

**Eradicating the patriarchal state: Promoting Women's Socio-economic
Rights and Achieving Gender Equity in the Economic Participation of
Women in South Africa (1994-2017)**

By

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ABSTRACT

This dissertation is a desktop research study that centres on the socio-economic empowerment of women in South Africa. It argues that despite the myriad legislative, institutional and administrative interventions adopted in South Africa since 1994, patriarchy still persists undermining and threatening the welfare and advancement of women in the country. In the study's theoretical framework, it highlights patriarchy as the root of gender inequality from a theoretical point of view to a practical viewpoint while revealing the mother of patriarchy as being social institutions, e.g. the family, the school and the religious institutions. In pointing out socio-economic factors that affect gender equality, the following are deliberated on: Poverty and inequality; education; access to the labour market and economic participation; access to credit, land and property and the impact violence has on the participation of women in the economy. A discussion on different feminist traditions considers how the above-mentioned factors contribute to the disadvantaged position women find themselves in and narrows them all down to Colonial Feminism as the most applicable theory to be applied in South Africa.

In the discussions, various elements are brought into play, i.e. historical and incumbent socio-cultural dynamics that influences the socio-economic empowerment of women. This study interrogates the roles of the Commission on Gender Equality as a section 9 institution of the Constitution (1996) and the Department of Women as an administrative body set out by the president to assist in fulfilling South African targets as far as its international commitments to achieving gender equality. It also acknowledges the influence that civil society has on the said institutions put in place in raising awareness and the application of women's rights as set out in the Constitution. Through this narrative, the author hopes to liberate women out of their socio-economic disadvantages. This is on the premise that when women are liberated, they are able to make informed and progressive decisions striving for equity so that equality can be a reality.

DECLARATION

I Boipelo Divine Dichabe, declare that the contents of this dissertation hereby submitted by me for the fulfilment of a Masters in Governance and Political Transformation degree at the University of Free State, is my own independent work and has not been submitted by anyone including myself previously at any other University.

I further declare that I am aware that the copyright of this document is vested in the University of the Free State.

Divine Dichabe

DATE:

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DEDICATION

This work is dedicated to my late grandmothers, Vella Molefe and Isabelle Dichabe, and my daughter Khumoetsile, without whom I would not have a reason to burn the midnight oil to finish this work.

I hope she grows to benefit from the likes of this study and also strives to better the position of women in all she does in her journey.

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ACRONYMS

ABET	Adult Basic Education and Training Act
ANCYL	African National Congress Youth League
APRM	African Peer Review Mechanism
AU	African Union
BBBEE	Broad-Based Black Economic Empowerment
BEE	Black Economic Empowerment
BLF	Black Land First
BRICS	Brazil, Russia, India, China and South Africa
CCMA	Commission for Conciliation, Mediation and Arbitration
CEPAL	United Nations Economic Commission for Latin America and the Caribbean
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CGE	Commission for Gender Equality
DEVAW	Declaration on the Elimination of Violence Against Women
DoL	Department of Labour
DOW	Department of Women
DPSA	Department of Public Service and Administration
DTI	Department of Trade and Industry
EPWP	Expanded Public Works Programme
GCIS	Government Communications Information Systems
GDP	Gross Domestic Production
GFP	Gender Focal Points
GII	Gender Inequality Index
IPU	Inter-Parliamentary Union
MC	Master of Ceremony
MDGs	Millennium Development Goals
NCWSA	National Council of Women in South Africa
NEPA	National Education Policy Act

NGM	National Gender Machinery
NPF	South Africa's National Policy Framework for Women's Empowerment and Gender Equality
NPO	Non-Profit Organisations
OPP	Office of the Public Protector
OSW	National Office on the Status of Women
POWA	People Opposing Women Abuse
PSC	Public Service Commission
RSA	Republic of South Africa
SADC	Southern African Development Community
SAHRC	South African Human Rights Commission
SASA	South African Schools Act
SDGs	Sustainable Development Goals
STEP	Science, Technology, Engineering and Physics
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNWomen	United Nations Women
UPE	Universal Primary Education
USA	United States of America
WEF	World Economic Forum
WEU	Women's Empowerment Unit
WHO	World Health Organization
WNC	National Convention the Women's National Coalition

CHAPTER ONE: BACKGROUND AND METHODOLOGY

1.1 INTRODUCTION AND BACKGROUND

“Gender equality and/or equity is one of the major challenges facing democratic governance in Africa as a whole and the Southern African Development Community (SADC) region in particular” (Gender Links, 2010: VI). Note should be taken, however, that this challenge is not a phenomenon only affecting Africa but is a worldwide predicament. It is a historical injustice that remains on the international agenda. For example, gender equality has been consistently on the United Nations (UN) agenda as Goal 3 of the Millennium Development Goals (MDGs) which aims to promote Gender Equality and Empower Women, and now as Goal 5 of the Sustainable Development Goals (SDGs) (Gender Equity, UN, 2016). It has become an issue that is continuously being tackled by gender activists, continental and global union members and governments on a continual basis.

Since the pre-colonial and colonial era, African women have been deemed to be of lesser worth, including by their own fellow African men. In her book, *Women's studies and studies of women in Africa During the 1990s*, Mama (1996:5) highlighted that “...African and European men shared the idea that African women were inferior beings who should be kept under male control”, hence the development of inflexible customary laws so as to compel women to stay in marriages. She further states how this highlighted the way in which indigenous and European structures of patriarchal control reinforced and transformed one another, evolving into new structures and forms of domination (Mama 1996:13).

It is on this account that one is tempted to question the validity of the traditional ‘African culture’ particularly taking into consideration customary law practiced throughout the continent and in South Africa in the case of this study. This latter point made on ‘questioning the validity of the African culture’ thus gives rise to

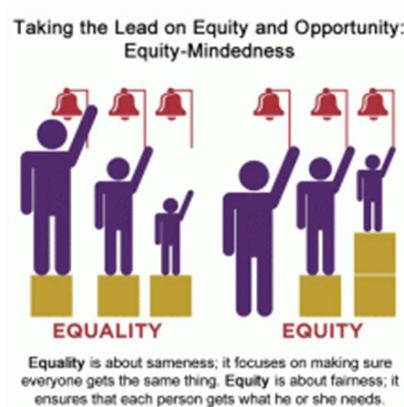
the concept of 'culture distortion'. Culture distortion will thus refer to the distortion of cultural practice or rather the evolution of traditional practice that has evolved in both practice and meaning over the years. In this regard, it is noted that what is referred to as cultural practice today is not necessarily what was practiced years ago and the meaning therefore has also been lost in the evolution or rather the meaning has thus acquired a new interpretation for which it applies in today's terms. Mama (1996:14) emphasizes this argument in giving an example of the tradition of Lobola changing from being symbolic to becoming a significant source of income that fathers could rely upon to cover their financial obligations. Taking this into consideration, one then assumes that there is nothing absolute, to truly back up what is regarded as 'cultural practice' as far as the discrimination and subjugation of women is concerned, except that it is socialized culture, from generation to generation across nations that is happening at varying levels internationally.

This study deals with a very sensitive and complex question, namely the relationship between patriarchy, gender equity and the socio-economic factors that affect the economic participation of women in the South African public and private sectors. According to the United Nations Educational, Scientific and Cultural Organization (UNESCO) (2003:1), "gender refers to the roles and responsibilities of men and women that are created in our families, our societies and our cultures." The latter question has been labelled 'sensitive' because of its controversial nature, and 'complex' because it has several relative connotations. Its different meanings are often confused and at times used interchangeably, to name a few: gender equity, misogyny as well as, but not limited to, feminism. These are concepts that one reads about in newspapers, magazines, books, journals and blogs on the internet, opinion pieces, speeches of political leaders and social activists. Another individual who made mention of this subject was former Prime Minister of Australia, Julia Gillard, who in a speech to parliament while addressing the issue of sexism described misogyny as "an entrenched prejudice against women" (*The Sydney Morning Herald*, 2012). To create a better

understanding of the study undertaken in this document, it is appropriate to explain and contextualize some of the concepts mentioned.

Gender equality and gender equity are oftentimes used interchangeably but do not necessarily bear the same meaning. According to the Office on the Status of Women (OSW) (2000: xviii) gender equality refers to a situation where both sexes (males and females) enjoy equal access to social goods, services and resources and equal opportunities and conditions in all spheres of life, enabling them to realize their full human rights and potential. This is already the case in South Africa procedurally in terms of the constitution and which informs policy. Gender equity applies when the different ways men and women experience life is taken into consideration and compensation is made to redress historical and social disadvantages of women to achieve fairness.

Figure 1: Equality vs Equity



Source: Association of American Colleges & Universities, 2015

As illustrated in Figure 1 above, in the case of equality every person is given the same benefits (in the form of boxes) to enable them to reach their target (the bell) regardless of their apparent disadvantages. This still leaves the most disadvantaged people on a lower level than the most advantaged ones. In the case of equity, the shortcomings of the least advantaged is taken into consideration in order to place them on an equal footing with those who are more advantaged than they are (translating into more boxes given to the less

advantaged to provide them with the same level of access as everybody else). When equity is applied and everyone is on the same level, every person is then able to enjoy equal benefits as those who were previously more advantaged when granted equal opportunities. In essence, women's lower status in society (due to historical and social disadvantages) is often a handicap and in order to make up for that lower status, equity or provision should be made for addressing this inequality before they can take advantage of the 'equal' opportunities granted. Therefore, equality is not enough if it does not put women on the same level as men. To elaborate further, consider this example: if the Mayor of the City of Tshwane decides to hold a swimming competition for all the pupils of Pretoria schools to win a bursary, given that he has opened the competition to 'all' pupils in Pretoria looks and seems fair and constitutes equality because 'all' pupils are given the opportunity to win. However, when one takes into account that there is a sizable percentage of those pupils who cannot swim, equal opportunity then becomes exclusionary in that the pupils who cannot swim are automatically excluded. For the Mayor to truly make this opportunity equal for 'all', he first has to make sure that 'all' the pupils of Pretoria can actually swim before the competition, perhaps by organizing swimming coaches, making a pool and transport available for those who cannot swim and most importantly giving them enough time to train and practice prior to the competition. This constitutes equity or levelling the ground so that all pupils are on the same level of aptitude, otherwise the competition will not equally benefit all the pupils of Pretoria. This is where one is likely to hear of the expression, 'some are more equal than others', referring to similar cases where equity was not applied for opportunities to be truly equal. 'Equity' in the economic sense is what will be dealt with in this research study.

Secondly, feminism, "a troublesome term" as Beasley (1999: ix) calls it, "is one of those terms that defy simple explanation". One could say that it is open to interpretation depending on context. However, when it comes to the African stereotypical understanding of the concept, most Africans view feminism as something 'unAfrican' and therefore Western (Mama, 1996: 5). For the purpose

of this study, however, a definition proffered by Heywood (2007: 230) will be used. Heywood (2007: 30) defines feminism as being consistently linked to "...the attempt to advance the role of women". He describes feminism as being defined by two basic beliefs; firstly, that women are disadvantaged due to their sex and that this disadvantage should be overthrown; and secondly, it challenges the "mobilization of bias" that has traditionally operated within political thought whereby men are reluctant to examine the privileges and power their sex has been enjoying and how that has served to keep the role of women off the political agenda.

The title given to this research study is: Eradicating the patriarchal state: Promoting Women's Socio-economic Rights and Achieving Gender Equity in the Economic Participation of Women in South Africa (1994-2017). The intention of this dissertation is to interrogate factors that cause bottlenecks in realizing policy and legislation as a practiced culture, with regard to socio-economic enablers and impediments to women's economic participation in South Africa. It also aims to investigate if country-specific interventions such as, for example, the Commission for Gender Equality (CGE) and the Department of Women (DOW) from the government and the civil society established to reduce the gender gap and escalate female economic participation in South Africa, are appropriate strategies to address gender equality. This will be done in the hope of determining the significance of the role women and men play in leadership positions in achieving gender parity. It will also examine the linkage between the political and social factors to the economic ambit in practice.

The South African Constitution is the most essential guide to help to build a South Africa that is non-racial, non-sexist and prosperous. In Chapter 1(1), the Constitution (Republic of South Africa (RSA), 1996: 3) states, "The Republic of South Africa is one, sovereign, democratic state founded on the following values: (a) Human dignity, the achievement of equality and the advancement of human rights and freedom, (b) Non-racialism and non-sexism." It also states in Section 9(2) that equality includes the full and equal enjoyment of all rights and freedoms.

To promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.

South Africa is a signatory to the international conventions such as the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) (1979) and the Beijing Platform (1995). South Africa is also a member of the African Union (AU) that conceded the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa. The AU "also adopted the Solemn Declaration on Gender Equality in Africa, 2004; the Maputo Plan of Action for the Operationalization (sic) of the Continental Policy Framework for Sexual and Reproductive Health and Rights, 2007-2010; and the AU Gender Policy, 2009" (Olowu, n.d.:5), making sure women are the focal point with regard to sustainable development, peace, regional integration and economic growth in Africa.

In the Solemn Declaration on Gender Equality in Africa of 2004 an agreement was made to accelerate the participation of gender-specific economic, social, and legal measures on epidemic diseases like HIV/AIDS and malaria, to ensure participation and representation of women in peace/conflict processes and to activate a Trust Fund for Women for development purposes while taking into account the low levels of women representation in social, economic and political decision-making structures as well as the digital divide between men and women and the role of information telecommunications technologies in the advancement of gender issues. The Maputo Plan of Action for the Operationalization (sic) of the Continental Policy Framework for Sexual and Reproductive Health and Rights, 2007-2010 was a three-year plan which was extended to be in full effect by in 2015, aimed at advancing Africa to achieve full sexual and reproductive health provision. The 2009 AU Gender Policy captures the decisions and declarations of the AU member states in the advancement of gender equality and the operationalization of assembly commitments. Recently as per AU (2016), South Africa was part of the 8th African Union Gender Pre-Summit on the 2016

African Year of Human rights whose objective, among others, was to identify how national regulations and policies and practice can collaborate strategically to improve the financial inclusion of women in the formal society while stimulating dialogue on the opportunities, gaps and solutions for improving the economic empowerment of women.

The topic for this dissertation was inspired by the current attention and hype created around racism in South Africa, while misogyny and gender inequality remain overlooked as forms of discrimination that is still being perpetrated daily worldwide. For example, reference can be made to a recent incident in a social media attack on a member of the Democratic Alliance political party, who referred to black people as monkeys on social media (Wicks, 2016)). Susan Shabangu, the Minister in the Presidency responsible for the Department of Women (DOW) (2015:3) states, “In South Africa, discrimination against women was compounded by the apartheid system, which resulted in triple oppression for black women in terms of race, gender and class...”.

Living in the 21st century, therefore, and taking into consideration the political, social and economic landscape, it may appear that ‘gender inequality is to all women what apartheid was to blacks with misogyny being what racism feels like.’ Michael Kimmel, a Professor of Sociology specializing in gender studies at Stony Brook University in New York, in his TED talk on ‘why gender equality is good for both men and women’, compared gender to privilege. He elaborated by pointing out that privilege is invisible to those who have it (Kimmel: 2015). In essence, the point he was making can be put into context by stating that men do not wake up feeling challenged by the responsibilities, implications, challenges and expectations that come with being a woman because they are not the ones who experience marginalization from the social, economic and legislative systems due to their gender or gender orientation.

Gender equality is further deemed relevant because it deals with a subject indicative of the infringement of core human rights of others due to their sexual

or gender orientation. Gender inequality can be deemed an impediment to good governance. According to the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) (n.d: 1-2), good governance ensures that the views and voices of the minorities and the most vulnerable in society are taken into account and are heard in decision-making. UNESCAP further suggests that participation by men and women is key to good governance. Gender inequality threatens two of the basic needs of humans, particularly of women in this case, namely safety and self-actualization. Mullins (2004:480) uses Maslow's hierarchy of needs to outline the respective needs, namely the safety needs: these are said to encompass safety and security (which is a human right), freedom from pain or threat from physical attack, protection from danger or deprivation and the need for predictability and orderliness (in the case of violence against girls and women which will be elaborated on in the problem statement). The second one relates to self-actualization needs: these are the development and realization of one's full potential, meaning that the person has the opportunity to reach their full potential by being all they are capable of becoming. This latter need covers the right of women to develop themselves in their careers and contribute to the mainstream economy without any social or economic prejudice. This is the main focus of this study which will also be drawn on in addressing the problem statement.

Where gender equality is concerned, according to the former United Nations Secretary-General Ban Ki-moon not all the MDGs were met worldwide and progress has been uneven across countries, leaving millions of people lagging behind especially the poorest and, among others, those disadvantaged due to their sex, age and geographic location (UN, 2015: n.p.). South Africa was one of the countries that did not meet the required UN targets. It highlights the -ritical elements of the gender equity issues and factors influencing the gender equity pandemic.

The UN (2015) is of the belief that "gender equality is not only a fundamental human right, but a necessary foundation for a peaceful, prosperous and

sustainable world”, adding that the inclusion of women in the labour, education and political decision-making processes and educating girls will fuel sustainable economies and benefit societies and humanity at large. The current president of South Africa, Mr Jacob Zuma (DOW, 2015:2) has also acknowledged that “...the more women are involved in economic activities the economy grows faster” as most women are often anchors in their families. Governance, then, is not necessarily the sole responsibility of the government. Instead, it belongs to all individuals who can influence the decision-making process to their benefit. This gives rise to the suggestion that the actual implementation of policy is far more difficult than the establishment of that policy.

Catherine Russel, a United States of America (USA) ambassador at the US-China Women’s Leadership Exchange Dialogue (2015), reiterated a point made in the previous paragraph about governance not only being a responsibility of the government but of everyone involved.

...empowering women is a complex challenge that requires a collaborative solution - one where we can all play a role... As a policy maker, you can pass laws for fair pay. As a government official, you can start programmes that break down barriers for women entrepreneurs. As a business leader, you can change your company policies to make things easier for working families. As an entrepreneur, you can share your knowledge of where the barriers remain, and extend a hand to the women coming behind you. As an academic or researcher, you can help us better understand the challenges women and girls face around the world, and help to quantify the social and economic benefits of gender equality. As a member of the civil society or the press, you can hold us accountable to our promises, press for new commitments, and shine a light on the everyday realities of women and girls.

This is an exhibition of an inclusionary approach to gender transformation that can also be tested in South Africa for future research studies.

This study is based on the following statement Jackson (1998:16) made:

“[m]en have controlled most resources owned by institutions, especially those associated with organized economic, political and military activities... Most men have had more money, more authority, more of other resources than the women in their social milieu. Most women have depended on men to connect them to the public realm and have deferred to men’s authority... Men have applied the techniques of direct power to women – by physically intimidating and assaulting them – more than women have used those techniques against men... Men and male attributes have been, on balance, more highly regarded than women and female attributes in the prevailing ideals and beliefs.”

1.2 PROBLEM STATEMENT

“Despite the plethora of policy statements” (Olowe, n.d.:14) and legislative pronouncements supporting gender equality in South Africa; evidence of men still being socially, politically and especially economically dominant is on the rise. It is evident that some progress has been achieved in terms of women’s political participation. For example, according to the World Economic Forum’s Global Gender Gap report (2012) as noted by the Government Communication Information System (GCIS) (n.d.), South Africa was ranked fourth in the world for the greatest number of women in parliament. Currently, South Africa is ranked tenth of 193 countries with women constituting 42.5 per cent of representatives in parliament according to data submitted by national parliaments to the Inter-Parliamentary Union (IPU) on 1 June 2017 (IPU, 2016). These numbers indicate that South Africa is doing well in women’s political participation but not in terms of the socio-economic equity and socio-economic participation of women. As the main theme of this study, the term socio-economic will be expanded on.

The English Oxford Living Dictionary defines the term ‘socio-economic’ as “[r]elating to or concerned with the interaction of social and economic factors.” Empowerment on the other hand is defined by OSW (2000: xvii) as referring “...to the process of ‘conscientisation’ which builds critical analytical skills for an individual to gain self-confidence in order to take control of her or his life.” Therefore, in an attempt to bring this into the context of this study, the term ‘socio-

economic empowerment' will refer to a process of making women aware of all social influences (be it cultural, religious, educational or even class) that determine their economic status, behaviour and participation to allow them to transform themselves from the disadvantaged position that many find themselves in, in order to better their lives.

