faith that is arguably ill-founded and that children's TV is a rehearsal for those aspects of social life they imagine they are guarding against. To make the argument this paper draws on content analysis of children's TV fiction broadcast in South Africa.

While there is a broad consensus that children should be sheltered from some of the harsher aspects of existence, we are also aware that the worlds which many children inhabit are not gentle. The South African context is complex. In spite of a remarkable rights-based constitution which insists on social equalities inclusive of gender, South Africa has notoriously high levels of gender violence with disturbing figures of sexual abuse of children. With this in mind and mindful of the significance of the media in shaping the way the world is viewed, it is notable that there is very little that deals with the ways in which gender is framed in children's media or with its potential link with the gendered dimensions of the violence prevalent in South African society – a violence to which all children are potentially vulnerable (Barbarin & Richter, 2001). Here we are thinking about the ways in which particular forms of masculinity and femininity are framed and naturalized for children over time through story, contributing ultimately to the wider maintenance of the gender order and its inherent inequalities.

Our research focuses on the kinds of TV fiction available to children and pays specific attention to the stories children are told. We consider the imaginary worlds children are invited to enter and the various gender roles they are invited to vicariously occupy in following through the narrative of the story. In doing this, we are in a sense considering the implicit gender pedagogy in these media "lessons". The media, and for our argument here, TV play a crucial role in presenting and validating certain ways of being (Van Zoonen, 1994; Thompson, 1990). In spite of differential access to wealth, children's (and adults') access to media has increased significantly. In the past radio was the medium most accessed by the broader South African population, but access to (and not necessarily ownership of) TV is now equivalent to radio.

Television introduces children to worlds outside their
immediate reality. It:

> expands, interprets, highlights, judges, legitimizes or
> excludes social phenomena that the viewer encounters
> in reality and in the other media. ... [It] constantly
> reinforces certain ideological, mythical, and factual
> patterns of thought and so functions to define the
> world and to legitimize the existing social order
> (Lemish, 2007: 101).

This research is specifically concerned with the worlds
constructed on TV in the form of fiction as narratives have
always played a central role in children's lives. Story is
described as both a universal means of making sense of the
world and as a vehicle for others to make sense of the world
for us (Fiske, 1987). Narratives enable children to suspend
their disbelief and enter the domains of the televised
characters. Through processes of identification (Lemish,
2007), children can take on the roles of the protagonists or
other characters, and along the way learn lessons about what
is considered as heroic, as appropriate, as socially effective.
Importantly, the stories children encounter (and psychically
enter) take place in sociocultural landscapes; stories are
narrated in particular ways so that certain characters and
scenarios are valorized and included, while others are
excluded or made "other". Children's experience or access to
worlds and ideas is not yet extensive and television is (in
Lemish's terms):

> "a peekhole" to roles beyond their everyday reach,
> particularly to those highly prioritized and stereotyped
> in dramatic genres. ... Meeting these varied characters
> on television confronts [children] with value-related
> issues as they compare themselves with [them]...
> (2007: 55).

If characters provide points of identification and if the narrative action proposes ways of being in the world, we need to consider the kinds of characters and scenarios they are in a sense invited to inhabit, temporarily at least, for story serves as lessons about "the events they will never encounter and the kinds of people [in stories] who may never cross their path" (Meek, 1988: 28-9). In addition, stories have the potential for both empowering voices and constraining them, and of constituting diversity or privileging conformity. Concern for the televised narratives and privileged world views, attitudes and behaviours that children experience is appropriate. If certain hegemonic discourses are rehearsed constantly, they form lessons that child viewers are likely to internalize. This is their curriculum design. A good deal of attention by feminist theory has foregrounded the significance of story and this has impacted on school texts produced in the last decade. In a sense, one anticipates this to impact similarly on TV for children and if it has not, reasons should be sought.