Socio-economic factors are social factors that have an ultimate consequential effect on the economic standing of people. According to the United Nations Development Programme (UNDP) (2014) Gender Inequality Index (GII), South Africa outperforms its fellow BRICS (Brazil, Russia, India, China and South Africa) countries in all respects, including education, female representation in government, maternal maternity ratio, except for labour participation (an aspect that is deemed fundamental for poverty eradication). For instance, in relation to education, South African females receive an average of 9.8 years of education whereas females in Sub-Saharan Africa only receive an average of 3.7 years (DoW, 2015: 29). While South Africa is ranked "first globally in terms of health and survival, and 12th globally in terms of political empowerment, it ranked 83rd and 85th for economic participation and opportunity and education attainment respectively" (DoW, 2015: 30). Corrigan, (2015:1 of 2) identifies South Africa as one of six African countries that have common socio-economic problems, the others being Ghana, Rwanda, Kenya, Algeria and Benin. He adds, "Among the common problems are unemployment, access to land, weak educational systems, gender discrimination, and poor health care systems." Corrigan (2015:2 of 2), also notes the existence of a survivalist mentality, cultural and traditional practices, absence of skills, corruption and a lack of political will" as being significant barriers to development. More often than not, socio-economic factors are found to have had a long history of origin within societies and need a radical approach to be eradicated. The African Peer Review Mechanism (APRM) (n.d.:1 of 1) mentions the promotion of gender equality and new partnerships between governments, the private sector and civil society, and also apportioning suitable funds to the social sector as being crucial in promoting socio-economic empowerment.

To empower women, a state needs to ensure it finds and applies sustainable development methods of empowering self-reliant women to eradicate poverty. South Africa, as indicated, has a strong legislative and somewhat resilient institutional framework. However, from observation stronger policies are necessary to achieve the desired outcomes as far as socio-economic empowerment is concerned. 'Stronger policies' refers to policies that are unambiguous in proposing necessary action. This could possibly assist, in turn, in translating to correctly interpreted and viable implementation plans that will result in more noticeable results that can be adeptly monitored. Chitiga-Mabugu et al. (2014:19) suggests that programmes aimed at economically empowering women should be monitored in such a way so as to ensure that women are the main beneficiaries and that these programmes bring change to communities by facilitating economic activity that will challenge patriarchal gender relations.

The socio-economic participation of women is poor despite the fact that the South African Constitution (1996) contains possibly the strongest model and institutional framework for the promotion and protection of women's rights on the African continent (Olowe, n.d.:7). In essence, South African policies and the legislation put in place to create an enabling environment for women's economic participation is only progressing in reaching target quotas on paper and not addressing realistic socio-economic concerns and requirements for women's socio-economic empowerment.

For instance, in South Africa there is the Maintenance Act 99 of 1998 which is intended to ensure that parents comply with their responsibility of providing for the well-being of a child and/or a spouse financially. However, there are still cases of women abandoning children and the incidence of men abandoning unemployed pregnant women and children without financially contributing to their upkeep does not appear to have reduced. A further example is seen with the Sexual Offences and Related Matters Act 32 of 2007 that has brought about the greater criminalization of sexual offences, but has not significantly contributed to

a reduction in the incidence of rape in the country, as well as sexual harassment in the workplace. Caglar, Prúgl and Zwingel (2013:2) describes “gender mainstreaming” as a policy management tool that organizations use to ensure that gender equality norms become embedded in the operations of the organization.

South Africa has seen the promulgation of several laws that were particularly aimed at benefiting and protecting women, including, *inter alia*, the Sterilisation Act, the Recognition of Customary Marriages Act, the Employment Equity Act, the Equality Act, the Broad-Based Economic Empowerment Act, the Choice on Termination of Pregnancy Act, the Domestic Violence Act, and the Promotion of Equality and Prevention of Unfair Discrimination Act. Pieterse-Spies (2013:678) identifies these as the laws that “legalized abortion, criminalized violence against women and tightened up regulations to ensure that defaulters on maintenance payments could be prosecuted.” However, the Promotion of Equality and Prevention of Unfair Discrimination Act remains to a large extent legislation that does not benefit the majority in practice. The promulgation of these progressive laws was influenced by associations within and between women’s movements and political structures in the country, and these organizations could still be considered as a possible future strategy if implementation can be strengthened.

Women continue to be negatively impacted by the subordination, subjugation and exploitation prevalent within the political, economic and social realms. For example, “over half of the women of Gauteng (51.2%) have experienced some form of violence (emotional, economic, physical or sexual) in their lifetime and 78.3% of men in the province admit to perpetrating some form of violence against women” (Gender Links/Medical Research Council, 2010:1). A Nigerian feminist author Chimamanda Adichie (2014:28) states that girls are taught to shrink themselves and not be too successful; for instance, in order to not intimidate a man and when a woman is a breadwinner in the relationship she should in the public space pretend she is not the breadwinner to avoid ‘emasculating’ the man. A number of scholars, including Manzini (2014:17), Everett and Charlton

(2014:13), Mama (2006:1-15) and Olowu (n.d.:7), are of the view that females have over time experienced, and continue to experience, serious challenges in their attempts to gain recognition and influence within the home, the private and the public sectors.

According to Olowu (n.d.:5), African and non-African scholars and activists often use African states as the focal point of all practices that are humiliating to women. Such scholars and activists list, among others, female genital mutilation; forced marriages; sexual slavery; domestic violence; social exclusion; denial of rights; gender stereotyping; and patriarchy. There is a growing collective feminist voice being raised to counter these practices, in addition to Chimamanda. Ngozi Adichie is a novelist and self-professed feminist and activist, Dr Jessie Kabwila-Kapasula is an academic, a feminist and activist and Gwendolyn Mikkel is a feminist academic in political and social anthropology with research interests in Africa. As Mama (1996:5) explains, “according to the collective imagination, a ‘real’ African woman is content with her subordinate position as wife, mother and beast of burden. She is passive in the face of abuse, tolerant of all forms of infidelity; her only real ambition is to retain respectability by labouring for the maintenance of a stable marriage and family and seeing to the satisfaction of her husband’s desires”. These are merely some of the expositions that exist within the gap this study will be examining: the ‘elephant’ standing between the initial development of policy and the desired implementation and outcomes that will be of benefit to women.

South Africa has three indicators that it is required to deliver on as far as its international commitment to CEDAW (1979) and the Beijing Platform (1995) is concerned. These are the participation of women in political decision-making, women’s access to professional opportunities, and lastly, the earning power of women and their participation in the economy, as encompassed in the (National Policy Framework for Women’s Empowerment and Gender Equality; (DoW, 2000:48).

Given the above statement, Statistics South Africa's (Stats SA) economic empowerment report (2001-2014:177-178) indicates the negative gap in the economic participation rate of male and female to have remained consistent for the period 2001-2014. Factors noted as restricting women from participating in the economy include, amongst others, the presence of minor children in the household, level of literacy (educational level), gender stereotypes and teenage pregnancies. Mfanolezwe Shoji, the acting Chairperson of the Commission for Gender Equality has also identified what he considers to be the top ten challenges to women's empowerment, some of which are also reflected in the report from Statistics South Africa. These are discussed below.

1.2.1 Patriarchy

Patriarchy is a "social organization marked by the supremacy of the father in the clan or family, the legal dependence of wives and children, and reckoning of descent and inheritance in the male line; broadly: controlled by men of a disproportionately large share of power" (Webster, 1828: n.p.). As noted, the Stats SA (2015:178) report has also revealed gender stereotypes as one of the voluntary contributory factors that undermines the participation of women in the labour force. The three stereotypes tested are that a good woman is one that maintains the best home, the second one being that child rearing is a woman's responsibility, and lastly, that certain jobs are for females and others for males. It seems that married/cohabitating women are the least likely to participate in the labour force based on these stereotypes as contributory factors. Patriarchal cultural norms are thus responsible for females assuming a position of subservience both in their homes and in the society.

1.2.2 Poverty

Poverty relates to service delivery in that its symbolic elements include hunger, basic survival needs like clean water and sanitation, poor health, limited and/or lack of financial resources, humble living conditions, and illiteracy. A concept that

has been adopted by recent researchers is “the feminization of poverty”, meaning that poverty predominantly affects women and girls more than it affects men, some as a result of female-headed households as a result of divorce, widowhood and abandonment (men leaving women pregnant or with children and not taking care of them), single parenthood from teenage pregnancy or HIV/AIDS orphanhood. The lack of basic services, particularly for women, has a ripple effect on children of both sexes, care for the aged and ultimately on the economy, especially because it also affects population growth. According to Russel (2015:n.d.), “...healthy economies need healthy women.” According to the Stats SA report (2015:33), increased income for females in the economy can have an impact on raising the overall income for households and that in turn increases their chances for better access to and control over resources, and can have a statistically significant impact on poverty reduction.

1.2.3 Violence against women

Violence against women can take different forms including sexual, emotional and physical violence. These forms are all in one way or another linked to patriarchy in that it is a way that some men exercise their control over women as they are generally stronger than women physically. The extent of violence against women internationally is very high; for example, of married women and those with partners in China about 40% are victims and about a third of women in the United States have been abused by their intimate partners (Russel, 2015). South Africa is no exception. One particularly evident pattern that emerges in most studies and observations is in high levels of sexual and physical violence among married women and women with an intimate partner. Evidence from the World Health Organization (WHO), London School of Hygiene and Tropical Medicine and the South African Medical Research Council (2013:2) indicates that 35% of women worldwide have been victims of either physical and/or sexual abuse over and above many other forms of abuse that women are exposed to. According to the WHO (2013:2) most of this violence is perpetrated by an intimate partner, which varies between 30% and 38% worldwide. This contributes to the perception that

gender inequity emanates from the home environment (private space) making it difficult for women to exercise their rights and freedom outside (public space) the family structure. This is where the link between patriarchy, gender based violence and limitations of women in pursuit of self-actualization manifests, which in this case relates to socio-economic participation or exposure.

1.2.4 Involvement of men in women empowerment matters

Earlier in this chapter, the concept 'gender' was defined as being inclusive of both men and women. According to the SOCI 1101 (2016), the involvement of men is important in promoting the rights of women and gender equality to promote responsible sexual behaviour and sexual respect between partners, with the emphasis on changing men's behaviour and attitudes about women. The Statistics SA report (2015:177) has noted that among the obstacles of women participating in the mainstream economy is their family responsibilities, providing care for the aged and especially caring for minor children. Therefore, if men took up some of the responsibilities in the household, this would better enable the women to participate equally with men in the educational, political, economic and social spheres of life. This research provides statistics that show an increase in female headed households. This contributes to economically empowering women and the increase in female breadwinners which benefits the economy.

It is thus important to note the significance of the inclusion of men in empowering women to attain gender equity, hence the importance of a gender mainstreaming culture. According to CEDAW (2001:2) the empowerment of women translates into women being free and able to articulate their needs and priorities while also playing an active part in ensuring these needs and interests are promoted consistently. For example, Visvanathan, Duggan, Wieggersma and Nisonoff (2011:124) provides evidence which supports the view of male irresponsibility as a striking feature of the social landscape of Botswana which has a high number of female-headed households, with 50% in the rural areas and 44% in the urban

areas (Ministry of Labour and Home Affairs, 1996:8). The reasons for this are viewed as being the escalating separation of sexuality, marriage and parenting.

Figures from Statistics SA (2015) indicate that married/cohabitating females had the lowest economic inactivity rates of the three marital status categories (being married/cohabitating, divorced/widowed, and never married) with 12% in 2001 and 15% in 2014. Those who never married had the highest inactivity rates with 53.5% in 2001 and 55.1% in 2014 across the board. Though the inactivity was generally higher with both sexes where people were also illiterate as compared to their literate counterparts, females were the most affected with the highest degree of inactivity. This could either suggest that there might be more jobs that require masculine physical capabilities that women cannot necessarily take part in or a result of gender role stereotypes. This suggests that women need to increase their knowledge both formally and informally in order to participate more or rather capitalize in the market that the illiterate males with physical advantage cannot penetrate. This could then put women in better positions to make decisions. According to Statistics SA (2014:135), “figures suggest that, as females become educated, the more likely they will enter the labour force market”.

Even where women do progress to positions of authority and influence, they often experience undue challenges. For example, Advocate Thuli Madonsela, former Public Protector of South Africa, has been subjected to gender stereotyping by male counterparts in the discharging of her duties. For example, the Deputy Minister of Defence and Military Veterans, Mr Kebby Maphatsoe, accused the Public Protector of being a spy (City Press, 2014: n.p.), and members of the African National Congress Youth League (ANCYL) were called to order after referring to Advocate Madonsela as the “woman with the ugly nose” and also in need of a boyfriend to keep her occupied.

In an international survey by the Centre for Work-Life Policy in America, Kellerman and Rhode (2007:5) found that female executives were more than

twice as likely as their male counterparts to delay marriage or child rearing to establish a career, and 12% of women, compared with only 1% of men, decided not to have children. This is an indication that child bearing and rearing does not necessarily have a negative impact on men's lives.

According to Albertyn (as quoted in Pieterse-Spies, 2013:11) it is necessary to pose the question of whether the failure to reduce concrete gender inequalities is the result of the inevitable structural difficulties of transforming a fundamentally unequal society, or whether it signifies a deeper problem of according a low priority to gender equality in the South African democracy. Pieterse-Spies (2013:678) further argues that strong civil society organizations have meant that women were able to advocate for policies and laws that enshrined rights that benefited women and that gender issues were firmly on the legislative agenda. Focusing on the comprehensive operational structure of the law despite the presence of seemingly sound legislation, the ultimate aim of these laws, which is to navigate society towards a certain way of belief and consequent action, has thus far proven to be a distant and somewhat unachievable goal. Therefore, women's movements in South Africa need to go further than their apparent victory in transforming their voices into legislation and policy to conquering the social, cultural and economic environments with unrelenting persistence. This provides the background for the research question that the study aims to examine, namely: "How has the socio-economic empowerment of women been achieved in the new South Africa, procedurally and substantively?"

1.3 AIMS AND OBJECTIVES

The aim of this study is to interrogate procedural interventions towards the socio-economic empowerment of women in South Africa in relation to their substantial application given progress to date (2017).

This study aims therefore:

- To identify socio-economic factors that preclude the materialization of gender equity in the South African economic sector with patriarchy as a point of departure.
 - In this objective the researcher will analyze both socio-cultural and socio-economic dynamics.
- To determine progress made between the development of the South Africa's National Policy Framework for Women's Empowerment and Gender Equality (NPF) and the report on the Status of Women in the South African Economy, considering the findings and recommendations from Statistics SA Gender Series Volume I: Economic Empowerment report 2001-2014.
 - This study will establish synchronicity between these three government documents which should be talking to each other. The contents of the policy should reflect the results and recommendations of the Statistics SA report and particularly the DoW (2015) report.
- To ascertain whether the Department of Women (DoW) and the Commission for Gender Equality (CGE) are appropriately applying strategies to realize socio-economic gender equity in compliance with international obligations.
 - In this, the mandate given to these two institutions versus progress made thus far with specific reference to gender equity as defined in the introduction of this document will be assessed with reference to the socio-economic participation of women.
- To determine the influence of civil society in governance and the advancement of socio-economic empowerment of women in South Africa.
 - The role of civil society in this context will be elaborated on.

1.4 METHODOLOGY

This study is predominantly qualitative in nature because "...qualitative research focuses on descriptions" whereas "quantitative research involves counting [frequencies] and comparing" (Maree and Van der Westhuisen, 2009:7). Since one does not want to lose "...the ability to analyze the commonsense world and

its culture...”, a Phenomenologist approach will be taken so as to “...make sense out of the informant’s perception of the world” (Babbie, 2013:335). Neuman (2011: 87) quotes Verstehen who felt that one must learn the personal reasons or motives that shape and guide one’s internal feelings and decisions to act in a certain way. This study will explain and describe in some detail instances where women feel and possess the belief that they are meant to be submissive and servile to men and that occupying leadership positions and participating in the mainstream economy is a sign of disrespect to their male counterparts. For instance, this study will examine the behaviour that affects women’s participation in mainstream economy and from the preparatory research done thus far, the assumption is that this behaviour relates to how women are treated. If one was to consider empirical data alone, it would deprive the researcher of exploring other possible factors that might emerge from the study, had one factored in understanding the context first. “The validity of qualitative designs also encompasses the degree to which the interpretations and concepts hold common meaning for the participant and the researcher...” (Maree and Van der Westhuisen, 2009:34). In other words, the methodology used in this study will enable the results and the analysis to be transferable, meaning that it will be applicable beyond this particular research project. The theoretical framework will also guarantee a level of dependability based on the theory produced from existing theories, the desktop data collection method and how the data will be analyzed.

Although this study would have been suited to a participatory paradigm traditionally linked to the critical tradition, the nature of the topic in itself has a feminist research characteristic which ultimately hopes to make a difference in women’s lives for the better. Nonetheless, a phenomenological route was selected so that the researcher can “generate ideas from rich amounts of data by means of induction and human interest” as Dudovskiy (2016) explains. Babbie (2013:429) argues that numeric testing has often verified the findings of in-depth, qualitative studies and that using a combination of both qualitative and quantitative analysis can be effective. Since this study will be purely a desktop

study, the use of statistical data will play a fundamental role in validating assumptions and locating the topic in context. However, as indicated, the analysis will be primarily qualitative. It should, however, be noted that to ensure the validity and reliability of this study, a combination of methods in executing the methodology is preferable.

In the objectives listed above, it was pointed out that there will be an examination of legislation and policy documents versus a report of findings of practical implementation using a qualitative approach. The main statistical data used will be reports undertaken by Statistics SA and other research houses including status reports from the DOW and the CGE. Within that content is data from interviews conducted on stereotypes and also data collected for the status of women in the South African economy report. Other supporting information on statistics will be secondary in that it is information collated from speeches and other research studies done by other researchers to build on the argument. Babbie (2013:295) explains the latter as “content analysis”, which is the study of recorded human communications like books, speeches, websites, laws, magazines, newspapers and constitutions. On that account, an element of content analysis will feature in this study as part of the question the researcher will address in relation to gender stereotypes. There is a trajectory of the kind of sources mentioned above in the introduction and the problem statement sections. According to Mouton (2001:53), “Real-life problems occur in world 1”. Given that this research problem is a real-life problem, addressing empirical questions using an exploratory method of study will be a practical and relevant approach.

This study will test grounded theory as the methodology. Grounded theory according to Strauss and Corbin (1998:43-46, in Babbie, 2013:336) is an inductive approach characterized by comparing numerous incidents to avoid biases from interpretation, obtaining multiple viewpoints, constantly checking data against interpretation, maintaining an attitude of scepticism and being flexible in data collection as theories evolve. It has been noted that the problem of inductive reasoning is that “...any proposition based on induction might be

invalidated by a later contrary observation” (Gomm, 2009:172), hence the adoption of what Mouton (2001:118) refers to as “retroductive reasoning”; a form of inductive inference also referred to as the “inference of the best explanation” wherein interpretations from data or observations are used to provide credible explanations of the observed data, behaviour or occurrence.

Theories that will inform this study are the feminist theory “...as it has been motivated towards improving the social position of women” (Gomm, 2009:134) and their economic position in particular. Different types of feminism will be employed with radical feminism as one of them as it demonstrates the “belief that gender divisions are rooted in the structure of domestic life” (Heywood, 2007:233). In essence, the study will be based on socio-economic exclusion of women with patriarchy as the root cause. The study will also entertain minor elements of Ogburn’s Socio-21 economic theory of social change (Land, 1975: 7) which aligns with the phenomenological approach to be taken in this research.

1.5 RESEARCH DESIGN

Chapter 1: Background and Introduction:

This section of the study will provide historical background to put the topic of gender equity and equality into perspective, also placing the subject in the current context. A discussion on various socio-economic factors will be provided. This chapter will explain the methodology including literature review and present research questions to be dealt with in the research study. This will be done to establish the importance of contributing to the solution of the problem through the undertaking of this study. The subject will then be applied to South Africa where the study is focused. This chapter will serve as a brief conceptual framework which will make it easier for the reader to understand the problem statement. The main aims and objectives of the study will be defined.

Chapter 2: Conceptual and Theoretical Framework:

The principal theories on which this study is based will be explained. Theories to be stated are the various feminist traditions and patriarchy. This will include identifying and describing theoretical perspectives that the study will deal with. Different feminist traditions and patriarchy will be explained with a brief history to give a background for the sake of reliability and validity while concurrently outlining the application of type of theory to the study, thereby placing the data to be collected in context. The theories will then be applied to the South African context to show relevance to this research. It is through this section that one will be able to anticipate the direction the study is to take.

Chapter 3: Procedural Interventions to Promote Socio-Economic Empowerment of Women in South Africa:

This section will list all available procedural advances made towards the achievement of gender equality. The latter effort will be done with specific reference to the procedural interventions that are relevant to the socio-economic participation of women in South Africa with some comparison with the economic status of women on the African continent and internationally to give an idea of the progress of South Africa. This will be in the form of legislation, ratifications to conventions, memoranda of understanding, policies, affiliations and institutions put in place by government as strategies, and most importantly governance tools to assist the advancement of women's socio-economic status. The role of civil society will also be considered.

This discussion will take the form of themes identified in the DoW Status of Women in the South African Economy report (2015) (DoW, 2015), which are poverty and inequality, which will take account of gender relations, access to political power, HIV/AIDS and access to basic needs and resources; education, which will cover access to science and technology, access to the labour market and women's economic participation as one theme; encompassing access to employment, unpaid work and the economic empowerment of women, access to credit, land and property; and lastly, the impact of violence on women's economy.

Chapter 4: De Facto Socio-Economic Empowerment of Women: A Way Forward:

This chapter will investigate the generic causes that preclude the materialization of gender equity policy in the socio-economic participation of women in South Africa considering all the procedural interventions in place as explained in Chapter 3. The main issues that directly and indirectly undermine policy as far as gender equity is concerned are singled out. A list of gender equity and equality legislation will be explained and linked to existing policies such as affirmative action policy to explore the possibility of applying them to real-life practice scenarios in different contexts. As previously mentioned, gender involves both men and women despite the fact that women suffer more as victims of patriarchy. Therefore, this study will deliberate on the role of policy makers and the society and social movements in promoting women's rights socially, achieving gender equity and ultimately mainstreaming gender to promote the participation of women in the economy. The discussion will take a similar format of themes identified from the DoW (2015) report as mentioned in Chapter 3.

Chapter 5: Conclusion:

This is the final section of the study, where the main arguments are summarised and the keyfindings presented. Aims and objectives are compared with the findings to assess whether the study fulfilled its purpose according to its initial intention. Possible solutions to the findings will be suggested. This will be done by highlighting tested assumptions mentioned in arguments made in the study. Such solutions will not necessarily only have been tested in the South African context but include strategies that will have worked successfully in other countries to achieve gender equity and ultimately gender equality as far as the participation of women in the mainstream economy is concerned. This research study will conclude by suggesting further research that will contribute to the advancement of gender equity efforts and culture to other researchers who might wish to advance this area of development.

CHAPTER 2: THEORETICAL FRAMEWORK:

2.1 INTRODUCTION

Du Plooy-Cilliers (2014:55) describes a theoretical framework as the conceptual point of departure and frame of the phenomenon chosen for investigation. Therefore, this section of the research study will act as a guiding principle by which this study will be undertaken. One will have learnt in the previous chapter that the topic of this study is about eradicating patriarchy and achieving gender equity through the empowerment of women so that they are enabled to participate socio-economically. It is through the theories to be explained in this chapter that the discussions will be shaped and influenced.

The content of this study draws upon two theories, namely the feminist theory in its varying forms which considers 'gender equity through women's economic empowerment' in this study. Secondly, patriarchy, also to be referred to as the theory of male dominance addresses the 'eradicating patriarchy' focus of the topic. These two theories upon which this study is based are not clear-cut as there is an overlap of dependence as far as the reasons for participation and non-participation of women in the socio-economic landscape is concerned. This will be explained later in this chapter while putting these theories into perspective and aligning them with the South African context. It is important to note that the feminism theory has varying forms (e.g. liberal feminism, Marxist feminism, radical feminism, and others to be highlighted in this theoretical framework) that are sometimes referred to as theories and sub-theories. However, for the purposes of this study, these sub-theories will be called traditions to avoid misinterpretation. To create a better understanding, various traditions will be discussed so as to give background and context to the arguments that follow. One tradition will form a theoretical departure and path of this entire study, as explained by Jaggar and Rothenberg (1993: xvii in Bryson, 1999: 5): "...feminist theories ultimately are tools designed for a purpose – the purpose of

understanding women's subordination in order to end it". (Below is discussion of the various feminist theories and related traditions are explained below.

2.2. FEMINISM

"Feminist theory is an academic discipline, an area of study, and feminism is a collective/social movement making us aware of gender, its privilege and inequity" (Villaverde, 2008:1). According to Heywood (2007:230), as much as feminist views can be traced back as far as the ancient civilizations of Greece and China with De Pisan's '*Book of the City Ladies*' published in 1405, the term 'feminism' is a twentieth century construct which grew in popularity during the 1960s. First Wave Feminism was characterized by advocating for women's suffrage in order to acquire equal political and legal rights as men. As Heywood (2007:231) explains, "Female suffrage was its principal goal because it was believed that if women could vote, all other forms of sexual discrimination or prejudice would quickly disappear", automatically warranting full emancipation of women and ending the fight of feminism. However, this belief proved contrary when the goal was achieved. The end of the first emergence of feminism (first wave feminism) began when female suffrage was granted, first in New Zealand in 1893, followed by the United Kingdom in 1918 and the United States in 1920 when the 19th amendment of the United States Constitution granted women the vote. South Africa only achieved women suffrage in 1930 when Hertzog, then president of South Africa, granted the right to vote to white women (Anon, 2011:n.p.). One may question if this qualifies as an achievement of suffrage since it only applied to white women and excluded non-white women. Another argument that could be posed in this regard is that white women would enjoy the privileges white men already had, whereas the black men of that time did not have the same privileges as white men, thus leaving the black women out by default.

The realization that suffrage had not attained full emancipation of women was the birth of second-wave feminism. Most feminists and theorists would agree that the 1960s was the nexus of second-wave feminism, and saw the emergence of a

significant cohort of theorists and feminists. These include, but are not limited to, Kellerman and Rhode (2007: 2&4), Heywood (2007:233), Evans (1995:14), Hooks (1984); Singh (1997:24) and Burton (1985:88) who have all commonly quoted the well-known feminist theorist of the 1960s, such as Betty Friedan's '*The Feminine Mystique*'. Robinson and Richardson (1993:58) echo this sentiment in that "[c]onstrutions of 'feminism today' tend to rely upon notions of feminist theory in the past."

Over time the term 'feminism' has been consistently associated with movements that strive to advance women's social status, although Beasley (1999: ix) and others have labelled it a term defying simple explanation. This is partially because of contradictions that exist within the feminism discourse. Evans (2007:14) for instance highlights that Firestone and Friedan both believed that both men and women could and are bound to be equal in future "once stereotypes are changed or barriers removed" but then differ in the kind of society where this equality would be possible. Bryson (1999: 5) is also of the opinion that as much as many women who identify with being named feminists, "...would probably accept Alison Jaggar's 'working definition' which 'identifies feminism with the various social movements dedicated to ending the subordination of women'", it is no guarantee that feminism is a united movement. On the contrary, he notes that, "feminists are profoundly and at times bitterly divided" over goals, methods and at times political priorities.

The one thing that stands consistently with many theorists and authors about feminism is the deviant standpoints various feminists have. There is no common voice. One could compare this with the fight to end the 'apartheid system' in South Africa as having been the common voice among black people prior to 1994. The moment that objective had been attained, the one thing that held black South Africans together was gone. In essence, black people could now observe their individual needs and preferences without the cloud of apartheid hanging over their decision-making influences. Today black people in South Africa have different views, where they might all be against racism but they differ in how it

should be addressed. Some people believe that land expropriation without compensation is appropriate (Huffington Post, 2017:1 of 5) while others feel there is a liberal way to balance the equation. For some citizens, Black Economic Empowerment (BEE) is the antidote, while others advocate for individualism and civil disobedience, such as that seen with residents of Vuwani, a village in Limpopo Province, where a call for a stayaway during local elections resulted in only 1 600 voters out of 40 000 registering to vote (ENCA, 2016: n.p.). Feminism developed on the basis that none of the political ideologies and theories, i.e. Liberalism, Conservatism, Socialism and Marxism seemed to address the subordination of women comprehensively.

2.2.1. Liberal feminism

Friedan's 'The Feminine Mystique' (1963) refers to "a problem without a name" which describes the frustration and discontent which she believed were as a result of the experience a majority of women had from being restricted to the roles of housewife and mother and not having the opportunity to attain fulfilment in a career or through political involvement. Friedan (1963) observed that, "We can no longer ignore that voice within women that says: 'I want something more than my husband and my children and my house'". This observation was the base of what evolved into second-wave feminism.

According to Heywood (2007: 242-243), both the 'first-wave' and 'second-wave' feminism were inclined to ideas and values of liberalism. Liberal feminism placed importance on human beings as individuals as opposed to social groups. In other words, they are of the view that every individual should be measured and judged on the basis of their individual capabilities and character. Liberal feminists advocate for equal rights as men and oppose the discrimination of women. For liberal feminists, "[e]very individual is in constant competition with every other to maximize her or his own self interest (sic), and the function of the state is to ensure that such competition is fair" (Singh,1997:28). In summation, they aim to crack the male dominated world, such as having more women in parliament, in

building and infrastructure development or construction, and in leadership positions. For liberal feminists, patriarchy is not necessarily the issue; rather, the issue lies in the state making sure that there are no legal or social restrictions to an equal opportunity environment. This tradition does not look at the composition of the society as a whole, but is instead more career orientated.

In essence, this tradition addresses Friedan's "problem with no name" and nothing else. Other theorists like Singh (1997), Hooks (2015) and Heywood (2007) have labelled liberal feminists as 'reformist' as they do not see a need for a social overhaul in order to influence the liberation of women. Instead, the "...focus is on helping women to "act powerfully," which has usually meant to act like white men, from dressing for success to being appropriately authoritative" (Kellerman and Rhode, 2007, 365). This on its own is elitist in that it discriminates against women who cannot take advantage of the public world of politics, career and education. In the South African context, it tends to discriminate against women in the rural parts of the country whose class is not taken into consideration and who may have little opportunity of changing their social and economic situation. Liberal feminism might benefit both black and white females but falls short of taking into consideration the economic class factor which still oppresses surplus women, and is thus not accessible to the poor. One could argue to a certain extent that liberal feminism bears somewhat positivist elements as it does not consider investigating other reasons of exclusion, and secondly, that it is narrow-minded for avoiding the domestic sphere of liberation and oppression. This may contribute to the lack of progress in meeting the Sustainable Development Goal of addressing poverty and promoting economic development and gender equality in most less developed countries.

2.2.2 Socialist-Marxist feminism

Kellerman and Rhode (2007:366), Heywood (2007:245), Robinson and Richardson (1993:57), Singh (1997:28), Burton (1985:xii) and Charles (2000:182) explore the Socialist/Marxist feminism tradition that sees the social and economic

structure and capitalism's exploitation of labour as the root of women's oppression. Socialist/Marxist feminists are against the capitalist society that supports the exclusion of women from what Fraser (1989:115) terms 'material reproduction activities' which are activities and practices that form what most refer to as 'paid labour'. Essentially, Marxist feminists are of the same opinion as Engels (1984:124), Singh (1997:28) and Heywood (2007:246) who believe that the subjugation of women functions through the institution of the family where they are left with no choice but to be subordinate. Both Singh (1997:28) and Heywood (2007:245) independently mention the inception of monogamous marriage as a power tool brought about to the economic detriment of women in order to benefit the few (in this context, men). Engels (1984:57-58, 65-66) states that:

...the sole exclusive aims of monogamous marriage were to make the man supreme in the family, and to propagate as the future heirs to his wealth, children indisputably his own." Continuing to say that marriages like this are "...founded on the open or concealed domestic slavery of the wife" wherein the women are sexually loyal to the husband but the husband is not. "... The first condition for the liberation of the wife is to bring the whole female sex back into public industry" because "...within the family the husband is the bourgeois and the wife represents the proletariat.

To apply this theory to the South African environment, though not applicable to all rural women, an example would be the situation of a married rural or urban woman who has to stay home and take care of her children while her husband goes to work. Such a woman will not necessarily be able to sustain herself or her lifestyle on her own. Her existence is wholly dependent on her working husband to provide for her most basic needs i.e. shelter, food, sanitary and personal items and clothes.

Socialist feminists aim to expose the reality that women have been confined to the private space of the home performing maternal and household responsibilities that they are not rewarded for and as a result, increase the numbers of 'those struck by poverty' when their partners leave them or die. The reward in this

instance, is the kind that can warrant them independence from their male counterparts such as sustainable income in the form of money. Singh (1997:29) believes that in order for women to go back to the 'public industry', a social overhaul is required where the state takes over all the work women currently do by providing child care centres, eating places and hospital facilities where children, the sick and the aged are taken care of. In fact, advances were made in Britain where feminists demanded 24-hour child care nurseries during the 1970s from the state. As much as some deemed these demands unreasonable and unworkable, they resulted in children's community centres set up from 1972 with assistance from local authorities instead of the national government. Some socialist feminists also argue that domestic labour presently being undertaken by women benefits the entire economy and ultimately the state because the activity of giving birth and rearing children provides future workers and also gives the men all the time needed to perform the work they get paid for without taking time off to care for children or the household.

Throughout the discussion on feminist traditions in this section, one thing that has been noted continually is the divisions among the feminist views on what the most important root cause of female oppression is. Within what was previously deemed the same tradition of Socialists and Marxists comes a separation between the two, with Marxist feminists highlighting class and economic exploitation as the most important aspect and the Socialist feminists emphasising social and cultural politics as the primary cause of patriarchy. Nevertheless, modern socialist feminists have seen the relevance of eliminating power inequalities from all people despite their ethnicity, race and sex and class without only catering for women. Kellerman and Rhodes (2007:367) describes power as the "access to and control of valuable and needed resources" and it is in the hands of men who then decide who gets the resources.

However, as pointed out about feminist traditions, because of their perceptions on the roots of women's oppression, they are being criticized for not what they include, but rather what they exclude in the make-up of their theory. The following

tradition is also a by-product of the theoretical exclusions of the first two traditions as discussed.

2.2.3 Radical feminism

As explained above, radical feminism is a by-product of what the liberal, the socialist and Marxist feminists exclude in their framework. However, that does not mean it does not have any exclusions itself. Radical feminists reject the ideologies of the liberals and Marxist feminists. Radical feminism is embedded in the ideology of 'patriarchy' as the focal point of female oppression, stating class, economic, racial and other forms of discrimination as being trivial, and concluding that the power males possess trumps all systems of exploitation and oppression. Early radical feminist theorists quoted by feminist authors through the years include the likes of Simone de Beauvoir (1906-1986) who was considered as the mother of radical feminism by reintroducing the idea of patriarchy as a central principle. She was also of the view that society portrays men as standard and women to be substandard and deficient. She was later followed by Kate Millet who highlighted the role of patriarchy in moulding gender identities in the society, EvaFiges who drew attention to the stereotype of 'femininity' being imposed on women by men, and Germaine Greer who highlighted how women from a young age are indoctrinated into assuming conservative passive sexual roles. Like their counterpart, Marxist feminists, radical feminists believe patriarchy to be a product of the structure of the family.

Due to the evolution of feminism, even radical feminists of the present time are criticized for lacking the radical nature that dominated feminism in the 1960s and 1970s. However, one could, to a certain extent, disagree with this statement in appreciation of what has been suggested by writers such as TiGrace Atkinson (2000:76) and Shulamith Firestone (1970:72) who hold biological reasons to be what upholds the oppression of women in that the weakness that results from child bearing is used against women. The radical feminists reject the Marxist and liberal feminists on the basis that this biological discrimination was present even

before capitalism and class could be considered factors in society. In contrast with Engels, instead of a social revolution they opt for a 'sexual revolution' whereby technology will be the solution for the liberation of women. It hopes to divert the child bearing function (the biological factor) to technology through artificial reproduction and also for technology to take over what currently constitutes work, thereby getting rid of the prototype of the social 'role system' which is the family, deemed to be the root of patriarchy. Firestone (1970:72) suggests that children should also be liberated to end the psychological curse as "[t]he heart of a woman's oppression is her child bearing and child rearing roles."

When coming to the issue of equality in the practical sense of the present time and how things have evolved, the radical feminist is more concerned with parity in the home where man and woman both work and share household and child rearing responsibilities and also fully govern their own sexual fulfilment. Some might argue that this is already the case because, conversely, they only look at the urban middle-class South African cohort and do not taking cognizance of those affected by the aftermath of the history of the country. According to the Statistics SA Report (2014:178) while addressing unemployment there are both poor and well-off kept women, married and single, in the country still without a job because they are taking care of children and the aged and not being paid for it.

From the beginning of the feminist movement, feminism was always about acquiring equality with men and being treated equally despite the visible biological differences between males and females. One could say that this equality that was being demanded was not clearly thought out by all who were part of the movement. It was used as a fraternal blanket for the unity of all women (especially the poor) in order to achieve suffrage with an organized common voice since that was the main objective of the movement. As is the case within feminism, the evolution thereof once again encountered more differences on the subject of equality after the achievement of women suffrage.

2.2.4 New feminist traditions

Radical feminism also comprises conflicting fundamentals within its very tradition, such as the 'pro-woman' view which promotes female 'conscious raising'. 'Conscious raising' is defined as strategies, influenced by the Black Power Movement of the 1960s and 1970s, "...to remodel social identity and cultural inferiority by an emphasis on pride, self-worth and self-assertion" (Heywood, 2007:248). In essence, women are encouraged to uphold their womanhood (e.g. child bearing) with pride instead of trying to fit into the men's world by acting, talking and conducting themselves as versions of men in order to be respected. They should appreciate their unique differences from men and also acknowledge the fact that those unique qualities men lack in fact place women at an advantage that men may not have. "The differences are deemed to be positive, making woman more effective than men and more enlightened, better fitting them to contemporary leadership. For example, the experience of motherhood provides them with a heightened sense of morality that contributes to using power and authority responsibly" (Kellerman and Rhode, 2007:366). It is clear therefore that feminists have upheld opposing viewpoints of equality and some have opted for 'difference' instead of 'equality'. This is where differences in feminism emanate from, also referred to as cultural feminism.

The irony inherent in the different types of feminism is that there are feminists who believe that the traditional roles and the division of labour were sincerely intended for the protection of women and hold them in high esteem. In spite of all the feminist traditions mentioned above, the one feminist theory that has been developing over the years and threatens radicalism is post-colonial feminism. This tradition has many names, such as black feminism, intersectional feminism and third-world feminism. This approach was made popular by, amongst others, Bell Hooks (Gloria Watkins) through the 1970s and 1980s, followed by Angela Davis with Anita Hill in the 1990s and the 2010s, assisted by the introduction of social media.

2.2.4.1 Black / Intersectional / Third World / Post-colonial feminism

For the purposes of this study, the focus will be on Bell Hooks' (2015:xiii) "Revisionist Feminist Theory". To give an understanding of what was meant by the margin and the centre, Hooks describes how black persons or people of colour were marginalized to the edge where they had to return after serving as maids, janitors or prostitutes "...as long as it was in a service capacity". The edge or margin she is referring to would comprise slums, ghettos and informal settlements. She continues, "[w]e could enter the world but could not live in it..." (Hooks, 2015:xvii). The world here is the 'centre'; a world of the privileged white woman or rather families and the suburbs.

Bell Hooks criticizes Friedan's theory in explanation of how much feminist theory lacks wholeness and the broad analysis that could include various human experiences due to the narrow viewpoint of the privileged white female who has only being exposed to the centre and knows nothing about the margin. In her condemnation of Friedan's "problem without a name", she refers to it as being a problem for "...housewives, college-educated, middle and upper class, married white women who are bored with leisure, with the home, with children..." (2015:1-2). Hooks' vision is to see a feminist theory that encompasses all sexes of all races and ages, from all social and economic classes and religions. She seeks a mass-based political movement that is non-exclusionary and will lead to transforming patriarchal culture. It is on this very account that this document will apply this theory and also take into account post-colonial, third-world and apartheid legacies that contributed to the economic passiveness of majority females in South Africa.

2.3 PATRIARCHY

In so much as women's social position has improved throughout the world resulting from achievements in women suffrage, legalization of abortion and all other factors previously mentioned in this study, patriarchy is still evident

throughout the world. For instance, according to the Inter-Parliamentary Union (IPU) (2017) all parliaments in the world have less than 50% female representation except for Rwanda with 61.3% and Bolivia with 53.1% female representation. Child rearing is still regarded as the responsibility of females within the family across cultures and is largely not rewarded. Men are still commonly regarded as heads of households in family structures and make all decisions in that regard. The one element all the theories have in common, and that can unite these traditions, is the disapproval of patriarchy as a notion and particularly as a practice. Lenski (1966:203) undertook a study on how society in general views inequality. He divided the responses into conservative thesis (status quo based with conforming to patriarchy as the frame of reference) and radical antithesis (grounded in fairness). He found responses in the conservative thesis to have looked at inequality as natural and should be left as is, whereas in the radical antithesis the response was contrary, affirming equality to be natural and inequality a phenomenon that needed to be purged as it is based on abuse and privilege.