Television, children and gender in South Africa

Recognizing that South African society is resolutely patriarchal, we chose to scrutinize children's TV narratives in relation to the construction of gender. In a sense we wish to directly address that aspect of children's TV so neatly erased by the signifier, "children" (as though gender neutral) and to tease out consistent ways in which gender is framed within fictional narratives. We ask what are the gender discourses that children are presented with to accompany them as they face the difficult task of growing up in our contemporary society. We also ask what the implications are of such framing being normalized and inculcated in children, the next generation of citizens, in South Africa, a country notorious for its gender violence (see for example Haffejee, 2006; Hirschowitz et al., 2000,; Vogelman & Eagle, 1991).

Our gendered identities are formed very early on in life. Apart from the family and school, the media form the most significant arena in which prevalent discourses of gender are made available to children, are repeated and are normalized. The media is the institution *par excellence* in the production and distribution of symbolic meaning.

Connell's understanding of hegemonic masculinity and emphasized femininities is a useful frame to use here. He terms socially endorsed, normative heterosexual masculinity (where men are characterized by particular traits such as aggression, physical strength, ambition, emotional control and self-reliance) *hegemonic masculinity*, which is associated with public spaces. It in turn produces *emphasized femininities* as its necessary complement. (For women, the complementary femininities include diverse behaviours and characteristics, ranging from nurturing self-sacrifice and support to feminine attractiveness and sexual availability, all of which are oriented towards accommodating the needs and interests of men. They are frequently enacted in domestic or private spaces rather than public ones.) Importantly, this gender order assumes heterosexuality. Central to this understanding is the recognition that hegemonic masculinity and emphasized femininities are in collusion as they serve to promote the masculinity of heterosexuality:

> ... by understanding gendered identities as tied together in an unequal yet dynamic relationship it becomes clearer that the achievement of conventional masculinity and femininity are mutually dependent (Holland et al.,1998: 171).

Two cautionary notes: first, no one encounters a single discourse, and discourses that resist and contest the hegemonic gender order are always also in play; second, children who have other repertoires of understanding can read against the preferred or naturalized gender order. However,

the power of the hegemonic (patriarchal) discourse is beyond dispute and is our focus here.

Study of the gendering of children's television fiction

In order to get a broad overview of the content of children's entertainment and fiction programming, the authors conducted a content analysis[50] of one month of children's TV screened on the South African public broadcast services, SABC 1, 2, 3 and the one private free-to-air South African terrestrial broadcast service, e.tv. As the broadcasters differentiate between entertainment and educational programmes for children, we confined our examination to programmes defined by them as entertainment acknowledging that this categorization is imprecise.

The sample – children's programmes broadcast over the 32-day period from 15 May to 15 June 2007 – were recorded for analysis; the recordings were coded to establish the type of programme (fiction, documentary etc), the technical form the fiction took (animation, human action, puppets etc), country of production, language, etc. Thereafter, in line with the gender concern of the study, we paid particular attention to the main characters in order to identify who *acts* and who is merely *supportive* (one of the binary oppositions inherent in Connell's gender order discussed above). We employed the character roles identified by Russian formalist, Vladimir Propp, which inform narrative analyses (see Fiske, 1987). We considered the extent to which male and female characters acted in the role of hero, hero's helper, villain, or villain's helper, etc. We further coded the character's nature (whether animal, human, etc.) and physical characteristics (including

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[50] This content analysis was conducted as part of a larger international research project organized by IZI (the International Central Institute for Youth and Educational Television, in Munich) entitled "Children's television worldwide: gender representation".

sex, race/ethnicity, age and body weight). These characteristics were identified as important as they pertain to both a gendered and raced world.

It is significant that most of the children's fiction in the sample was imported, with only five of the televised programmes in the sample produced in South Africa or co-produced with South African producers. Of the total of 198 hours of children's TV recorded, thirty per cent of the broadcast time was fiction. The balance (123 hours) was children's game shows, documentaries, mixed format shows and trailers and programme teasers, and 12 hours (6 per cent) was advertising.

We identified the data relating to the gender dimension of the fictional characters. The first finding is that these fictional worlds are populated by significantly fewer female than male characters, clearly a very different world to the material world that the intended audience inhabit, for frequently cited statistics put the South African population at 51% female.[51] Of the total of 1 008 characters, 285 (28%) were female, in comparison to 674 (67%) male characters, thus a male predominance of more than two to one. The sex of 49 characters (or 5%) could not be determined and are excluded from the following discussion.

This discrepancy is maintained in other startling ways across the variables examined. Let's consider the character roles (see table 1.) In the first instance, the role of hero is played far more frequently by male characters. With only 78 female heroes to 195 male heroes, it implies that child viewers experience female characters in this powerful and desirable role only 28% of the time.

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[51] See the Statistics South Africa website http://www.statssa.gov.za/

Character roles[52]	Female Number	Male Number	% of female characters	% of male characters
Hero	78	195	31	33
Villain	25	114	10	19
Hero's helper	93	187	37	31
Villain's helper	6	30	2	5
Member of family	20	19	8	3
Princess	23	26	9	4
Dispatcher	6	9	2	2
False hero	4	17	1	3

Table 1: Analysis of character roles and Proppian character functions

When it comes to villains, boys get the lion's share of the action once more! Here, there are 114 male as opposed to 25 female villains, or in other words males make up 82% of the villains. For every two male heroes there is at least one male villain!

The female scenarios are more sanitized and insipid. First, females seldom are portrayed as villainous – and then if we extend this comparison to the role of heroes' and villains' helpers, there are 93 female heroes' helpers and, in contrast, only 6 help the villains. Meanwhile there were 187 male helpers to heroes and a smaller but significant number, 30 male characters were villains' helpers. In other words female characters are portrayed helpers to the hero 37% of the time and to the villain a mere 2%, while male characters are helpers to the hero proportionately less frequently at 31% and to the villain 5% of the time. It is important to emphasize this,

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[52] Numbers show a highly significant relationship ($p \lll 0.05$): there is good evidence to suggest a significant relationship between gender and the type of role.

as although the *percentage* of heroes for each sex (31% female and 33% male) seems fairly even and therefore not obviously significant, the *total number* of female characters is markedly less, and consequently girls have far fewer opportunities to identify with female characters in such powerful roles.

Then, not only do these worlds have a preponderance of male characters – and a number of them villainous at that – but they are also suffused with a range of other gendered features (see table 2). Infantilization of female characters occurs, since the females are consistently scripted as younger than male characters: 35% of all female characters are portrayed as children against only 25% of male characters. Only 22% of the female characters were identified as adult in comparison to 34% of the male characters. It is startling that females make up only 22% of the adult characters. Female characters thus tend to be confined to younger roles and, as authority and power frequently reside in the adult world, this statistic is of concern.

Characteristic	Categories	Female	Male	% female characters	% male characters
Age[53]	Baby	0	4	0	1
	Child	89	148	35	25
	Youth	100	207	39	36
	Adult	57	196	22	34
Body weight[54]	Very thin/ normal	259	503	100	84
	Overweight	0	42	0	7
	Hugely muscular	0	57	0	10

[53] P-value = 0.00068
[54] P-value = 4.3e-09

Table 2: Gendered variations: age and body weight

If female characters tend to be younger they are also smaller and there is an interesting discrepancy that relates to body size. First, most male (84% of them) and all female characters fall within the thin to normal range for body weight. The remaining male characters are either "overweight" (42 or 7% of males) or "hugely muscular" (57 or 10%) thereby marking masculine physicality.

While these figures are alarming it is important to acknowledge that there has been some change in representations at this level for female characters over time and that they do not automatically fall into subservient roles. It remains crucial, though, to also note that the shift is relative and there is a pressing need to debate these issues. (Similarly, Thompson and Zerbinos (1995) noted shifts in the gender stereotypes in animated cartoons from the 1970s to 1980s.)

Characteristic	Categories	Female %	Male %
Race[55]	Asian	11	3
	Black	12	7
	White	70	86

Table 3: Gendered differences in terms of race

If we move to another physical characteristic, namely race (termed skin colour in the international study) there are also notable differences (see table 3). Mindful that South Africa has a largely black population, it is significant that most male and female characters were white. They are, moreover, coloured white quite literally as much of children's TV is animated, and the selection and construction of the character

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[55] P-value = 3.3e-61

demographics are conscious (or unconscious) production decisions. An overwhelming 90% of male characters were white, in contrast to 60% of the female characters, who include 14% Asian and 14% black characters. The hegemony of whiteness pervades much of global TV (see Dyer, 1997) and children's TV, constructing powerful males as white.