As mentioned in Chapter 1, “privilege is invisible to those who have it” (Kimmel, 2015); similarly the reverse applies if one is to look at it from the victim’s point of view. This is the case for critical realists as well in that conceived facets of reality are seen as real and exist autonomously from human interpretation. It is evident that those who have perceived inequality as natural were either the perpetrators of oppression or those that have been oppressed for so long that it is now innate; they do not have the hope of changing their subordinate position. Du Plooy-Celliers (2014:32) points out the critical realists’ view of domination and oppression as a result of “dominant ideologies based on illusions, distortion and myths about how stereotypes operate.” These illusions are said to empower some to abuse others. For instance, the myth that women are weaker and inferior to men aided men to abuse and repress women for ages. It is for this reason that feminism still exists. The Critical realists also submit that members of society are somehow indoctrinated and socialized through certain institutions, ideologies and practices like school, weddings, and capitalism. This is by all accounts how

patriarchy manages to persuade women into their own oppression and unreservedly remain in subjugation. Thus those that have linked inequality to oppression and exploitation must have either been affected by or been on the receiving end of that same oppression.

In '*The Theory of Male Dominance*', Goldberg (1993:14) defines patriarchy as "any system of organization...in which the overwhelming number of upper positions in hierarchies are occupied by men." Millet (1970:25) describes 'patriarchal government' as an institution whereby 'that half of the populace which is female is controlled by that half which is male'. She proposed that patriarchy contains two-fold principles being that 'male shall dominate female, elder male shall dominate younger'. In consideration of these two definitions together patriarchy thus articulated the notion that the acceptance of male domination that society lives by and tolerates is perpetrated from within the family (private space), generationally, to the public sphere which is the political, social and economic sectors of life hierarchically.

However, if one is to take Goldberg's theory in context, his notion of 'dominance tendency' will also have to come into play. He describes 'dominance tendency' as competitiveness; the aggressive emotional and behavioural drive that causes male dominance, male attainment and is ultimately responsible for patriarchy. As he explains, men are more motivated to attain positions of dominance and make more money and are prepared to make the sacrifices necessary to ensure they attain that, whereas women are more strongly and instinctively motivated to protect their families and children in particular. Goldberg suggests that the more a woman is strongly motivated to respond to her infant, the less motivated she will be to satisfy her need for dominance. It is therefore a matter of priority between the sexes. For example, a man is more likely to sacrifice time with his children and his family to spend more time at the office to maintain or earn a higher position at work, whereas a woman would make all the sacrifices including taking up a career position with fewer responsibilities to ensure she has more time to nurture her children. Goldberg (1993:70-72) however insists that his

theory of the 'differentiation of dominance tendency' does not imply that males perform better than females or one sex having qualities only present in one sex than in the other, and neither does it imply that women who do attain a hierarchical position have a weaker dominance motivation than men in similar positions. The question is thus whether dominance tendency could be the reason for the low numbers in women's economic participation?

Nonetheless, Heywood (2007:232) notes that, "...second-wave feminism successfully campaigned in many countries for the legalization of abortion, equal pay legislation, anti-discrimination laws, and wider access to education and political and (sic) professional life" and some successes thereof are evident in South Africa. "Some have even suggested the victory of feminism can be seen in the emergence of a new breed of man..., the new man, who has come to terms with the 'feminine elements' of his make-up and is prepared to share domestic and family responsibilities within the 'symmetrical family'."

2.4 CONCLUSION

From the theoretical arguments presented in this chapter, it is clear which traditions ascribe to which ideology. This study will take elements relevant to the problem statement from each tradition as guiding principles. The outlined framework has made it evident that the solution to eradicating a patriarchal state is not a single-component approach but rather requires a comprehensive consideration of all possible indicators.

The argument given by Socialist feminists, of capitalism being the sole rational cause of patriarchy, is clearly irrelevant today given that there are middle-class women in positions of power today still experiencing patriarchy or rather sexism/misogyny. By implication male dominance is now presenting itself as 'corporate patriarchy'. This is what the subject of this study hopes to interrogate while also exploring the role of men through Bell Hooks' theory. One has also learnt that there is no argument of 'priority' in all these theories in terms of

motivation of a patriarchy argument. It is rather a matter of scale in this regard. When a male or female concentrates more on the one aspect of life, the other suffers and at times is overlooked, and there is always an element of sacrifice.

It is necessary to understand the symptoms and causes of patriarchy in order to identify ways to eradicate it. Patriarchy is defined as the domination of the male counterpart in all social institutions, including family, business and church. While theory is being reviewed and constructed there should be interventions within a trajectory of inclusionary action, feeding into the achievement of the type of theory epitomized by Bell Hooks and Angela Davis, amongst others.

That said, South Africa is reminiscent of a post-colonial and third-world context, and the research will follow more what has been termed 'Third World Feminism' according to Bell Hooks' (2015) theory because it covers most of the aspects this research study aims to explore. In essence, given Bell Hooks' theory and definition of feminism, it would be appropriate for the first part of the topic to read 'eradicating dominance and oppression' instead of 'eradicating patriarchy', as it now encompasses other forms of dominance besides sex. It also encompasses elements of racial, class and cultural injustice.

It is important to note the implications of the history of feminism understanding current theories. It has played an important role in the construction and shaping of recent feminist theories. Through the earlier literature of the 1800s until the 1960s, the meaning of feminist theory has evolved from the first encounter of the first wave as compared to what scholars and the masses deem as feminism today. This varies among feminists from different, races, classes and backgrounds. Robinson and Richardson (1993:58) explains that there has been a shift from "...naive and simplistic' feminist theory to 'wise and sophisticated Feminist Theory" which should be demystified.

The question to be addressed therefore relates to differentiations as to what should form part of the economy and what should not. The feminism of difference

and others thus acknowledges that men and women are different and on that account, specific responsibilities, natures, attributes and preferences should not take precedence over the other, economically in this case, or otherwise. In other words, no one's work should be considered more important than the next person. Through these theories one is trying to determine the most sensible scientific link to the reasons behind the phenomenon under investigation, namely the low socio-economic participation of women in South Africa and the relationship this may have with patriarchy. In so doing there is a need to further examine what is meant by women contributing economically and how that is experienced.

There are claims that feminism theory was at its highest point of "creativity and radicalism" during the 1960s and 1970s because the common goal was more defined, unlike the fragmented and incoherent position of present-day feminism. Although feminists might be united against oppression and exploitation and support the liberation of women, throughout the theoretical discussion conflict has been identified in relation to how to action this displeasure. This factor may thus present a danger for the feminist movement and theory as even Mosca (in Abraham, 1982:107) asserts, "...even in a democratic form of government, in spite of all protestations to the contrary, an organized minority imposes its will on the disorganized majority." This implies that men against feminism will take advantage of the conflict among feminists and impose their oppression yet again on the disorganized feminists.

As observed through the theories, there are types and levels of oppression, and among the oppressed, all women (despite their race, class or religion) suffer from a level of social injustice because of their sexual orientation and anyone – be it male or female – who believes this and is against the practice of the injustice, qualifies to be called a feminist. Therefore, in the next chapter the focus will be on the current state of affairs, looking at procedural commitments made towards the socio-economic empowerment of women in South Africa with reference to the stated theories.

CHAPTER 3: PROCEDURAL INTERVENTIONS TO PROMOTE SOCIO-ECONOMIC EMPOWERMENT OF WOMEN IN SOUTH AFRICA

3.1 INTRODUCTION

Prior to the introduction of democracy in 1994, the principle of equality in general; be it racial, social or economic; did not receive the attention it deserved due the overall exclusionary nature of the South African government. This also applies to gender equality. It is thus important to begin this chapter by referring to the constitutional obligations and rights that govern the existence by which all citizens, state, its institutions and all humans entering the country of South Africa should abide by in order to achieve equality. Chapter 2 Bill of Rights Section 9 (1, 3-4) states that everyone is equal before the law and should equally enjoy the benefits and be protected by it. The Bill of Rights further states that neither the state nor any person may unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth. Important to this clause is that laws must be passed to prevent or forbid these acts of discrimination. This section in the Constitution could be considered the foundation that bore the first of several attempts by government to enact legislation directed at protecting women's rights while actively attempting to promote their socio-economic empowerment.

This chapter aims to examine the current socio-economic landscape with regard to procedural commitments made in South Africa to protect and promote women's rights. Attention will be given to how the public sector and the civil society view women's socio-economic rights through legislation and policy. The six key areas that will be focused on are poverty and inequality, education, access to the labour market, access to credit, land and property, violence against women, and the role of the civil society. This said, a brief account of international, political, public

sector and civil society interventions put in place to support and elevate the socio-economic status of women within the country will also be outlined.

3.2 PROVIDING CONTEXT: INTERNATIONAL RECOGNITION OF WOMEN'S RIGHTS

Based on South Africa's National Policy Framework for Women's Empowerment and Gender Equality of 2000 (NPF), it is clear that the South African government considers the Beijing Platform (1995) and CEDAW (1979) as focal points of departure for guidelines and benchmarking on the development of women in the country in this study. They form the foundations on which the NPF (2000) is based. Moreover, South Africa is accountable to these two conventions as far as international indicators and targets are concerned.

Critical areas of concern for the Beijing Platform (1995) are women and the environment; women in power and decision-making; the girl child; women and the economy; women and poverty; violence against women; human rights of women; education and training for women; institutional mechanisms for the advancement of women; women and health; women and the media; and women and armed conflict. These are general areas of concern and are context-specific; therefore some countries may not find some of these areas applicable (UNWomen 1995:n.p.).

CEDAW (1979), on the other hand, is based on three interconnected principles, namely the principle of 'equity' which promotes equality between men and women by "taking into account the ways in which women are different from men, and ensuring that these differences are acknowledged and responded to by the state measures towards achieving equality" (CEDAW ,1981:4). This is where differences in feminism theory as stated in Chapter 2 applies and also addresses the concept of achieving equity as defined and illustrated in Chapter 1 by the use of Figure 1. The second principle is one of 'non-discrimination' which understands discrimination to be "socially constructed rather than natural" thus making it easier

to follow up on action against inequality and any social practices that intensify the injustice. Through this principle, CEDAW identifies and hopes to bridge the gap between women's legal rights on paper and the power relations brought about by customary, cultural and social practices and stereotypes deeming men superior to women both in the private and the public sphere. Lastly, the principle of 'state obligation' is intended to ensure that the state delivers on its CEDAW obligations legislatively, institutionally and through policy. Gender equality progress reports are thus generated and presented every four years and within a year of the adoption of any legislative, administrative or judicial measure to the said conventions, i.e South Africa's Beijing +20 Report and the South African CEDAW Report.

As mentioned in Chapter 1, among international commitments are those in the African region to which South Africa is also party. Specifically, South Africa is a member of the African Union (AU) that "has also adopted the Solemn Declaration on Gender Equality in Africa, 2004; ...the Maputo Plan of Action for the Operationalization (sic) of the Continental Policy Framework for Sexual and Reproductive Health and Rights, 2007-2010 (known as the Maputo Protocol); and the AU Gender Policy, 2009" (Olowu, n.d.:5). In recent years, as per the AU (2016) South Africa was part of the 8th African Union Gender Pre-Summit on 2016 African Year of Human Rights, with Particular Focus on the Rights of Women. One of the objectives of this Pre-summit was to prioritise the sustainable development of women by identifying how national regulations, policies and practices could collaborate strategically to improve the financial inclusion of women in the formal society. It was also meant to stimulate dialogue on the opportunities, gaps and solutions for improving the economic empowerment of women with regard to sustainable development, peace, regional integration and economic growth in Africa.

To reiterate what was stated in the introductory section of this study, the 2004 Solemn Declaration on Gender Equality in Africa was an agreement made to accelerate the participation of gender-specific economic, social and legal

measures on epidemic diseases like HIV/AIDS and malaria and ensure the participation and representation of women in peace/conflict processes. One of its other mandates was to activate a Trust Fund for Women for development purposes while taking into account the low levels of women representation in social, economic and political decision-making structures; the digital divide between men and women; and the role of information telecommunications technologies in the advancement of gender issues. The Maputo Plan of Action for the Operationalization (sic) of the Continental Policy Framework for Sexual and Reproductive Health and Rights, 2007-2010 was a three-year plan which was extended to be in full effect by 2015, aimed at advancing Africa to achieve full sexual and reproductive health provision. The 2009 AU Gender Policy captures the decisions and declarations of the AU member states in advancement of gender equality and the operationalization of assembly commitments.

According to Maisel and Greenbaum (2002:112), “the inequities of Apartheid forced the international community to recognise the necessity for international law to regulate and protect the rights of individuals within states.” Hence the Universal Declaration of Human Rights (UDHR) and the International Covenant on Economic, Social and Cultural Rights, together with the International Covenant on Civil and Political Rights, referred to as the International Bill of Rights, are binding on South Africa and other signatories of such protocols and conventions. For instance, both the European Convention for the protection of Human’s Rights and Fundamental Freedoms and the African Charter on Human and Peoples’ Rights echo anti-discriminatory terms upheld by the South African constitution. They all define the enjoyment of rights and freedoms by every individual without any discrimination on the grounds of sex, race, colour, ethnic group, religion, language, political or other opinion, national and social origin, fortune, birth, or other status (Maisel & Greenbaum, 2002:112; RSA, 1996:1247). Such international pledges are binding as they oblige signatories to comply and guarantee the application of such standards in their respective regions. It is thus evident, given the international interventions, that the inequality that resides

between the divide (black and white, men and women) in South Africa comes as an exacerbated aftermath of the Apartheid dispensation. It is on this premise that the South African government had to examine and identify priority elements that need to be addressed, given its historical context.

3.3 THE SOUTH AFRICAN GOVERNMENT'S COMMITMENT TO WOMEN'S RIGHTS

In 2015 the DoW announced its intention to focus on the socio-economic empowerment of women and the promotion of women's rights as main priorities over a five-year period from 2015 to 2020. However, the DoW (2016:6) Annual Performance Plan (2016-2017) was more specific in stating their priorities for the coming five years, namely to drive the promotion of women's socio-economic empowerment and rights by developing intervention mechanisms for advancing women's social and economic empowerment, gender mechanisms to improve women's access to safety, justice and security, a gender-specific monitoring system to evaluate progress made on the DoW strategic plan and deliverables and to ensure management of knowledge within and outside of the Department.

The Report on the Status of Women in the South African Economy (DoW:2015) focuses on women's socio-economic rights in six areas, the first of which is education. This is at the centre of gender equality and considers the access to and attendance thereof, outcomes of education, women in higher education and the status of women's education. The second area refers to the labour market which looks at women's access to the labour market, i.e. the status of women in the labour market in terms of how many women are employed, unemployed, and those searching versus not searching for jobs, their remuneration and reasons behind it. Thirdly, access to credit, land and property is also important. The discussion in this area examines women's financial inclusion globally, initiatives promoting access to credit, finance, land, assets and barriers to such privileges. This is considered on the premise that without such inclusive financial systems, poor individuals and small enterprises, particularly women, will be forced to rely

on their own limited savings and earnings (if they have any) to invest in their education, businesses and other financially beneficial opportunities that might be presented to them. The fourth element is poverty and inequality as effects of service delivery in South Africa examines health, social needs, water and sanitation, and other basic needs covered in the context of service delivery. The fifth focus area is women's contribution to total production which addresses women's actual contribution to Gross Domestic Product (GDP) and also values their unpaid work to get a clearer picture of their *de facto* contribution in the economy. Last on the list of focus areas is the impact that violence against women has on their ability to participate in the economy. In order to address these areas, the South African government had to consider various legislative, judicial and administrative interventions to assist in implementing recourse.

Extensive legislation aimed at the promotion of gender equality has been promulgated since 1994, followed by the institution of various organisations meant to uphold and implement principles of gender equality. Institutions referred to in this regard include the Commission for Gender Equality and the Department of Women, Children and People Living with Disabilities, currently known as the Department of Women (DoW).

As observed in Ramphele (2011), Mama (1996) and Jackson (1998), one takes note of the fact that the history of the struggle towards the advancement of women's socio-economic rights worldwide dates back to times of women as slaves, as rural beings in agriculture during colonial periods, to today in the post-colonial era where women are supposedly socially, politically and constitutionally liberated. In Chapter 2 it was highlighted that the theory which will be applied to this study will be one that also takes into account post-colonial, third-world and apartheid legacies that have contributed to the entrenchment of economic passiveness of black and coloured females as majority females in South Africa.

As stated earlier, attempts to level the ground for women have been underway through the years legislatively and institutionally as required by CEDAW and

other protocols. Government has, through the Constitution (1996) 9(1-5) and in keeping with the Bill of Rights, established independent Chapter 9 institutions which also form part of the National Gender Machinery, accountable only to parliament and subject only to the constitution and law. Chapter 9 institutions comprise, among others, the CGE which is mandated to:

monitor all organs of society to ensure that gender is respected, protected, developed and attained, assess all legislation from a gender perspective, commission research and make recommendations to Parliament and to other authorities, educate and inform the public, investigate complaints about gender related issues, and monitor South Africa's progress towards gender equality as measured against international norms (CGE, 2007:5).

This commission is accountable to Parliament at least once a year.

Secondly, the South African Human Rights Commission (SAHRC) was, according to section 184 of 1996 Constitution, instituted to promote respect, culture, protection, development and attainment of human rights; while monitoring and evaluating the observance of human rights in South Africa. The constitutional right of women to be treated equally irrespective of sex, gender orientation, class, marital status, and ethnicity in the observation of the Bill of Rights is also protected under the SAHRC as these are human rights. For instance, the SAHRC can ensure that the right to protect the Rights of Cultural, Religious and Linguistic Communities does not infringe on the human rights of women to be treated equally.

Thirdly, the Office of the Public Protector (OPP) was established to investigate, report and take action on complaints received from aggrieved persons and institutions against government institutions and officials. The OPP can assist women by addressing and redressing incidents where they have been treated unfairly on the basis of their gender and/or related inequities by respective government agencies or officials. Fourthly, the Commission for the Protection of the Rights of Cultural, Religious and Linguistic Communities can ensure it

executes its mandate on the basis of non-discrimination, equity and freedom of association in consideration of women.

The other two institutions are the Auditor General which can be critical in ensuring that funds allocated to the development of women are used for what their intended purpose and are accounted for, and the Electoral Commission which ensures the right of women to a free and fair exercise of their democratic right to vote and stand for elections. Chapter 9 (3-4) of the Constitution of 1996 is firm in declaring that other organs of state 'must', through legislative and other measures, ensure that these institutions are assisted and protected to safeguard their independence, objectivity, dignity and efficiency and that "[N]o person or organ of state may interfere with the functioning of these institutions."

It is on this premise that a legislative framework specifically aimed at gender equality was proclaimed to precede the establishment of institutions such as the CGE, upon which its institutional deliverables would be based. Since the role of the CGE fell short of making anticipated impact as far as gender equality was concerned, the OSW, currently vested in the Presidency, was set up by a Cabinet Memorandum in 1996 and established in 1997 based in the Office of the Deputy President of South Africa (Monjoo, n.d.:253; African Development Bank, 2009:14) as the gatekeeper of the National Gender Policy Framework (GPF). The Cabinet Memorandum further made provision for the establishment of Gender Units referred to as Gender Focal Points (GFP) to be effected in all national and provincial government departments. "GFPs are to make sure that departments comply with gender mainstreaming directives and put in place gender sensitive projects and programmes" (ADB, 2009:18). The OSW became a fully-fledged government department known as the Department of Women, Children and People with Disabilities and later narrowed down to the Department of Women in 2010, only dealing with all factors concerning the equality of women and gender issues in government departments.

Other institutions followed, all meant for the protection and advancement of gender equality and the empowerment of women, referred to as the 'Gender Machinery'. According to the Public Service Commission (PSC, n.d.:19), the National Gender Machinery (NGM) was 'ideally' founded on three pillars, namely the National Machinery in Government consisting of the OSW as the main coordinator of the Gender Machinery and the Department of Public Service and Administration (DPSA) to assist in holding government departments accountable for implementing gender programmes like Affirmative Action in the workplace; secondly, the National Machinery in Legislature which encompasses the Women's Empowerment Unit (WEU) s aimed at confronting barriers to women's complete involvement in processes of law-making; and lastly, the Parliamentary Committee on Improvement of Quality of Life and Status of Women whose role lies solely in mainstreaming gender through legislative review and policy formulation. The third pillar has the National Machinery's Independent Statutory Bodies which include the CGE, the SAHRC, the OPP, the PSC and the Financial and Fiscal Commission established as an advisory body to government on budget allocation of government funds which can benefit women as the majority sex in the country.