Heroes and hyper-masculinity

A cause for concern lies in the kinds of character roles in these fictive scenarios. Male characters are overwhelmingly in the majority and the larger number of representations ensures that male characters are foregrounded as heroes. They are more likely to be leaders of groups of helpers (or be lone heroes or villains), and act in public spaces. The hugely muscular and overweight category in the male character data can be explained by the typical appearance in certain animated programmes of enormously strong and athletic heroes. Such hugely muscular and supernaturally strong hero figures:

> ... are popular among young boys whose bodies are not strong enough to grant them the power that is their ideological requirement, and who also occupy powerless social positions in family and school. The physical strength of such heroes is frequently extended by cars, guns and machinery (Fiske, 1987: 102).

Hegemonic masculinity is represented through this "ideal type" of hero, a specialist in violence (Connell, 1987: 249) and this repeated characterization serves to naturalize the symbolic privileges of an adult masculinity yet to be achieved. This narrative of masculinity is of course, worryingly violent in its relations to other men, quite apart from the marginalization of female characters that its construction automatically achieves.[56]

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56 The almost ritual gladiatorial combats between hugely muscular heroes or between heroes and monsters/machines evokes Connell's observations about sport: "In historically

The limited spaces for female characters additionally tend to propose a less active world characterized by help and support. This echoes the point made earlier about emphasized femininities being in collusion, rather than in collision, with hegemonic masculinity, and thus complicit in violent scenarios of competition and conquest.

The toy business: merchandising childhood

Yet it could be argued that, since children's TV is screened only for a few hours and fiction is only a part of this output, children engage with different scenarios. Even if that were so, it would not mean that the influence of these programmes is correspondingly minimal. However, a point to be emphasized is that the global toy industry ensures that children extend their engagement beyond the hours of TV viewing into their imaginary worlds of play. The multi-billion dollar toy business produces toys, games, clothing and other merchandise linked to the TV programmes.

It is indeed significant that the initial conceptualization of any TV fiction for children by these multinational companies such as Disney is linked to merchandising. Scriptwriters are required to identify the merchandise that will accompany the programming when submitting their scripts and the scripts stand or fall in relation to the gross profit envisaged through sales rather than the quality of the stories they tell. What is also significant is the gendering of merchandise where toys and active games are designed for boys, while the "goodies

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recent times, sport has come to be the leading definer of masculinity in mass culture. Sport provides a continuous display of men's bodies in motion. Elaborate and carefully monitored rules bring these bodies into stylized contests with each other. In these contests a combination of superior force (provided by size, fitness, teamwork) and superior skill (provided by planning, practice, intuition) will enable one side to win" (Connell, 1995: 54).

for girls" include clothing such as t-shirts, bags, soft toys, cosmetics and stationery.

Scriptwriters who were presented with the international findings of this study in Los Angeles, USA in January 2008 identified the constraints they work under. They referred to the production myth that they should script for boys, as girls are assumed to watch TV made for boys but not vice versa. This begins to explain the relative scarcity of female characters.

South African narratives

It was noted earlier that much children's fiction on South African TV is produced in foreign countries. It thus portrays scenarios and contexts that are distant from South African children's lived experiences. Within the research's time frame, only five local South African or co-productions which presented a local context were broadcast. Of these, two are co-productions with foreign production companies: *Scout's Safari*[57] (the only drama series with live actors) is a USA/SA co-production; and *Magic Cellar*[58] , an animated Canadian/South African co-production. The other three programmes, *Zaka*[59], *The Adventures of Pax Afrika*[60] and *Jozi Zoo*[61], are half-hour cartoon series created in South Africa by South African animation studios. Without generalizing we note that in these programmes the producers were not part of the

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[57] *Scout's Safari* is produced by Discovery Communications for Discovery Kids Channel http://kids.discovery.com/fansites/scoutssafari/scoutssafari.html

[58] Co-produced by Chocolate Moose Media (Canada) and Morula Pictures (South Africa) http://www.sabceducation.co.za/magiccellar/index.html

[59] *Zaka* is an animated "edutainment" programme designed to familiarise children with financial matters.

[60] See the programme's official website at www.urbo.co.za

[61] The other South African animated programme shown at the time of research is *Cool Catz*. While employing fictional characters and storytelling techniques, it is didactic in intent, employing puppetry and animation to teach various skills. *Jozi Zoo* and *Cool Catz* are productions of Mdu Comics http://www.mducomics.co.za/animation.htm

international toy merchandising world and three of the four channels were public service broadcasting. Consequently these productions did not market toys and goodies. Moreover, it is striking that the conventional patriarchal gendering of the characters was less pronounced in these programmes. The gap in numbers between male and female characters is smaller, 42 male characters (55% of the total) to 32 female characters (42%), with the sex of two characters indecipherable. However, there remains a significant difference in the proportion of heroes, with only 32% of the female characters taking on this role while 45% of the males do so. A single female villain (5%) contrasts again with the more numerous male villains (5, or 16% of males). Then, a further 26% of the female characters were helpers to the hero, while none helped the villains. Male characters took on the mantle of helper less frequently, with 13% aiding the hero and a single character (3%) helping the villain. What we have then is more parity between male and female characters than is apparent in the international figures.

South African fiction	Female	Male	% female characters	% male characters
Total character roles	32	42	42	55
Hero	6	14	32	45
Villain	1	5	5	16
Hero's helper	5	4	26	13
Villain's helper	0	1	0	3
Member of family	5	3	26	10
Princess	1	0	5	0

Table 4: Character functions: South African fiction

Another unusual and unexpected feature, as noted above, refers to the form of the narrative and narration. Two of the five series, namely *Zaka* and *Magic Cellar,* are scripted as stories being told to children and many of the characters do not play a role in the narratives other than serving as an audience to the tales told. In this sense, there is a modelling of oral tradition which is consistent with the contemporary advocacy of valuing and preserving cultural traditions. Yet there is a strong imperative within the tradition of South African folk tales to be didactic, and these stories contain explicit moral lessons or messages. They also serve to advocate docility and respect and this differs along gender lines.

Allow a diversion to make the point, after all this is a discussion of stories. In the synopsis of "The Chief's Bride", one of the episodes on the *Magic Cellar* website,[62] two sisters are compared. One is "naughty" or adventurous, the other docile and obedient. When the king is looking for a wife, the girls' mother sends for them to present themselves to the hero. Predictably the wild one doesn't go directly to the king, and, alas, she loses out, as the obedient sister gets the prize, marriage to a king! The lesson: "respectful and obedient behaviour is rewarded in the end". Well, the moral of the story might have worked well in times gone by, but one wonders about its reception now. The point here is that traditional stories often tend towards conservative patriarchy.

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[62] (http://www.sabceducation.co.za/magiccellar/Cellar.html)

This brief discussion of the South African productions provides us with some interesting points to ponder. First, overall there is a pleasing shift to constructing fictive worlds with a more equal number of female characters. This, however, must not be equated with more active and progressive roles for them. Second, there are productions like the *Magic Cellar* with its high production qualities rehearsing oral forms of story telling through the televisual medium. While signalling an African identity, it simultaneously rehearses a judgmental response to characters, often within the confines of the dominant gender order. Policy documents explicitly state that programme content needs to protect and nurture national cultures and identities (see for example ICASA, 2003: 4, 31); however, these "identities" and "cultures" are not uncontested and inform ongoing debate about the politics of belonging and the ideal character of post-apartheid South African society, whether it be multicultural (the "Rainbow Nation"), Africanist or postmodern cultural melange (see for example Nuttall & Michael, 2002). In all, what this discussion makes clear is that contemporary South African children's TV productions are an important area for contextualized research.