Given the legal and institutional interventions instituted over time, areas of priority and the focus of resources evolve as various gender institutions and mechanisms are reviewed. Reports emanating from such reviews, such as the Status of Women in the South African Economy Report, the South African CEDAW report and South Africa's Beijing report, acquaint the state with the real impact and progress these tools have actually accomplished relative to the initial ideal frameworks put in place. New gender sensitive devices were thus introduced proactively but mostly reactively to ensure women's equality. These devices were brought about in the form of legal remedies to ensure women could obtain legal recourse where their rights were being violated. Among these mechanisms are the Equality Courts established in terms of the Promotion of Unfair Discrimination Act 4 of 2000 and available nationwide at all courts; the Constitutional Court, established in 1994 by the first democratic Constitution of South Africa and which

continues to function under the 1996 Constitution; the Labour Court, established in terms of the Labour Relations Act 66 of 1995; the Commission for Conciliation, Mediation and Arbitration (CCMA), an independent dispute resolution organisation also formed in terms of the same legislation as the Labour Court; the Family Court that deals with all family related legislation; and lastly, the Traditional Courts with recent amendments in the Traditional Courts Bill advocating for women representation as part of council within such courts.

A number of progressive laws were promulgated on the basis of which the abovementioned legal mechanisms could implement the protection of women's constitutional rights. These laws were introduced to accommodate women of all ages, classes, races, colours, religions, sexual orientations, biological conditions and disabilities, social origin and beliefs. There is thus legislation that addresses the family, health, employment, education and training, access to property, economic development and other generic areas which cater specifically to women.

3.3.1 Poverty and inequality

To give women a sense of equality in the private space and relief from elements of poverty, several pieces of legislation were enacted. The Divorce Amendment Act 95 of 1996 was enacted to address problems identified by the CGE, i.e. "...a spouse's unreasonable refusal to grant a religious divorce after a civil divorce has been granted when it is in that spouse's power to do so" (Department of Justice and Constitutional Development, 2015:14; RSA, 1996:1). The Maintenance Act 99 of 1998 was legislated to make sure that parents comply with the responsibility of providing for the well-being of a child and/or a spouse financially (RSA, 1998:1). The Recognition of Customary Marriages Act 120 of 1998 was promulgated with the aim of improving the lives of women and children by recognising traditional marriages entered into in terms of customary law (RSA, 1998:1). This Act also endeavours to reconcile the preservation of culture and traditions while fulfilling the constitutional principles of equality and non-

discrimination by making sure that traditional wives also benefit from their marriages.

Health is one of the socio-economic factors that affects women particularly as maternal beings, due to financial implications it has on their life and well-being. It is of relevance to mention the promulgation of the Choice on Termination of Pregnancy Act 92 of 1998 and the Sterilisation Act 44 of 1998 which were enacted to give all women citizens' reproductive rights providing them with a choice on sterilisation and termination of pregnancy should they so wish (RSA, 1998:1). Other legislation passed to address gender equality includes the Promotion of Unfair Discrimination Act 4 of 2000; intended "[to] fulfil South African international obligations under binding treaties" against unfair discrimination including gender-based discrimination (RSA, 2000:1).

Further efforts made by government over the years towards addressing inequalities through transformation policy documents such as the White Paper on Transforming the Public Service were produced. The OSW prepared and published South Africa's National Policy Framework for Women's Empowerment and Gender Equality (2000) with the aim of outlining the country's vision for gender equality and how it plans to make this ideal a reality. Unlike the White Paper on Transforming the Public Service, the GPF is specific in terms of gender equality avocations. However, as mentioned in the document (OSW, 2000:i), the GPF was not meant to prescribe explicitly to the different government sectors, but rather to factor in overarching principles to be integrated into the policies of various sectors, programmes and practices of all sectors. In essence, the content of this document is not sector-specific and opens the various sectors to their own interpretation of the policy. In 2014 the Women Empowerment and Gender Equality Bill was adopted as the Women Empowerment and Gender Equality Act of 2013, "to provide for implementation of measures to facilitate the progressive realisation of a minimum of 50% representation of women in decision making positions and structures" (RSA, 2013:15).

3.3.2 Education

In order to make provision for the educational reservations, the following legislation was effected although not particularly aimed at directly benefitting females alone, but females also had the opportunity of taking advantage of these rights. The National Education Policy Act (NEPA) 27 of 1996 provided for the establishment of Education Ministries and departments at all levels of education (RSA, 1996:1). One of the most fundamental pieces of legislation was the South African Schools Act (SASA) 84 of 1996 that was to ensure compulsory, equal, quality education for all children between the ages of 7 and 15 without any form of discrimination and prioritising allocation of public funds to public schools (RSA, 1996:1). The Adult Basic Education and Training Act (ABET) 52 of 2000 followed, allowing previously disadvantaged adults the opportunity to acquire literacy and some to obtain their Matric Senior Certificates funded by government (RSA, 2000:1). In order to make sure more people could obtain access to education the Education Laws Amendment Act 24 of 2005 was enacted, declaring schools in poor areas 'no-fee' schools (RSA, 2005:1). Through this act, those who stayed away from school because of financial constraints would have the opportunity to obtain an education. Further government initiatives such as the "feeding scheme" were introduced to accommodate poor children by providing breakfast and lunch at school.

3.3.3 Access to the Labour Market and Economic Participation

Under the employment umbrella, the following laws have been legislated – the Labour Relations Amendment Act 127 of 1998 and the Labour Relations Act 66 of 1997, both of which provide a guideline for the resolution of labour dispute through the CCMA, the Labour Appeal court and the Labour Court (RSA, 1998:1), the Unemployment Insurance Act 30 of 1997 which provides for, among other things, payment from the unemployment fund to female employees prior to and post their maternity period while not at work (RSA, 1997:1), the Basic Conditions of Employment Act 75 of 1997 which entitles women to a minimum of four

successive months of maternity leave and obliges employers to protect employees from any harm or hazard pre- and post-birth of their children (RSA, 1997:1), and the Employment Equity Act 55 of 1998 that prohibits any type of unfair discrimination against any employee on the grounds of, among other reasons, gender, marital status, sex, conscience, pregnancy, family responsibility, and sexual orientation, and acknowledges affirmative action measures as a fair practice (RSA, 1998:1).

The Preferential Procurement Policy Framework Act 5 of 2000 was established in accordance with section 217(2-3) of the 1996 Constitution which mandates government to recommend a framework that will allow for the implementation of preferential allocation of contracts to categories of people disadvantaged due to unfair discrimination (RSA, 2000:1). This Act was ratified with the objective of empowering historically disadvantaged individuals economically, women included. Lastly the Broad-Based Black Economic Empowerment Act 53 of 2003 was passed with, among others, the aim to facilitate Broad-Based Black Economic Empowerment (BBBEE) (RSA, 2003:1) by, according to Masango and Mfene (2015:626), "... increasing the extent to which black women own and manage existing and new enterprises, and increasing their economic activities, infrastructure and skills training."

3.3.4 Access to land, property and credit

Among obligations prescribed by CEDAW and the Beijing Platform for Action on their signatories, is the issue of women's inequitable access and rights to land. In an effort to fulfil this commitment, South Africa included a clause on land in the Constitution of 1996. This clause gave birth to the 1996 Green Paper on South African Land Reform with later versions emphasizing the need to craft a new practical and deeply transformed land tenure system that will extinguish perpetual social and economic fragmentation and underdevelopment (RSA Department of Rural Development and Land Reform, 2011:2). Another initiative was the 1997

White Paper on South African Land Policy (RSA Department of Land Affairs, 1997:4), which stated that:

A person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property, or to equitable redress.

The state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis.

A person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to tenure which is legally secure, or to comparable redress.

According to Meer (2013:10), “South Africa currently ranks among the most unequal countries in the world, as measured by income and access to land. Black women residing in rural areas are the hardest hit by lack of income, landlessness and lack of access to housing and services.” Recently, the Traditional Courts Bill (RSA, 2017:7) was presented to parliament with amendments to accelerate the inclusion of women in the processes through the provision of section 7(3)(a) “affording women, as parties to any proceedings or members of the traditional court, full equal participation.” Through this Bill it is ensured that women benefit from family land inheritance despite their gender as the patriarchal customary practices previously excluded them and treated them as minors. This would then make it easier for them to enjoy the advantages that attach to the Land Reform legislation such as the Restitution of Land Rights Act 22 of 1994 that provides for restitution of property after 19 June 1913 as a result of past racially discriminatory laws or practices (RSA, 1994:1). What is indicated here is a good example of how equity subsequently makes it possible for women to reach certain opportunities. In this case the Traditional Courts Bill is equity in that it makes it possible for women to take advantage of the Land Reform Act, amongst others. Without representation and recognition that women are supposed gain from the application of the Traditional Courts Bill, they cannot be beneficiaries of the Land

Reform Act and Restitution of Land Rights Act that promises to give all qualifying citizens land because females were previously not allowed to be part of the customary court practices.

3.3.5 Violence against women

Sigsworth (2009:18) notes that, “[t]he culture of violence that exists in South Africa stands, paradoxically, alongside highly progressive legislation.” This statement is true in that violence against women persists despite legislation such as the Domestic Violence Act 116 of 1998, meant to provide for the issuing of protection orders with regard to domestic violence in order to protect any victim from any type of abuse by obliging members of the Police Service to inform victims of their rights at the scene of domestic violence incidents (RSA, 1998:1). Another law is the Criminal Law Amendment Act 32 of 2007 which was a review of application of the law in all sexual offences by replacing the common law offence of indecent assault with a new one that comprises all forms of sexual violation without consent (RSA, 2007:1). This particularly benefitted women more as the most common complainants of such violations. Given the current context of violence against women civil society oftentimes becomes involved in such cases to ensure that such legislation is upheld.

3.4 CIVIL SOCIETY

Ndungane (2011:1) observes that African women are often limited in their participation in civil society due to adherence to tribal and customary laws and as a result, laws against rape are often ignored, sexual assault widespread and women become virtual hostages to HIV infection due to polygamy. With institutional, legislative and administrative measures procedurally in place and the persisting inequality women are faced with in South Africa, women have realised the influence of social movements and have resorted to that approach to drive their agenda to fruition. “It is important to acknowledge that the progress realized (sic) at the UN conferences in the 1990s in Vienna (human rights), Cairo

(population and development), Beijing (women), and Rio de Janeiro (sustainable development) was possible partly due to strong transnational mobilization of activists in national and regional contexts (Van der Vleuten, 2014:224). Organised groups of activists were able to take advantage of opportunities that opened up to them by pushing issues like gender equality and violence against women as priority items on the agenda of influential organisations such as the UN and the AU.

This study echoes Rasool's (2006:4) sentiments that it is not possible to give a full historical account of South African women's social movements. However, in brief, women's social movements date back as far as the 1900s when movements such as the National Council of Women in South Africa (NCWSA), which excluded black women, were established. The anti-pass campaigns of the 1950s saw the emergence of movements such as the Black Sash, as mentioned in Chapter 1, and the Black Women's Federation which was formed in 1975 wherein black women had a voice. In 1994 at their National Convention the Women's National Coalition (WNC) adopted the Women's Charter of Effective Equality claiming full and equal participation in the creation of a non-sexist, non-racist, democratic society (WNC, 1994:1-8). In this, women in this coalition movement demanded respect and recognition for the work they do in the home, the workplace and the community; claiming shared responsibilities and decision-making in all areas of private and public life. The charter recognised that customary and religious practices frequently subordinate women thus similar treatment of women and men would not result in *de facto* equality if women's historical oppression and subordination under custom, tradition, patriarchy, apartheid, colonialism and racism were not redressed.

Currently in South Africa there are some major social movements supporting gender equality that also oppose violence against women. These organisations work to influence policy and legislation through institutions such as the CGE, government departments and their agencies. They include, among others Gender Links, People Opposing Women Abuse (POWA), Sonke Gender Justice

which focuses on gender equality and human rights, and Women's Net, a feminist organisation whose aim is to promote gender equality and justice through access to information and freedom of expression. Mothers2Mothers has identified women as the more vulnerable sex to HIV/AIDS infection and aims to assist pregnant mothers in preventing the spread of paediatric AIDS to their unborn children. The role of other international social movements and organisations, such as the UNDP and UNWomen, in supporting South African gender courses and influencing legislative and administrative processes aimed at advancing and protecting women and girls should not be overlooked.

3.5 CONCLUSION

In the previous chapters, we learned of advances made both nationally in South Africa and internationally to progress the efforts towards gender, socio-economic and political equality. It was also clarified that South Africa is signatory to a number of international conventions and agreements such as CEDAW, the Beijing Platform, the Maputo Protocol and others mentioned above. These commitments together with legislation passed and policies applied in South Africa aimed at improving the socio-economic and political position of previously marginalised persons, and particularly women, with the Constitution as the custodian of such rights, and there is some evidence of the said procedural advances extended thus far.

Taking into consideration the history of the inception of the Constitution (2006) with reference to legislation passed and their dates of enactment, it is evident that the first ten years of democracy were the most procedurally transformative in that it is then that the most movement or progress took place in terms of building the foundation and setting up institutions that have created an enabling environment for gender equality to be promoted. Government has over time through review and experience become conscious of the interconnection between the social, political and economic elements of life as socio-economic determinants of gender equality, and has by all means tried, at least on the theoretical level, to remedy

that through legislation, institutional structure and policy. Based on this account, these elements cannot be addressed individually, if their common goal is to eradicate gender related inequalities, unfair discrimination while promoting and protecting women's rights as constitutionally required. With all this in mind, it may be observed, as Olowe (n.d.:7) concurs, that South Africa contains the richest ideal model and institutional framework for the promotion and protection of women's rights on the African continent. This ideal model makes it possible for social movements to exercise their freedom to advocate for a non-sexist society and progressive governance as far as gender equality is concerned.

The next chapter will give an analysis of functions, real efficacy and noticeable progress made by the Commission on Gender Equality, the Department of Women as national entities directed at the protection and promotion of women's rights across South Africa and the role of social movements in this regard. An outline of how these procedural commitments and frameworks have been applied in South Africa will be discussed. Arguments on the advantages and disadvantages that the presence of and changes to the institutional, legislative and administrative measures have brought about will also be dealt with.

CHAPTER 4: DE FACTO SOCIO-ECONOMIC EMPOWERMENT OF WOMEN: A WAY FORWARD

4.1 INTRODUCTION

As indicated in the previous chapter, the promulgation of legislation on gender equality occurred mainly during the first decade of democracy (1994-2004). This is observably in compliance with South Africa's main international obligations: CEDAW (1979), described by AU (n.d.:3 of 8) as "the international Bill of Rights of women" and the Beijing Platform for Action (1995), "the key global policy on gender equality". Since then, non-discriminatory and inclusive gender sensitive policies have been adopted in South Africa although it has to be said that these have not taken centre stage. These were meant to improve the quality of life for women, thus creating a somewhat empathetic and habitable environment for those previously marginalized on the grounds of gender or sex. It is imperative, therefore, to ascertain the extent to which these procedural structures have been implemented in practice and what the outcomes have been. Another aim is to investigate the shortfalls of implementation in order to determine if and how they could be improved to produce better outcomes going forward.

Chapter 2 serves one of the most important purposes of this study, as it outlines theory and theory lays the groundwork and guidance through which arguments in this study will develop. The role of patriarchy, as a common challenge identified among feminist theories discussed in that chapter, will also be probed. In his foreword of the Report on the Status of Women in the South African Economy 2015, President Jacob Zuma (DoW:2015) together with Statistics SA (2014:17) acknowledge the point that, as much as there has been progress in the empowerment of women over the years, there are still gender gaps in South Africa and women are still left out on the margins as far as socio-economic empowerment is concerned. Thus, gender inequality persists in terms of the socio-economic reality of women. It is on that account that this chapter will assess

the socio-economic reality of women in South Africa while providing suggestions that there is undue discrepancy between women's rights in legislation and the current reality in which they find themselves. On that account, the first point of discussion in this chapter will be on the socio-economic empowerment status of women in South Africa by explaining and interrogating the socio-cultural dynamics that influence their socio-economic development. It will be followed by the six key areas: poverty and inequality, education, access to the labour market, access to credit, land and property, violence against women, and the role of the civil society. Reservations about the authenticity of the state of institutionalisation and commitments made thus far by the South African government to advance women's socio-economic liberties will also be highlighted.

This section will further engage the GPF (2000), showing how some challenges described in the document have changed from 2000 to date while others have remained the same. As stated in Chapter 1, the Statistics SA report (2001-2014) is one of the reports that will be used as a point of departure. The focus will be on the role of the CGE and DoW, as constitutionally indebted custodians of gender equality in South Africa. Referring to Chapter 1, the discussion in this chapter will be based on a combination of factors from the abovementioned reports, i.e. GPF (2000) and the DoW Status of Women in the South African Economy report (2015).

In the GPF (2000), factors stated as being key at the time are gender relations, poverty, globalization, HIV/AIDS, violence, access to basic needs and resources, access to employment, economic empowerment of women, access to land, access to science and technology, women's access to political power, implementation of laws, and the national gender machinery. However, the following themes, as identified in the DoW report (2015), will be argued against the role of socio-cultural institutions and practices e.g. social institutions, gender stereotypes and cultural beliefs. These key factors remain uniform throughout discussion in this study and they are **poverty and inequality**; which will take account of gender relations, access to political power, HIV/AIDS and access to

basic needs and resources; **education**, which will cover access to science and technology; **access to the labour market** and women's contribution to total production, encompassing access to employment, unpaid work and the economic empowerment of women; **access to credit, land and property**, the **impact of violence against women** on their participation in the economy and lastly, **the role of civil society**. While the DoW (2015) report states access to the labour market and women's contribution to total production as separate themes, they will be discussed in the same section in this chapter.

4.2 EVALUATING CONTEXT: SOCIO-CULTURAL DYNAMICS IN SOUTH AFRICA

According to Moloto, Brink and Nel (2014:2) and Kilmartin and Allison (2007:241), gender stereotypes are pervasive beliefs that condemn men and women to different roles based on their different qualities and capabilities, thus indoctrinating all facets of men's and women's behaviour. This type of indoctrination is so deep that those influenced by the traditional beliefs sometimes get to a point where they ignorantly protect their oppression themselves without realising it. Gilson (2014:75) supports this notion by asserting that ignorance is not merely a lack of knowledge but that it is actively produced and maintained, resulting in vulnerability. When women are vulnerable, they become susceptible to more severe types of exploitation than men are, such as rape that could result in pregnancy and the contraction of HIV/AIDS.

According to Ramphele (2011: 99-110) and Kahn and Motsoeneng (2014:1077), discrimination against women is deep-rooted across all cultures in South Africa but particularly within the African culture and is inculcated in children of both sexes from a young age. Ramphele further cites colonialism as playing a major contributory role in the subjugation of women, especially African women, where the colonial administration transferred their views of female domesticity onto African women, who were previously respected as mothers and workers of the land, by relegating them to be housebound. It is on this premise that the post-

colonial feminist theory applies in that, primarily, post-colonial feminism explores in different contexts women's lives, work, identity, sexuality, and rights in the light of colonialism and neo-colonialism with gender, nation, class, race, and sexualities (Mishra, 2013:131). Furthermore, some women have enjoyed ranges of influence and authority because of their colour, race and class, while being victims of gender-related subjugation. For instance, "a wealthy, white woman will be relatively powerful compared with a poor minority man (black man)" (Kilmartin and Allison, 2007:114). In simple terms, her race as a white individual makes her superior to the black man; however, she will still be subjected to gender orientated discrimination among fellow white males.

Oduyoye (1995:131) criticises cultural indoctrination, highlighting the role of cultural proverbs in gender inequality, one being that, "[d]omestic affairs are not rags to be washed and hung outside". This emphasises a point in Chapter 2 about the separation of private and public life. It was mentioned that the private life or the home is kept secret (as this proverb suggests), which is why some sexual and other domestic offences remain unreported as it is not in line with African culture to do so. As implied by Oduyoye (1995:131) and Nicolson in Robinson and Richardson (1997:375), despite the fact that statistics of both motherhood and marriage have dropped worldwide in recent years, priorities of African women and women worldwide generally begin and end in relationships and motherhood as central aspects of their lives. In applying this premise to the South African context, evidence is seen in the Statistics SA Report (2014) while addressing unemployment where the main reason for women's economic inactivity was homemaking. According to this report, females who stated homemaking as a reason were more likely to be unemployed with lower levels of education. This raises questions as to whether marriage and motherhood are not, as stated by CEDAW and the Beijing Platform, preventing the full advancement of women or illogically depriving them of their independence. It is thus evident that the family and/or marriage as social institutions qualify to be deemed gatekeepers of patriarchy, thus subjugating women.

With reference to theories discussed in Chapter 2, Simone de Beauvoir (1906-1986) and Kate Millet highlighted the role of patriarchy in moulding gender identities in the society, Eva Figs drew attention to the stereotype of 'femininity' being imposed on women by men, and Germaine Greer highlighted how women from a young age are indoctrinated into assuming conservative passive sexual roles. It has been noted that this imposition on women by men is referred to as 'patriarchy'. Therefore, from theoretical considerations made, it is evident that Marxist feminists and Radical feminists both believe patriarchy to be a common ill upon which the structure of the family is based. Hence, the suggestion that gender stereotypes emanate from the private sphere of life being the family as a social institution, which then makes its way into the public life that includes the labour market and other forms of economic participation. In essence, patriarchy and gender stereotypes are socio-economic concerns. Higgs, et al. (2004:276) notes how gender inequality is a by-product of a system that isolates and confines women to the private sphere by weighing them down with private sphere duties like child-rearing and household responsibilities. Most women, be it those with careers or not and whether educated or not, are generally occupied with taking care of the home and strive to successfully balance the two spheres.

Verwiebe (n.d.:1) describes social institutions, in the general sense, as "systems of behavioural and relationship patterns that are densely interwoven and enduring, and function across an entire society." Connell and Pearse (2015:96) on the other hand refers to them as 'agencies of socialization' on a premise that sex roles are acquired through socialisation, a belief also noted by CEDAW. These two definitions describe social institutions as institutions that consciously and unconsciously teach people the social rules in the society and how to live and act according to those rules. These authors identified the following as social institutions:

Family and relationship networks carry out social reproduction and socialisation...Institutions in the realm of education and training ensure the transmission and cultivation of knowledge, abilities and specialised skills... Institutions in the labour market and economy provide for the production and distribution of goods and services ...Institutions in the realm of law, governance

and politics provide the maintenance of the social order... While cultural, media, and religious institutions further the development of contexts of meaning, value orientations and symbolic codes (Verwiebe, n.d.:1).

In Chapter 2, 'the family' was pointed out as the root of patriarchy in feminist theories discussed. On that account, institutions relevant in this regard will be the family, the school and religious institutions as the source of family through marriage. The role of social institutions in shaping African socio-cultural underlying sources is one that is often undermined internationally and, to a certain extent, politically within South Africa. Article 10 of the CEDAW (1981:4) directs state parties to eliminate any form of discrimination by eliminating,

“...any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods...”

It is unfortunate that recommendations by CEDAW to include gender mainstreaming in education is still not a reality to date. The CGE (2013:4) in an assessment on progress since 1997 noted that officials from the Department of Education curriculum department claimed that they could not implement Article 10 of CEDAW because they did not receive guidelines on how to approach gender mainstreaming and thus devolved the responsibility to the provinces to be responsible for monitoring accredited publishers. As such, it is evident that achieving the goal of *de facto* gender transformation in accordance with international obligations is far from becoming a reality.

Women are perceived to be of a lower standard while men are more favoured and seen as socially dominant and a standard version of humanity. The perception of women according to historical and customary practices presents as a barrier to the development of women (Moorosi, 2007:509), in that such practices impede the implementation of policies on gender equality. The Statistics SA (2014:178) report suggests that gender role stereotypes still persist in manipulating the

labour market outcomes for both males and females. For instance, the report highlighted, among others, three gender stereotypes as explained below.

The first stereotype is; “[a] good woman is one that maintains the best home.” It was revealed that this stereotype might have played a contributory role in stagnating labour participation rate of females over time, the reason being that it was married females in particular who stated the reason of home-making for inactivity and the majority of whom had no tertiary level education. This outcome supports the view stated earlier in that socio-economic factors are linked when it comes to gender equality and should not be tackled separately as they are interdependent and interrelated. The Statistics SA (2014:178) report went to the extent of recommending that focus should be maintained on empowering women economically through improving their education.

The second stereotype is, “[c]hild rearing is a woman’s responsibility”. In this, the report showed females with minor children in their household being more likely to be unemployed than those without minor children in their household. The report further proposes innovative advocacy campaigns encouraging the sharing of household responsibilities, child rearing included. It is hoped that this will increase participation levels of females in the labour force.

The third stereotype states that, “[c]ertain jobs are for females and others for males.” As noted above, males and females still choose areas of study based on gender stereotypes. For instance, females are dominant in the health and social sciences fields with 65.6% whereas males continue to dominate in what has come to be known as STEP fields namely Science, Technology, Engineering and Physics with 75.4%, a much higher figure considering participation. Williams (1993:3) suggests that the culture is that, “[t]he man that crosses over into a female-dominated occupation upsets the gender assumptions embedded in the work.” This translates to a man not being considered a ‘real man’ if he performs roles that are associated with roles being performed by women. Work performed by women is largely undermined by men to a point where they see it as being

natural like child-rearing. Visvanathan et al. (2011:214) reaffirms this analogy in saying that:

[t]he famous 'nimble fingers' of young women are not an inheritance from their mothers, in the same way that they may inherit the colour of her skin or eyes. They are the result of the training they have received from their mothers and other female kin since early infancy in the tasks socially appropriate to woman's role... It is partly because this training is socially invisible, privatized {sic}, that the skills it produces are attributed to nature and the jobs that make use of it are classified as 'unskilled' or 'semi-skilled'.

It is clear through this study that there is a mismatch between the skills required by the South African labour market and what females choose to study, thus disadvantaging them to secure employment and leaving an even wider skills gap in the STEP employment fields. This suggests that South Africa needs to be aggressive in its efforts to change the mind-set and attitudes, and expose and sponsor more girls to penetrate STEP fields in order to close the economic and gender gap and accelerate gender representation in those fields.

In Chapter 3 the DoW and CGE were mentioned as institutions that were established to find ways to address entrenched stereotypes and their mandates were outlined. Currently the progress seems slow if at all evident, as noted by Parliament. When this concern on slow progress was raised by committee members during the DoW presentation to the parliamentary committee on their Strategic and Annual Performance Plan, DoW representatives mentioned that they had limited funds to execute a comprehensive programme as suggested by the OSW in 2000 across various government departments. The DoW delegates also noted that the monitoring and evaluation function was a key priority in measuring progress against CEDAW and the Beijing Platform for Action commitments and needed an increase in their current budget to execute (DoW, 2016:1). From this, one can deduce that gender issues are not treated as a priority budget requirement in parliament and that the NGM, including the joint monitoring committee for gender equality in parliament, has failed dismally in prioritising gender transformation on the parliamentary agenda. It should be

further noted that another factor regarding the slow progress was due to lack of skills in dealing with gender mainstreaming. The implementation of the GFP is a typical example where the intention was misunderstood by most, including officials who were given the role of GFP. According to ADB (2009:18-19), “many appointed GFPs have little or no experience with gender analysis and are not well qualified for the work... In addition, GFPs do not have budget allocations for their mainstreaming work”.

Drawing on the mandates of the DoW and CGE as stated in Chapter 3, there is however an overlap between the deliverables of the CGE as an autonomous entity and the DoW. The fact that the leadership thereof is appointed by the President poses another challenge in that it is open to meeting a political agenda through a political appointment without the necessary skills for the job which is likely to undermine authentic gender transformation particularly in terms of CGE as a constitutionally mandated institution. The efficiency of such institutions thus lies in the strength of the leaders as transformational tools. If women are placed in such institutions and they conform to the status quo (which is their political party agenda) as opposed to revolutionary gender transformation, then the purpose of such machinery is likely to be defeated. The six key areas will now be discussed below.

4.3 POVERTY AND INEQUALITY

Poverty is by far the biggest challenge facing the world and the African continent in particular. It has been on the United Nations agenda as a Millennium Development Goal (MDG) and is now a fundamental SDG. Different mechanisms are continually being explored by various unions across the region and the APRM is one such continental tool that was instituted to address poverty under the socio-economic development umbrella, among other issues, as a social ill.

Throughout the literature the ‘feminization of poverty’ is a phenomenon that points to the increasing numbers of those living in poverty being women and their

children respectively as opposed to men (Wennerholm, 2002:1). “While men and women share many burdens of poverty, they often experience it differently because of biological differences and gender roles, and in turn are affected differently” (Chitiga-Mabugu, Karuaihe, Reddy, Motala, Morrison, Botsis, Ntuli and Tsoanamatsie, 2014:1). Observation indicates that poverty impacts on women’s ability to care and provide for their children thus making them vulnerable to all forms of exploitation as compared to male counterparts. As Wienclaw (2009:1 of 1) explains, “[c]ontributing factors to such imbalances between the sexes living in poverty could be attributed to the longer lifespan of women, male abandonment of their families, and discrimination against women.” However, as mentioned in Chapter 3, laws such as the Maintenance Act 99 of 1998 was promulgated to ensure that parents do not avoid the responsibility of providing for the wellbeing of a child and/or a spouse financially thus circumventing male abandonment of their families. This notion affected women more previously as they were the majority beneficiaries of child maintenance due to their status as the primary caregivers of minors at the time. However, according to the Statistics SA report (2014:144), statistics show that in 2008 and 2014 “...an equal portion of males and females (50.0%) received child support grants.” This implies that this later Act assisted in making sure that able parents take financial responsibility for their children.

In South Africa poverty demographics have been unduly influenced by the system of apartheid and patriarchal social and cultural norms that continue to reduce and confine women to private sphere roles where they do not get remunerated for their efforts and are often victims of domestic abuse. The Statistics SA report (2014:178) and Chitiga-Mabugu et al. (2014:1) indicate that this practice of inequality alone is enough to limit women from obtaining any other formal empowering skills to escalate them to being an independent income earning resource to the family and as a participant in the economy. The enactment of the Women Empowerment and Gender Equality Act of 2013, as mentioned in Chapter 3, calling for 50% representation has not been realised given South Africa’s current representation of women in decision-making structures and

positions, socially, economically and politically. For instance, four years into enactment of the latter act, the South African cabinet is currently standing at 33 out of 72 Cabinet Ministers which amounts to 45.8% of the total mark and 4.2% short of realising clause 7(2)(a) in the latter act.

The UN Women (2015: n.p.) report highlights the fact that on average globally women work two and half times more than men for a remuneration averaging 24% less than that of their male counterpart. "Since the transition into the post-apartheid era, the South African government has been striving to redress the challenges of poverty and inequality" (Chitiga-Mabugu et al., 2014:1). State interventions such as social grants (the bulk of which is the Child Support Grant) and the Expanded Public Works Programme (EPWP) aimed at unskilled unemployed individuals who did not qualify to receive grants were instituted. These efforts were not, however, gender specific in addressing the inequities of women.

Women in particular, as indicated earlier, are the hardest hit by poverty and form the majority of those affected. In South Africa, between the years 1993 and 2008, poverty rates ranged from 4% for white females, 11% for Indian/Asian females, 33% for coloured females, whereas 72% of black females lived below the poverty line (Leibbrandt et al. 2010:21-22). At the time this study was finalised, poverty rate statistics available for South Africa were for the period 1993-2008. Therefore, the latter data provides us the closest accurate indication that poverty is indeed gendered. Women's lack of influence to make decisions that come as a result of patriarchy persists in undermining the efforts to empower women socio-economically.

The true poverty status of married women is also unclear in that reports such as the Statistics SA report for 2014 only studied households, where female headed households only include single, widowed and divorced females while excluding women who remain under the financial and resource dominance of men inside marriages. Therefore, despite the presence of the Recognition of Customary

Marriages Act, it is difficult at this point to determine progress made on the beneficiaries of this legislation as "...treating household income as pooled obscures women's 'hidden' poverty within households and the existence of gendered inequalities in the control of household resources" (Scott, Crompton and Lyonette, 2010:215). On this account, the total poverty rates of women (including married women) might be higher than the current research suggests.

The effect of the Group Areas Act and Natives Land Act from the previous dispensation which forcibly spatially separated people of colour to impoverished and under-industrialised rural homelands is still felt by many women today. The OSW report explains that women from rural areas are found to be more vulnerable to poverty than their urban counterparts as they are further from employment opportunities and economic activity, resulting in high unemployment rates. The ultimate effect of this rising unemployment is seen in escalating migration from rural areas to urban areas as people (both women and men who leave their wives and children at the rural homes) still perceive the urban areas as a hub for economic opportunity, employment and better quality of living (Chitiga-Mabugu, 2014:6). The relatively slower pace of service delivery in the rural areas also gives rise to the perception that urban centres offer better opportunities for service delivery.

This results in pockets of poverty developing, in particular in informal settlements, as people do not in most cases get what they expect when they arrive in the urban areas. In a study on the living conditions of poor women in informal settlements, Nadvi (2009:84) describes women and children as having to bear disproportionate social challenges of HIV/AIDS, poverty, lack of service delivery and gender-based violence. Since gender-based violence is inclusive of rape, it thus becomes challenging for victims to exercise their rights provided for through the Sterilisation Act as healthcare becomes a problem given the lack of service delivery in such areas. "Past experience has shown that the cure for all urban ills does not lie in the city: improving conditions and the structure amenities in the city attracts more people from elsewhere" (UNESCO, 1984:12).

Regardless of the extensive legislation that exists, policy interventions such as the NPF still fail African women who remain the most marginalised by the previous system and by current poverty and exclusion. It is generic and equivocal in how it refers to and addresses women and their issues. It does not recognize the way in which varying levels of depth, women of different races and classes were affected by injurious and discriminating past practices as post-colonial theory implies. It is based on legislation that is more in line with a Western feminism approach such as liberal feminism, not making much effort to consider other factors at play. In essence, it is a framework that does not enforce gender equity as opposed to equality. In Chapter 1 a definition of gender equity was said to consider historical imbalances with the aim being to redress or compensate for those shortfalls. As much as there is legislation put in place to protect women, most rural women cannot take advantage of such opportunities due to, among other reasons, their geographical location, their level of education and their level of commitment to their private sphere responsibilities and equally their socialisation.

This endorses the notion that material, historical and cultural conditions people find themselves in, could serve as a disadvantage in the way they view life (Plooy-Cilliers et al. 2014:33). For example, they state,

“..., a poor, illiterate black woman who grew up during the apartheid era in South Africa would have had very few opportunities and would have experienced oppression and exploitation due to her racial, gender, educational and material status.” Similarly, he adds, ..., in the past due to indoctrination, most women also believed that they were inferior to men and, as a result, accepted domination and oppression as the norm”.

Therefore, beliefs that people embrace are moulded, and their life choices are limited within the parameters of the world in which they live.

Black/intersectional/third-world/post-colonial feminists object to gender-only cantered feminism theories because they exclude women who experience

poverty and life in general differently from what gender alone covers. Women suffered “double colonization” as Mishra (2013:132) notes, first as colonized subjects and secondly by patriarchy in just being a woman. Young, (2003) in (Mishra, 2013:130) describes post-colonialism as comprising,

... non-western feminisms which negotiate the political demands of nationalism, socialist feminism, liberalism, and ecofeminism, alongside the social challenge of everyday patriarchy, typically supported by its institutional and legal discrimination: of domestic violence, sexual abuse, rape, honour killings, dowry deaths, female foeticide, child abuse...” and “highlights the degree to which women are still working against a colonial legacy that was itself powerfully patriarchal – institutional, economic, political, and ideological.

In order to shift women away from the margins, the state needs to apply Bell Hooks’ vision of a feminist theory that encompasses all sexes of all races and ages, from all social and economic classes and religions. Policy makers need also to take into account post-colonial, third-world and apartheid legacies that contributed to the entrenchment of economic passiveness of majority females in South Africa. Strides have been made in attempting to ease some poverty related contributory factors to empowerment by introducing free education, which will be discussed below, but that has also proven to be insufficient to produce the necessary gains. That said, a one-size-fits-all approach to women’s socio-economic empowerment will not assist in advancing sustainable gender equality.

4.4 EDUCATION

According to DoW, (2015:9); Ban Ki-Moon (2015); UN Women (2015); Boom, Canning and Chan (2006); and the National Planning Commission (2011), education reinforces a sizeable chunk of women’s complete engagement in the economy and it also provides numerous remunerative options to women by equipping them with skills that expand their production capabilities, thereby alleviating poverty. Through some skills that can be acquired through education,

women can gain the confidence and ability to narrow and eventually close the gap of participation in previously male-dominated industries and roles.

Since 1994 the South African government has developed numerous programmes such as the “feeding scheme”, to motivate the African child to attend school and to also improve on the quality of education offered to previously marginalized children or former Bantu children. Bantu education was gendered and limiting in nature as it only allowed for the beneficiaries thereof to reach a certain level, especially girls and women. The CGE (2007:12) quotes the former Minister of Native Affairs in apartheid South Africa, H. F. Verwoerd, who addressed Parliament as follows:

There is no place for the Bantu child in the European community above the level of certain forms of labour”...“As a woman is by nature so much better fitted for handling young children, and as the great majority of Bantu children are to be found in lower classes of primary school, it follows that there should be far more female teachers...quotas will be laid down at training colleges as regards the number of male and female candidates respectively which may be allowed to enter for the courses...”

This suggests that a gendered education system dates back some decades and also explains how the indoctrination of gendered roles ultimately manifests itself into adulthood.

With democratic government in 1994, various mechanisms were set up to make it easier for vulnerable children from all backgrounds to acquire an education. These mechanisms include providing social development incentives such as feeding schemes and transport for children who lived far from school, all of which were focused on keeping children in school, and protecting girl children from having to walk at risk to reach their school. For instance, in 2012 the Department of Transport in Mpumalanga donated 769 bicycles to a school in Thembisile Hani Municipality for pupils who travel long distances to get to school (SAPA, 2012:1 of 1). Gamede (2005) points to the fact that there are various questions that should be addressed to fully say educational rights are completely implemented.

He also notes that there are a number of policies that depend on the success of the impact of access to education, and that access should apply to the means of entry into school, maintaining the post-enrolment phase (which he deems the most important phase) and the outcomes (which refer to the quality of education received). These questions that Gamede refers to consider other factors that come into play with the educational right of girl children and elements that might impede such success.

“By 2007 South Africa was close to reaching Universal Primary Education (UPE)” (Nomlomo, Farag and Holmarsdottir, 2012:42). From the 95% of children of school-going age registered in schools, the number of girls enrolled was slightly higher (96%) than boys who formed 95,6% of the total population enrolled in schools (Shindler & Fleisch, 2007:145). These latter figures alone were so improved that they could have easily convinced policy makers and observers that the goal of gender equality in education had been reached. However, Gamede’s premise would then prevail in that reaching the goal would mean maintaining the post-enrolment progression in making sure the pupils stay the course until they are successful school graduates at an employable stage. The DoW (2015:35) identified a significant drop in school attendance rates in females aged 7-15 from 99.0% down to 86.1%. Research shows a lot of factors could come into play between enrolment and completion phase, and could lead to drop-outs. For instance, as stated in the DoW (2015:37), teenage pregnancy between the ages of 15 and 19 is a fundamental problem in girl children dropping out of school. Addressing the goal of gender equality through education is a process that needs close and continual monitoring and evaluation to truly have the required sustainable impact.

A connection has been established between education and employability. The Statistics SA Report (2014:124), for example, found that females with less than Matric qualification were more likely to be unemployed. “Figures in this report showed that females with tertiary education were least likely to be inactive and that those who drop out of the labour market due to home-making were also least

likely to have tertiary level qualifications” (Stats SA, 2014:178). It is acknowledged that other factors could come into play in this instance; however, these figures could also imply that women with lower levels of education have little incentive to stay in the labour market as compared to building a family, in that they see more value in building a home under the control of a husband than they do in being independent. This could be based on various reasons. From the report it is clear that, “...gender role stereotypes and the manner in which these roles may continue to influence labour market outcomes for both males and females” (Stats SA, 2014:178). The report further recommends, “that the focus of women’s economic empowerment through education should be maintained, as it has been shown to have a positive impact on increasing female labour participation.”

Nomlomo, Farag and Holmarsdottir (2012:43) investigates the challenges that exist in accessing gender equality in education in South Africa and found that despite the great progress in school enrolments generally since 2000, females were still lagging behind due to what Prinsloo (2006) called the ‘invisible forms of exclusion’. These refer to hidden barriers that affect girls’ participation and performance at school and could lead girls to drop out of school, thus failing to address the gender equality gaps that exist between boys and girls well into adulthood. Reports of sexual harassment, gender-based violence, rape, assault and negative traditional/cultural practices specific to girls such as early marriage in South Africa were found.

In consideration of the analogy of Plooy-Cilliers et al. (2014), Holmarsdottir (2011); Holmarsdottir, Ekne and Augestad (2011); Subrahmaniam (2005); Colclough (2012) and Unterhalter (2005), endorse this and suggest that there are other factors at work that create disadvantages for girls, comprising the connection between poverty, social class, power and race. It is concerning and difficult to avoid the researchers who arrive at matching deductions when discussing contributory factors that stand out in halting girls’ advancement in education and which links to participation in the economy, thus failing to interrupt the cycle of inequality, socially, economically, politically and otherwise.