Conclusion

Moving away from our brief focus on South African productions, we conclude by considering all the findings and the implications of the gendering of children's symbolic worlds more broadly. The gender dimensions of TV fiction present cause for concern. In a recent overview of several studies, it was noted that:

> ... the most predictable characteristic of identification – both similar and wishful – as well as para-social interaction with television characters among children was found to be gender. Boys of all ages almost exclusively identify with male figures, while girls

> identify mainly with females, but with males as well,
> particularly during the early years (Lemish, 2007: 58).

There are two complementary explanations that may account
for this pattern. First, as the data above attests, there is a
much wider range of male roles for children to identify with
than female roles. Female characters are restricted not only in
numerical terms but in diversity of personality, roles, settings,
plot lines, appearance and so on. Not only are the numbers of
female characters small, but most female roles appear
somewhat insipid. As observed by Lemish (2007: 111),
"children's TV offers a significant under-representation of
female main characters and under-development of female
character". In addition, female characters are overwhelmingly
represented as physically "normal" (or at least not
overweight). Lemish (2007: 111) observes that
"attractiveness remains the central criteria for identification
with female characters and it is associated with feeling good
about oneself". Here, attractiveness again is constituted
within reasonably predictable and unadventurous parameters
of hair colour. The "plain Janes" are simply absent here.

Second, our society is more tolerant of girls who take on more
typical male roles than to boys who "act girly". As noted
above, hegemonic masculinity insists on heterosexuality
engendering resistance to boys who adopt "feminine"
characteristics, and also explains why girls can operate within
"masculine" worlds by taking on privileged "masculine"
characteristics. A good example of this masculine mode of
behaviour is the number of stories in which "brainy" female
characters use technology (traditionally a male preserve) to
help the hero, especially computer technology (for example,
Penny in *Gadget and the Gadgetinis*, Rebecca in *Yu-Gi-Oh!*
and Keitu in *URBO: The Adventures of Pax Afrika*). It is very
significant that they do not take recourse to violence (that
male domain) but to their wits. The roles that girls occupy in

narrative – as helpers and supporters – serve to confirm the prevalence of traditional gender roles for girls and women in South Africa. For example, survey research indicates that, following general patterns for adult men and women, more girl children than boys are involved in household maintenance, and that boys generally have more leisure time than do girls to engage in social and cultural activities outside the home (Chobokoane & Budlender, 2002).

We urgently need to address these forms of representations. Parents need to be cognisant of the kinds of scenarios presented to their children in the guise of children's programming. For South Africans, there are questions that we should be asking of the broadcasters: their selection and purchase of children's TV in the light of race and gender dynamics and lip service diversity; attention to the roles in those stories , more mindful of the kinds of identities they are circulating. Perhaps the most crucial aspect remains the valorizing of hypermasculinity and violence within the existing gender order. The rehearsal of these warring identities is neither innocent nor irrelevant and they certainly are not consistent with the kind of thinking that seeks peace in the world. They are not mindful of the sentiments expressed in the opening lines of the UNESCO (1945) constitution which reminds us:

> "That since wars begin in the minds of men [sic], it is in the minds of men that the defences of peace must be constructed".

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Jacklyn Cock is Professor Emeritus in the Department of Sociology, University of the Witwatersrand. She has written extensively on militarization, gender and the environment in South Africa. Her books include *Maids and Madams: a study in the politics of exploitation in South Africa*, (Johannesburg: Ravan Press, 1980; London: The Women's Press, 1989); *Colonels and Cadres: war and gender in South Africa*. (Cape Town: Oxford University Press, 1991) and *The War Against Ourselves. Nature, Power and Justice*, (Johannesburg: Wits University Press, 2007).

Chantelle de Nobrega

Chantelle de Nobrega grew up in Cape Town and went to Grahamstown in 2002 to study at Rhodes University. She completed a Bachelor of Arts in Politics and Philosophy in 2004, and an Honours degree in those same subjects the following year. She has been the housing and local government researcher with the Public Service Accountability Monitor since January 2006. Her other research interests include the philosophy of ethics, the history of ideas and development studies.