Pendlebury et al. (2008:25) argues that based on the notion that due to dynamics owing to gender, race, poverty and disability, children in the same classroom or school may not have equal access to education. To explore this notion, such elements have the ability of coming into play in how a child receives education given all these factors weighing in on their circumstances. According to Kilmartin and Allison (2007:73-74), victims of rape suffer from Rape Trauma Syndrome which may lead them to experience shock, confusion, disruption of personality (being dazed), distorted perceptions and develop phobias. Kilmartin and Allison (2007: 73) further suggest that, “[y]oung college students may even drop out of school”. For instance, a girl who has been raped the night before she goes to school, will either not go to school the following day, or alternatively she will attend her classes with lower to non-existent concentration levels than her counterparts who do not share a similar experience. The same would arguably apply to a child who had nothing to eat at home due to poverty.

The Statistics SA report revealed that other factors that were reasons for girls dropping out of school were associated with financial constraints. Therefore some procedural commitments by the South African government, as mentioned in Chapter 3 above, have been key in addressing some of the problems that were previously seen as contributing to keeping young girls in school, i.e. no-fee schools, feeding schemes and transport provision. Given the above additional factors that are not directly exposed (like rape) and could at times go for long periods without being discovered, such commitments could prove to be somewhat insufficient in completely reaching not only the near universal primary education goal but also the goal of attaining gender equality in education.

The DoW (2015:35) report shows that high numbers of school attendance that outnumber boys for girls aged 7-15 years old drops significantly by 13% for girls in the 16-18 years group, with approximately 1.9% below boys in 2014. Despite the victory that may have been achieved in earlier education attainment for females, a drawback lies in translating to a new dynamic that should be addressed going forward. From this deduction, it is clear that ages where

dropouts are evident are high school ages, an age group that is said to be in the adolescent stage. A table in the General Household Survey (2014) (in DoW, 2015:40) showed generic reasons for non-attendance across sexes as being no money for fees, the individual having found a job, poor performance, illness, lack of value for education in one's life, family commitments, getting married, disability, and pregnancy. Of great concern was the fact that reasons of family commitments and marriage for non-attendance seemed more important to females, accounting for 21.9% of girls between the ages 14-18 and 14.3% of females between 19-24 years of age. In total, the reasons of pregnancy and financial constraints account for about 55% of non-enrolment of females in the latter age groups (National Income Dynamics Survey (NIDS), 2012, in DoW, 2015:42). In examining the aforementioned study, the same factors were reported in Sudan, with teenage pregnancy and financial constraints being central to school drop-outs in adolescent non-attendance. Even though male literacy rates are still relatively higher than those of females, women have been catching up since 2011 and the female youth has gone higher than that of males in the same age group.

Notwithstanding all the reasons given for non-attendance, there should be no doubt that in general more children have access to education (given government incentives) than before and that girls, though not significant, make up a slightly higher number of beneficiaries of education. Although it is not in a positive light to resonate with such sentiments, Nomlomo et al. (2012) makes a strong point in stating that poverty can itself be a positive factor in encouraging parents to send their children to school as there is a belief that by sending their children to school the very children will have a better opportunity for income and to pull the family out of poverty. This does not, however, discount the cases where young girls, especially in rural areas, are forced into marriages for immediate financial gains for the families from practices of lobola (bride dowry) instead of going to school.

From the latter arguments, one can deduce that there has been progress in the advancement of women from schoolgoing age in general even though it is not as rapid as desired. Stated earlier, other factors that have been highlighted are the

lack of progress in the patriarchal social and cultural norms that continue to reduce and compel women into private sphere roles, and thus to a certain extent influence career roles women see themselves in, and indirectly influence fields of study women often register in. For instance, as pointed out earlier, in the Statistics SA (2014:178) report, gender stereotypes play a role in influencing decisions to take particular career routes. The gender stereotype “[c]ertain jobs are for females and others for males” was true in that “...a higher percentage of females with tertiary education were qualified in the field of social/health sciences which include professions such as social work and nursing (65.6%), while males dominated in the physics/ mathematics/ engineering fields (75.4%). This is on its own a challenge in attempting to close all the gender gaps that exist within all spheres, particularly the economic sphere. The DoW (2015:46) presented evidence that shows women’s participation in mathematics and science-related subjects and fields referred to as Science, Technology, Engineering and Mathematics (STEM) as being low. This tends to be a problem as it sees an influx of women in certain fields, as mentioned above (social work and nursing), which men are also competing for, while there is a shortage in STEM fields. If government succeeds in implementing initiatives to draw women into STEM fields, it will not only give women better employment opportunities but it will close the gender inequality gap that persists within that field.

4.5 ACCESS TO THE LABOUR MARKET AND ECONOMIC PARTICIPATION

According to the DoW (2015:49), “[t]he labour market is the key arena in which most individuals engage with the economy.” This translates into productive employment because through employment one gets paid a salary that can be used to get resources. One of the main reasons for gender inequality is the financial passiveness of women. Women have been noted to be worst hit by poverty and historically least educated compared to their male counterparts, elements all related to non-participation in the mainstream economy. According to DoW (2015) and Statistics SA (2014), the labour market has been identified in

most countries as being the key platform from which most people get the opportunity to contribute in the economy.

Women across the world come across various challenges such as level of education, private sphere responsibilities and roles and others in the work sector. The labour market introduces more barriers that women encounter such as wage discrimination where men earn more than women for the same job due to the perceived vulnerability and weak bargaining power of women in their work affairs (DoW, 2015:49). For instance, the World Economic Forum data (2016) shows South Africa to have a 30% wage gap between men and women, with women earning less than their male counterparts in similar positions. One can thus construe that the Employment Equity Act falls short in securing the eradication of unfair discriminatory practices based on gender due to their deep-seated nature. According to Statistics SA (2010; 2015), employment conditions also contribute to attracting different sexes, i.e. security of employment, employer contribution, hours of work, and leave entitlements. Anon (2017:n.p.) on MyWage observes that men and women generally make decisions differently in that most women opt for educational and career options that are more easily combined with family life. For instance, a married woman with children might find it undesirable to engage herself in employment that keeps her away from her minor children for long periods whereas a married man would not have reservations if he has a wife who plays the role of the primary caregiver of their children and household. This continues to prevail despite the good legislative intentions of laws passed to promote the equal treatment of women in the workplace

In 2015 the unemployment rate was estimated at 28.7% for women and 24.4% amongst men (Stats SA, 2015). It should be considered that this could also be as a result of women not being able to penetrate what is referred to as 'brawn-based' employment for instance, "Agriculture and manufacturing generally require more physical strength, or 'brawn,' than services, and men have a comparative advantage in tasks requiring brawn" (Jayachandran, 2014:5). From these statistics, employment gains for women of all educational levels have been seen.

Considering fields of study females normally gravitate to, such as social work, nursing and administrative jobs, it would make considerable sense to be concerned about the impact this concentration has on fields of labour that women gravitate towards. Emerging data reveals that there are slightly more female professionals than male; however, females are yet to become the managerial majority. To reiterate what is stated by Anon (2016:n.p.) in MyWage, because women generally prefer more secure employment than men, they avoid being vulnerable by staying away from the informal employment sector and opt for more structured sectors whereas men do not entertain disruptions in employment. Sectors such as national, provincial and local government departments guarantee them employment benefits where they can have stable permanent contracts entitling them to medical aid, structured leave days and set working hours (normally eight-hour jobs). This is because government, as the gatekeeper of legislation and human rights, must ensure that procedural commitments as required by the Employment Equity Act, Basic Conditions of Employment Act and the Unemployment Insurance Act, are complied with.

Statistics SA (2014:178) information suggests that women are more likely to be employed in the lower skilled occupations. This can, among other possible factors, be based on the growing number of women working as domestic workers. As it stands according to Dow (2015:58), “[p]rivate households employ almost one million women, or 14.7 percent of female employment, compared to just 3.4% for men. Escalating numbers of women entering the professional labour force gives rise to the number of domestic workers in the system. This is because as the women enter the professional labour force they are forced to divert their private sphere responsibilities of cleaning, cooking, child rearing and other household responsibilities to other women and pay for it”. The OSW (2000:17) also notes that the lack of opportunities in the formal sector forces women into poorly paid and largely unregulated informal jobs such as those of domestic workers. Therefore, figures stated here suggest that women are more likely than men to be employed in lower skilled occupations such as domestic work.

Statistics from the Statistics SA report (2014:143) show that low-skilled occupations account for 22% of women's employment while men are at 24%. This is a concerning gap in relation to gender equality within the socio-economic balance as it translates to first less employed females, and secondly, lower earnings for the female-headed households as they often have to support their households without assistance from a male counterpart. Domestic work is by far one of the fastest growing, most unregulated, most exploitative and lowest paying sectors in practice. Domestic workers generally work longer hours as they are expected to assume duty before what is considered the 'normal' working hours commence (8am to 4pm). In most cases the day of a domestic worker only ends when the employer returns from their professional labour employment for child minding purposes. For example, in the absence of a domestic worker; professional women would typically be expected to leave earlier from work to fetch children from school, drive them home, help out with homework, cook for them, clean for them and wake up earlier than everyone to ensure the family gets ready for the day's activities. Conditions of most domestic workers are not in compliance with the Labour Act, the Basic Conditions of Employment Act and the Unemployment Insurance Act due to the lack of contracts in place for employees and abrupt dismissal practices. According to the Department of Labour (DoL) (2007:1 of 4), domestic workers are now eligible for paid holidays, sick leave and can refer matters to the CCMA. Note should be taken however, that because other factors that could come into play, like educational level, and fear of victimisation, most of them might not be aware of their rights and therefore fail to take advantage of them. This point is thus a call for government to empower women in this sector by creating awareness about the legislated rights of domestic workers.

According to the Statistics SA report (2014:102-103; 133-135), women with minor children in their households are more likely to be unemployed. Further deductions from this report reveal that in South Africa, women who gave birth to their firstborn children before the age of 19 years were more likely to be unemployed, at 43.7%, compared to those who first gave birth at the age of 19 years and older. This

means that teenage pregnancies have a negative effect on the economic participation of females. Teenage pregnancies are reported to be high in females from rural areas where poverty is higher as mentioned in the section on poverty in this chapter. This could be attributed to gender stereotypes, sociocultural influences, sexual abuse and high levels of poverty. As Chitiga-Mabugu et al. (2014:6) mentions, “individual and household strategies, such as allowing for transactional sex, could lead to teen pregnancy which interrupted girls’ schooling.” Therefore, to discourage this pattern of teenage pregnancies, all these possibilities should be seriously and intensely examined as this report showed an increase in teenage pregnancies in the years 2001 to 2014.

According to the World Economic Forum (WEF) (2016:18), South Africa is ranked 63rd out of 144 countries in terms of economic participation and opportunity globally. While only 45.2% of all women in South Africa are economically active in the labour force, and only 19.7% of them have degrees, diplomas or certificates and increasing yearly by approximately 7.5% (DoW, 2015:52; Stats SA, 2014), a lot still needs to be done to assist the remaining 54.8% that are lagging behind. Efforts must also be made by government and the gender machinery at large to equip women to penetrate the STEM industries in order to overcome socio-cultural barriers that prevent women from taking advantage of available Affirmative Action and B-BBEE initiatives as outlined in Chapter 3, thus reaching the extent of gender equality the South African economy needs.

The exercise of attempting to measure or attach monetary value to women’s contribution to total work can prove challenging due to underestimation of women’s contribution and also because “[h]ousehold production consists of productive activities not resulting in market goods or services and...includes activities...such as care for other persons in other households” (DoW, 2015:131). These underestimations emerge up because national accounts always discount non-market services for households. According to the United Nations Economic Commission for Latin America and the Caribbean (CEPAL) (2014:9), non-market services for households are divided into firstly, unpaid domestic activities for own

home which includes food preparation and serving, cleaning and upkeep of dwelling and surroundings, cleaning and care of textiles and footwear, maintenance and small repairs of own home, household management, purchases for the households and plant and pet care. Secondly, it comprises the unpaid care of household members which encompasses care and support for children under 15 years of age that are household members, household members between the ages of 15-59, household members with a disability, chronic diseases or permanent dependence. In keeping with the statistical data given in the DoW (2015:132), 70% of this work is accounted for by women with an estimate of 75.2% time spent on it. This implies that men are much less likely to spend any of their time on unpaid care work than women are. Therefore, in order to escalate women's participation in paid work in South Africa, given results from the Statistics SA study, child-care services especially would have to be subsidised by government in some form.

In an effort to accelerate further economic participation for the previously disadvantaged, women were included in legislation like the Preferential Procurement Policy Framework Act and the B-BBEE Act. This legislation prompted other interventions to make funding available for women such as the ABSA Women Empowerment Fund aimed at offering start-up loans to Small, Medium and Micro-sized Enterprises and the Isivande Women's Fund, also offering start-up funding, business rehabilitation, business expansion, franchising and bridging finance. While these are all welcome initiatives, their effectiveness will depend on how far they are able to reach women who do not have collateral like land, property or assets they can use as surety to access such funding opportunities.

4.6 ACCESS TO CREDIT, LAND AND PROPERTY

The United Nations 2009 World Survey on the Role of Women in Development highlighted that, "[w]omen's equal access to and control over economic and financial resources is critical for the achievement of gender equality and

empowerment of women and for equitable and sustainable economic growth and development.” There is a view that access to financial resources, assets, land and property is key in awarding women, *inter alia* a sense of safety and security, a level of confidence, decision-making influence in the household, a chance for greater participation in the broader political and social scene, a base from which they can set up small and micro businesses and most importantly, it precludes them from vulnerable and exploitative environments thus yielding robust empowered female economic citizens. This premise is widely shared by researchers and federations worldwide (Kalpana in Visvanathan et al., 2011:55; Shabangu, 2015, AU).

As a result of the land clause in the Constitution (1996), the Green Paper on South African Land Reform and the White Paper on South African Land Policy contributed to the Land Restitution Programme, the Land Redistribution Programme and the Land Tenure Programmes, all addressing land issues. However, they were all without particular consideration of women’s access to land and historical influences that leaves them at a disadvantage.

This current study has echoed challenges that come with being a South African black woman in that, culturally or traditionally, women play a passive role confined to the private sphere under financial control of husbands and elder males in the family. In addition they are not usually heirs or recipients of inherited land from their fathers. However, note must be taken of the progress made thus far from 1994 to date, in creating an interactive financial environment that is non-discriminatory. However, if ‘equity’ is not addressed, meaning redressing past and present prejudices precluding women to access available rights put in place for all, then ‘equality’; which is the legislation and policies of government will continue to marginalize women who are not empowered enough to access them. As it is, of all the beneficiaries of the land restitution programmes, only 35.9% and 9% were women respectively (General Household Survey, 2010; 2013). This becomes worse in rural areas that are typically dominated by patriarchal power relations and customary laws which favour men (DoW, 2015:106). It is hoped that

the adoption of the Traditional Courts Bill, recently presented to parliament, which calls for 50% representation of women in all decision-making structures, will remedy the social, cultural and traditional position of land ownership and lack of inheritance for women.

CEDAW and the Beijing Platform for Action as South Africa's founding documents of gender equality have made provision for non-discrimination in terms of availing access to credit and assets to women. The government has also responded through the establishment of entities and programmes within the Department of Trade and Industry (DTI) to promote and implement such effects. Women-focused funding bodies have been set up in the private sector to give credit to women entrepreneurs. This could paint a picture of equal access to credit funds across gender. However, the fact that there is a larger percentage of female headed households than male headed households who still lag in access to private assets means there are still barriers in financing women's businesses that preclude women from starting, growing and maintaining businesses. The DoW (2015:106) attributes these barriers to women's lack of collateral and financial literacy. Once again, the issue of equity is raised in this regard, which is to award women collateral and give them finance management lessons and mentoring so that they are on the same level as their male counterparts. Once equity has been addressed for women and they have financial and intellectual equipment, they will then be able to access credit by using land, assets or property as collateral while intellectually equipped to manage the loans they receive and to make enough profit to enable them to repay such loans and thereby support other women. The OSW (2000:16) notes some barriers which were manifest around the year 2000 and are still evident due to lack of intervention. One of them is that macro-economic policy does not deal efficiently with addressing women empowerment and gender equality issues. Statistics SA (2014:25) notes that:

Gender inequity in assets and resources reflects differences in terms of access to resources as well as the power to bargain for it. Research indicates that equitable access to resources and women's power to bargain can lead to more efficient distribution of the economic development opportunities for the overall population (Elson, Evers and Gideon, 1997; Randriamaro, 2006).

From this statement it is possible to deduce that gender equity is a fundamental tool in reaching gender equality. Therefore, policies, programmes and legislation such as the Reconstruction Development Programme, Affirmative Action, B-BBEE Act and the Preferential Procurement Policy Framework Act need to be aggressively interpreted and implemented with women as the focal point of beneficiaries.

As it has been explained, there are more female headed households than there are male headed ones, and one of the reasons for single headed households comes as a result of women who left their marital homes due to gender-based violence, thus starting a new life without any assets to bargain with. The impact of violence on the participation of women in the economy is expanded upon below.

4.7 IMPACT OF VIOLENCE AGAINST WOMEN ON THEIR PARTICIPATION IN THE ECONOMY

Gender-based violence covers a broad range of practices, which share the characteristic that harm is perpetrated against a person's will, that has a negative impact on the physical or psychological health, development, and identity of the person, and is the result of gendered power inequalities that exploit distinctions between males and females, among males and among females (Ward and Polaschek, 2002:392).

Article 1 of the Declaration on the Elimination of Violence Against Women (DEVAW) describes violence against women as any violent act that might result in physical, sexual or psychological harm or suffering to women, be it threats of such acts, intimidation or illogical deprivation of independence in either public or private life (Council of Foreign Relations, 1994:1of4). The Beijing Platform for Action, on the other hand, links it to historical unequal power relations between men and women which have led to domination over and discrimination against women by men to prevent the full advancement of women. Men's violence

against women is a common occurrence that happens in various forms such as rape, sexual harassment, intimate partner violence, emotional abuse, and financial abuse. The definitions given by DEVAW, the Beijing Platform for Action and lessons from previous sections suggest that there is a strong link between this type of violence and the participation of women in education, employment, a country's economy and generally in their quality of life. As stated in chapter 3, the Domestic Violence Act acknowledges domestic abuse to include all forms of abuse mentioned, whether financial, emotional, physical, economic, harassment, intimidation, sexual, verbal and psychological or any other form of abuse that might be detrimental to the health, safety, well-being and full expression of a complainant. Despite the comprehensive nature of this legislation, it can only protect those that come forward to complain. Therefore, victims who cannot express their suffering are unlikely to benefit from such legislation, and such abuse persists. Gender-based violence can be perpetrated by men on women, women on women, women on men and by men on other men. However, based on research and statistics, there is no doubt that violence or abuse of men on women exceeds all other types of gender-based violence in both extent and brutality. For example, *Womankind Worldwide* (2007) suggests that it is estimated that in South Africa a woman is raped every 26 seconds.

Although there is limited evidence on the impact that violence against women in South Africa will have on their social and economic development, suggestions earlier in this chapter indicate that there are high numbers of females who are being abused but do not complain due to socio-cultural indoctrination (Citiga-Mabugu et al. 2014:51). Because legislation does not extend to such cases, they fall short of liberating women from adverse circumstances. Furthermore, opposing abuse such as economic abuse, which refers to exerting control over household income by preventing the other party access to finances or financial independence is necessary (DoW, 2015:140) and should be highlighted. Such types of abuse can leave women feeling despondent and unworthy to take advantage of opportunities presented by the state, civil society and the community.

There are numerous instances that make it difficult for women to report incidents of abuse that are seen as unconventional. For instance, Kilmartin and Allison (2007:243 & 240) mentions unconventional types of abuse, such as a misogynistic harasser who is “a man who expresses animosity towards women through displays of sexist hostility in the workplace”, and benevolent sexism which is when women are disrespected through an attitude that women are to be cherished, adored and protected, with the underlying notion that women are helpless and incompetent (this would apply in the case of economic abuse). In some cases reporting such crimes could lead to women being stripped of all their financial resources by men either leaving them or ordering them out of their marital homes, thereby threatening their safety and security.

The DoW (2015:140) supposes that violent actions that impede on women’s economic independence are systemic and that the victim (whether employed or unemployed) might end up economically deprived despite the economic policies and institutions aimed to empower them economically. The Statistics SA Report (2014) indicates increasing numbers of female headed households between the years 2001 and 2014. The danger of economic abuse is explained in the access to land, assets and property section, exacerbating the lack of assets among women who upon abuse or divorce have no valuable assets or property they can use as collateral to award them a level of independent financial survival. This could thus have an ultimate adverse effect on children in the care of women who are victims of such abuse. Earlier in this section, Kilmartin and Allison (2007) listed types of repercussion from abuse, particularly rape. It is on the same basis that various types of abuse could impede access to education, psychologically and quality of life in general. Given such reasons, one might find women who choose to stay in abusive relationships and marriages solely for economic or financial reasons.

Various initiatives and campaigns have been introduced to bring about awareness and action. One visible movement is the 16 Days of Activism against

Women and Children Abuse initiated in 1991. In South Africa, however, it has become an annual campaign but without a legacy. The institutions that assist in putting programmes in place to empower women, such as the DoW and CGE are not reaching the most vulnerable of women as many people remain unaware of their functions and roles. Hames (2006:1325) examined rights and realities in South Africa and discovered that most of the women in her study had not even heard of the CGE, OSW nor any other gender machinery. Neither could these women imagine how such institutions could improve their quality of life. It is thus incumbent upon these institutions to prove themselves relevant to communities they are meant to serve.

Therefore, remedying the challenges of violence against women requires a deep overhaul of current interventions. Even though violence can be lessened through education and law enforcement, and possibly new legislation, it will never end completely until disproportion in gender is replaced with gender parity. In the beginning of this chapter socio-cultural dynamics were highlighted as elements that seem to play a fundamental role in the perpetration of violence against women. In fact, a connection has been established between a society's degrees of sex segregation, men's participation in child care and that of violence against women (Kilmartin and Allison, 2007:114). A level of cultural review is also necessary in the transformation to violence-free gender equality. According to Chitiga-Mabugu et al. (2014:55), to prevent men perpetrating violence against women, the focus must be on changing the low status of women, gender roles and power imbalances by pursuing underlying attitudes, norms and how the communities and society behave. In essence, social institutions should be targeted to change current circumstances. Changing such deep-rooted belief systems requires other role-players to accelerate the change necessary, and civil society can work with government to do this.

4.8 THE ROLE OF CIVIL SOCIETY

The “[c]ivil society is the sphere of institutions, organisations and individuals located between the family, the state and the market in which people associate voluntarily to advance common interest” (Anheier, 2005:22). In South African civil society, particularly large international organisations like the United Nations Development Programme (UNDP), has played an important role in making advances on behalf of the marginalized and women in particular. Dev, Kanbur, Galab and Aivelu (2012:19-20) argues that, “without power...poor women...will not be able to argue for and to force the introduction of policies and interventions that improve their well-being.” Hence the need for empowerment. They believe that as much as a woman may appear weak when alone in front of traditional authority, an organization of women may prove the contrary in that its collective strength is able to make its voice heard and hold policy makers and implementers to account. Through the CGE and now the DoW, civil society, advocating for women’s socio-economic advances, has a direct opportunity to guide and influence legislation and policy. Civil society can be key in putting pressure on the NGM to ensure that deliverables of possibly contradicting institutions such as the Commission for the Protection of the Rights of Cultural, Religious and Linguistic Communities do not infringe on rights upheld by the Commission for Gender Equality. For instance, civil society can ensure that religious communities who oppose abortion do not undermine the reproductive rights of women. Civil society can also pick up on overlaps between the mandates of the NGM.

Chapter 3 makes note of the WNC, an alliance that managed to bring together some 60 women’s organisation nation-wide in order to raise a common voice as women of South Africa in the form of a Charter, herein referred to as the Women’s Charter. This Charter documented issues that are highlighted in this study including a demand for respect in the home, workplace and community, claiming shared responsibility both in the private and public space and to address social institutions (particularly cultural practices and religious institutions) as the root of the subordination and oppression of women. These were fundamental women’s

issues that assisted the state in initiating the NGM and which still have not been implemented to date when considering the reality of women's lives in South Africa. Regrettably the WNC has since disbanded after the establishment of the NGM and South Africa is now consistent with smaller NGOs and Community Based Organisations that drive particular issues, such as, *inter alia*, violence against women, HIV/AIDS, maternal healthcare, school shoe collections, or provision of sanitary towels. The dynamic and positive (post-1994) state-civil society relationship that is now missing has left gaps between gender activists and parliamentarians, consequently leaving women in the legislature out of touch with the reality on the ground (Manjoo, n.d.: 261). This fragmented civil society in South Africa or rather the lack of an autonomous and inclusive social movement thus fails to attract sustainable attention from the government that has the potential to guide and influence government spending on the advancement of women's socio-economic status. Weldon (in Rasool, 2006:38) suggests that autonomous women's movements are effective in that they can easily criticise government policy, thus improving the accountability of government officials in a way that non-autonomous movements cannot due to patronage politics (e.g. as in the case of COSATU being an alliance partner of the ANC) as they are often dependent on the state financially.

Non-Profit Organisations (NPO) like 'Present Fathers' is giving rise to what Jackson (1998:237) refers to as involved fathers; "...men committed to raising their children at least as much as to their work life and generally expect their wives to balance employment and home." Civil society organisations are also seen at courts rallying behind victims of abuse like Sonke Gender Justice during the Oscar Pistorius trial. However, the narrow focus these organisations have on practical as oppose to strategic needs does not challenge deeply rooted norms and attitudes that society continues to adhere to and thus fails to address the role of social institutions in breeding cultural and religious patriarchal norms that subordinate and oppress women. According to the ADB (2009:24) these patriarchal views and practices are also present even in the civil society. For instance, further in the ADB (2009:24) COSATU as part of the civil society is said

to have a National Gender Unit; however, the gender committee reports “similar constraints as many government Gender Focal Points” like facing resistance and the gender unit being treated as a normal technical support unit.

4.9 CONCLUSION

It is important to reiterate that for the goal of gender equality and inclusive economic development to be achieved in South Africa, women must have unqualified economic participation. As much as South Africa outperforms its BRICS counterparts in some aspects of government, it still lags on the participation of women in the labour market, an aspect that is deemed key in ensuring poverty alleviation and better quality of life. It is clear that government has worked hard to address gender equality since 1994 through the enactment of legislature, institutions and policy. However, it needs to address equity first in order for equality to be accessible. It is evident in the information presented above that legislation alone is inadequate to achieve gender transformation. Despite progress made through the years, inequalities between the sexes still persist. The bulk of social grants in the form of Child Support Grants received by the majority of women previously implied that women were generally the primary caregiver of children in households, but due to the application of legislation like the Maintenance Act, statistics are now at 50% for both male and female. One cannot rely on these statistics alone as they do not give reasons for this change in numbers. Therefore, it should be taken into account that there could be other factors that might have come into play for the increase in the number of male child support grant beneficiaries.

An evident connection between patriarchy, socialization in terms of gender stereotypes and social institutions, education, economic participation, poverty and violence against women has been established. Progress towards gender equality, particularly equal access to education for females at all levels needs to be encouraged in order to advance their socioeconomic position, thus narrowing the gender inequality gap. This aspect should specifically focus on teenage

pregnancy as the main barrier for completion of schooling for females. Violence against women has also been noted as an area of concern that undermines the participation of women in the economy. The theory correctly suggests that patriarchy is the root of gender inequality left behind by colonialism, capitalism, apartheid and customary laws.

The South African government, through the Department of Women, has the obligation to report on a regular basis on progress made towards implementing policies deliberated on, and eradicating inequalities and any form of injustice on women to bodies it is signatory to, such as CEDAW and the Beijing Platform for Action. However, the private sector, government departments and their agencies do not have that kind of accountability to report regularly on progress made towards applying the Gender Policy Framework and eradicating inequalities and any form of injustice against women, to the Department of Women particularly. Based on this lack of accountability, the effort to promote women's socio-economic rights and achieve gender equity through economic participation of women remains a challenge.

Through information presented in this chapter, it is apparent that the problem South Africa is facing should be solved through a post-colonial approach to address all the elements that impede women's socioeconomic empowerment. Another barrier relates to the implementation of legislation and policies. The Gender Policy Framework (2000) is somewhat vague in directives it provides to various departments and is open to free interpretation by various departments and sectors. Thus the level of efficiency and competence might vary overtly in terms of implementation or rather application. Essentially, to enable women to benefit from all the equal opportunities that exist in principle, and promoted by the state to benefit all South Africans, women must be put on an equal footing to promote parity.

Institutions such as the CGE and the DoW should therefore be considerably better accommodated in relation to budget by government as a whole via the

Treasury, to allow them to support civil society by establishing and implementing programmes that will liberate men from the vices of gender stereotypes, discrimination, chauvinism and misogyny in order to afford women unabridged and categorical equality both in law application and in practice. Efforts towards 'gender equity' need not be diplomatic in approach in that they require a level of understanding on the depth of damage and imbalance it has infused over the years. If such prejudice is considered a burden for white women in South Africa, then it can reasonably be considered a double burden for women of colour in South Africa. Nonetheless, there should be a particular focus on providing all women, and rural women in particular, affordable access to natural and basic resources, finance markets (especially micro-finance), and to information and communication technology.

CHAPTER 5: CONCLUDING REMARKS AND RECOMMENDATIONS

5.1 INTRODUCTION

The main arguments will be summarised and principal findings deduced. In this section aims and objectives stated in Chapter 1 will be compared with the findings of arguments posed, thus determining whether the study fulfilled its stated purpose. Potential solutions to the findings will be suggested by highlighting tested assumptions mentioned in arguments made in the study. Such solutions will not necessarily only have been tested in the South African context but may include strategies that have worked successfully in other countries to accomplish gender equity and ultimately gender equality as far as the participation of women in the mainstream economy is concerned. This research study will then conclude with recommendations for further research that could contribute to the advancement of gender equity efforts and culture to other researchers who might wish to advance this area of interest.

5.2 MAIN FINDINGS

As indicated in Chapter 1, the aim of this study was:

- To interrogate legislative, administrative and institutional, procedural interventions towards the socio-economic empowerment of women in South Africa versus their substantial application given progress made to date (2017).

This aim was informed by the following objectives:

- To identify socio-economic factors that preclude the materialization of gender equity in the South African economic sector with patriarchy as a point of departure.
- To determine progress made between the development of South Africa's National Policy Framework for Women's Empowerment and Gender Equality

(NPF) and the report on the Status of Women in the South African Economy considering the findings and recommendations from Statistics SA Gender Series Volume I: Economic Empowerment report 2001-2014.

- To ascertain whether the Department of Women (DoW) and the Commission on Gender Equality (CGE) have appropriately applied strategies to realize socio-economic gender equity in compliance with international obligations.
- To determine the influence of the civil society in governance and the advancement of socio-economic empowerment of women in South Africa.

The findings of this study endorse the significance of the CEDAW principles and the need to address equity as defined in Chapter 1, understanding discrimination as socially constructed and not natural, and lastly for government to develop and implement legislative, institutional and administrative interventions to address the problem at hand. Given the theory best applicable to this study, namely the Post-colonial/Third World Feminism theory, other factors that contribute to this social construct of discrimination were taken into consideration. These include political history (colonialism in this regard), all sexes of all races and ages, all social and economic classes, and religions.

In addressing the first objective noted above, socio-economic factors affecting the socio-economic empowerment of women in South Africa were stated as being Poverty and Inequality, Education, Access to the Labour Market and Woman's Contribution to Total Production, Access to Credit, Land and Property, and Violence against Women. These are elements found to be currently lagging behind as far as gender equity and thus equality is concerned. Various sources cited in the study showed patriarchy as a common denominator weighing down on the above-mentioned factors, resulting from deep-rooted socio-cultural dynamics nurtured by and within social institutions (especially the family). Such institutions were said to be the root of indoctrination for traditional gender stereotypes which contribute strongly in limiting South African women from reaching their full potential. The study argued that the problem statement is true; that despite the plethora of legislation, institutions and policies in place,

supporting gender equality in South Africa, evidence of men still being socially, politically and especially economically dominant seems apparent.

When examining poverty and inequality, it was found that in South Africa women are the hardest hit by poverty with at least 72% of black women living below the poverty line, mostly in rural areas. It was also noted that these numbers could be worse than they are as the status of married women was not taken into consideration, thus leaving the poverty status of married women unclear. Since the enactment of legislation such as the Maintenance Act, the number of female beneficiaries of the child support grant has shifted somewhat, from women being the majority beneficiaries to being equal to the numbers of men according to the latest Statistics SA statistics.

As stated in Chapter 3, there was more legislation passed toward advancing gender equality like the Recognition of Customary Marriages Act. However, it is difficult to determine the progress made on such legislation because women benefiting from this are always treated as part of a household instead of individuals. Therefore, government needs to put proper measurement tools in place so that progress is measurable and easy to track. Legislation like the Sterilization Act in South Africa needs equity to be applied first for certain women to be assured access. For instance, it was mentioned earlier in the study that poverty goes with the lack of basic services which is prevalent in the rural areas. Therefore, if a woman, for example, has no access to basic services like healthcare, they will not be able to exercise their reproductive rights, and thus not be equal to those who can access such services.

In addressing education, the study makes it clear that education gives women an opportunity to engage in the economy in that they can acquire skills that can strengthen their chances of entering the labour force. Various legislation such as SASA, Education Laws Amendment Act and policies and programmes were put in place to make education accessible to everyone, especially the historically marginalized. Such advances included making education free for all, policies and

programmes that made transport provision for those who have to travel far to access education and school feeding schemes. These were all good initiatives that placed South Africa high in world rankings as far as promoting gender equality in education. However, these only succeeded in ensuring maximized access and never took into consideration unforeseen factors that contributed to girls dropping out of school, like family commitments, teenage pregnancy as the main reason behind girls dropping out of school and gender role stereotypes such as cultural practices of early marriage for girls. This is a typical case where customary practices undermine the right to education. Gender role stereotypes was also stated as the reason for career choices made by females in general, resulting in females being the majority of students in the social and health sciences, but leaving a wide gender gap in STEM fields of study.

Women's access to the labour markets is another key socio-economic factor that is said to improve women's status socially and economically. Statistics showed sluggish progress in women's participation in the labour force, which demands better solutions to close the high female unemployment gap. Reasons behind this lack of progress include the common gender role stereotypes with women choosing marriage and motherhood over the independence that employment stands to give them. Another reason given was that relegating women to the private sphere weighed them down with domestic responsibilities which were difficult to balance with employment. On this account women opt for less demanding jobs that can easily be combined with family responsibilities. Women were also found to be dominating low-skilled employment such as domestic work which is regarded as the most unregulated and most exploitative labour sector in practice. Such fields leave women vulnerable and lacking in the protection that should be afforded by legislation such as the Basic Conditions of Employment Act and Employment Equity Act as women still experience challenges like wage gap discrimination due to their sex. This is a clear indication that there is a lack of monitoring or policing tools to ensure all employers adhere to this law. A shift in mindset is necessary to begin to move women away from the dependency syndrome of living in the perceived comfort of a male breadwinner.

The study also highlighted the need for women to have access to credit, land and property to afford them collateral and financial literacy. Looking at the findings of this study, this is the area where government has failed at as it is the area with the lowest success rates over time. Legislation on land particularly has excluded women as land is culturally and traditionally inherited by the eldest male in the family, meaning that the land restitution advances do not benefit female beneficiaries. However, one cannot make conclusive suggestions in this regard as progress on the application of the recent Traditional Courts Bill that calls for 50% representation in all decision-making structures is yet to be implemented, and is a Bill aimed at addressing lack of equity within traditional structures.

Violence against women is highlighted as the major socio-economic impediment in that it is strongly linked to the participation of women in the above-mentioned areas and the influence on their quality of life in general. This kind of violence was declared systematic in that it is a strategy whereby men exert control over women to prevent their full advancement in various fields of life. Violence against women is the one practice that prompts one to assert that the Domestic Violence Act does not protect victims adequately. It is also aggravated by the non-disclosure explained in Chapter 4, a practice encouraged culturally of keeping the private sphere (the home) private and leading to domestic violence incidents not being reported. The fact that reporting such cases is not mandatory makes it easy for victims to decide not to report cases or to withdraw charges. The rising numbers of divorced and female-headed households is worrisome as women who are victims of such violence end up without skills or assets to carry them through life after separation from their partners. The solution to this problem is the finding of this study about changing underlying attitudes in order to improve the status of women in society, gender roles and power imbalances, norms and how communities and society behave.

As far as the second objective is concerned one can say that there has been minimal progress in the period 1994-2017 as far as South Africa's National Policy

Framework for Women's Empowerment and Gender Equality (NPF) and the report on the Status of Women in the South African Economy considering the findings and recommendations from Statistics SA Gender Series Volume I: Economic Empowerment report 2001-2014.

Given that the Department of Women (DoW) was set up in 2010 and is now in operation for seven years, progress thus far is disappointing. For instance, the Traditional Courts Bill is the first Bill to be presented to parliament since it was narrowed down to only deal with women. The fact that funding is still deemed a problem in the running of the DoW is a concern given the magnitude of the economic benefits that gender equality is likely to bring to South Africa were it to be adequately implemented. The Commission on Gender Equality (CGE) is to some extent making progress, particularly in working with social movements to promote a women's agenda in court proceedings and in the amendments of Bills. However, there is an overlap in the function of monitoring and evaluation as it appears as a deliverable for both institutions. Both institutions need to discuss the level of monitoring and evaluation each institution is able to undertake and delineate their respective roles and responsibilities. This will avoid overlap and conserve scarce resources. These institutions could thus be better coordinated to work together instead of in silos in order to more fully realize socio-economic gender equity in compliance with international obligations.

Civil society plays an important role in governance and the advancement of socio-economic empowerment of women in South Africa. As indicated in the study, given the types of cultural practices and beliefs dominant in South Africa, and the extent of violence against women especially, women are more confident when in collaboration with others to express concerns because they are more vulnerable when alone. Social movements are proof that women work better in communities rather than individually. For that reason, government should find a way to invest more in such movements to advance the real well-being of women by protecting their rights and most importantly to make women aware of these rights and how to exercise them.

5.3 RECOMMENDATIONS

Based on the findings it is recommended that:

- Government needs to put proper measurement tools in place for gender equality interventions so that progress is measurable, thus making it easy to track progress.
- More emphasis needs to be on actively addressing the economic passiveness of women and must reflect the true census of the numbers of men and women so that proper percentages are allocated to each sex accordingly instead of striving for 50% representation.
- Civil society should start prioritising two themes, namely advocating for proper funding for institutions set up for the advancement of women from the lower status in the society, and secondly strongly engaging men and women on the importance of shared responsibility in the households and its benefits to the economy.
- Government should use tertiary institutions to acquire gender equality management skills to be able to implement relevant programmes across the country and closely monitor practice and evaluate progress on a continual basis.
- An aggressive empowerment drive that educates, enskills and awards promising women land, property and credit to start and run businesses on the awarded resources.
- Legislation that calls for 50% representation in any structure to be reviewed and amended to reflect the current male/female census.
- The private sector should be well incentivised or penalised for not sufficiently empowering women to occupy top level positions in companies.
- For the DoW to work with the South African Police Service and Department of Social Service to actively assist in policing the safety of girls to and from school by appointing a social worker and several police

officials at each public school and also providing the services of psychologists, such as one psychologist to service five schools.

- Government officials should learn to write unambiguous policies and plans for easy accountability. This is on the premise that if a document is straightforward there is no room for misinterpretation and there is uniformity in the execution of gender equality deliverables.

5.4 AREAS OF FURTHER RESEARCH

From the topic of this study it is clear that the main theme of the study lies in 'eradicating patriarchy' as the root problem negatively affecting the socio-economic empowerment of women in South Africa. It could be concluded, from the arguments of this study, that patriarchy is a very wide subject. Therefore, any element that promotes the acceleration of patriarchy needs to be dissected and dealt with individually to be better understood. On that account, some areas that can further be researched to contribute to improving the socio-economic status of women in society may include a study on the role of social institutions in maintaining patriarchy. This should be researched with the objective being to identify possible negative factors that can be illuminated, thus weakening the continuance of patriarchy.

Another study that can be taken up and is more progressive is the identification of new innovative strategies other than advocacy to advance the efficiency and impact of social movements in improving the socio-economic position of women in South Africa. This research will not only benefit South African women but can be used as a pilot from which other post-colonial countries can benefit. It should be noted that the areas of research suggested here are not only limited to what is being highlighted, and therefore one could identify other themes besides what is being suggested. For instance, the various socio-economic factors could be dissected, magnified and researched individually to assist in identifying best practices that can be applied to achieve gender equity.

The last study that is recommended here is gender mainstreaming through women and men empowerment interventions so as to level the perception of gender stereotypes as far as personal attributes are concerned; this will encourage the acceptance of men who share both historically male deemed attributes and also encompass the stereotypically feminine attributes to be able to contribute equally in the private sphere (the home).

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