Nicolé Fick

Nicolé Fick has been at SWEAT as a researcher for 5 years. She completed an Honours Degree in Psychology and has worked with the Truth and Reconciliation Commission and with the Employment Equity Unit of the University of Cape Town.

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Wendy Isaack is the Manager of the Legal Services and Advocacy Programme at People Opposing Women Abuse (POWA), a women's rights organization started in 1979 and based in Johannesburg. The focus of work is currently lobbying and advocacy at national and regional level, aimed at ending impunity for violence against women. Wendy Isaack holds a B.Proc degree from the University of Durban-Westville (1999) and an LLM in International Human Rights Law, specializing in the Transitional Justice and the Rule of Law, from the University of Ulster, Northern Ireland (2006).

Desiree Lewis

Desiree Lewis currently teaches in the Women's and Gender Studies Programme at the University of the Western Cape. She has taught and published on feminist scholarship in Africa, constructions and representations of gender, and literary and cultural studies. Her book on Bessie Head, *Living on a Horizon*, was published by Africa World Press in 2007.

Nomafrench Mbombo

Nomafrench Mbombo is an Associate Professor, Faculty of Community and Health Sciences, University of the Western Cape. Her area of research is gender and human rights approaches in health. Her current projects are in advocacy training in health and human rights in Southern and Eastern Africa and SHR Youth programmes/policies at institutions of higher learning in SA.

Lali Naidoo

Lali Naidoo is the Director of the East Cape Agricultural Research Project, a non-profit organization based in Grahamstown. She has written on various aspects linked to farm workers, farm dwellers and agrarian transformation.

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Jeanne Prinsloo is an Associate Professor in the Department of Journalism and Media Studies at Rhodes University in Grahamstown. She teaches and researches issues in the broad fields of media, gender and education for critical literacy, and within these areas of interest issues of identity and textuality remain a particular focus.

Sandra Rein

Dr Sandra Rein is an assistant professor of Political Studies at the University of Alberta, Augustana campus, located in Alberta, Canada. Sandra's research has focused primarily on the philosophical works of Raya Dunayevskaya; however, her current project is beginning to place Dunayevskaya in a critical conversation with the work of Rosa Luxemburg and Hannah Arendt. All three of these women were animated, in different ways, by the question of what it means to be free and how we might attain that freedom. Sandra teaches in the areas of international relations, international political economy, and social theory. Her most recent publication is a 4th edition of *Critical Concepts: an Introduction to Politics*, co-edited with Dr Janine Brodie.

Elaine Salo

Dr Elaine Salo is a senior lecturer at the African Gender Institute, University of Cape Town. She has written on the various aspects of the meanings of femininities, masculinities and gender and transformation.

Nadia Sanger

Nadia Sanger is a feminist researcher, working as a Senior Researcher in the Democracy and Governance Research Programme of the Human Sciences Research Council in Cape Town. Recently awarded a PhD in Women's and Gender Studies, Nadia's research interests include media constructs and identities; feminist epistemologies, feminism and film, and

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Greg Ruiters

Greg Ruiters is Director of ISER at Rhodes University and co-director of the Municipal Services Project. Greg has written about the politics of water privatization, social and environmental justice and was previously a senior lecturer in Political Studies.

Trudy Thomas

Dr Thomas qualified as a doctor at Wits University, and then worked at Baragwanath Hospital. She later served at a number of hospitals in the Eastern Cape. From 1994 until 1999 she was provincial MEC for Health, and is now Director of Masiweneni at Rhodes University. In the course of her career Dr Thomas started training for community nurses and village health workers and organized immunization and nutritional schemes for rural children. She also established homes for orphaned and abandoned children and started a service for victims of domestic violence. She has received a number of prestigious awards, among them the Nelson Mandela Award for Health and Human Rights, an honorary doctorate of law from Rhodes University and the Rotary Club's Paul Harris Award.

Nikki Turner

Nikki Turner is an advocate in the office of the Director of Public Prosecutions. Her working time is devoted almost exclusively to the reading of case dockets relating to serious sexual offences, and ultimately the prosecution of these cases. She is one of 15 advocates in South Africa dealing with prosecuting sexual offenders.