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Institutional Dilemmas: Representation versus Mobilization in the South African Gender Commission

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When South Africa's first democratically elected government came to power in 1994, its rhetoric was explicitly feminist. While the country's new leaders promised above all to address the racial inequalities inherited from centuries of white domination, they also viewed gender equality as a key goal. In his inauguration speech–triumphant after a half-century struggle against apartheid, the system under which South Africa's black majority was brutally controlled by a white minority–newly elected President Nelson Mandela called for the construction of a "non-racist, nonsexist" democracy, giving all citizens equal representation in and access to the state. That rhetoric was carried into the design of the new state: new institutions were expected to address issues of gender inequality, and at every level, the new government would examine policies' impact on gender relations, seeking to address the sources of gender inequality.

The institutional centerpiece of this effort was the South African Commission on Gender Equality. An independent institution, created and funded by a new democratic government, staffed by energetic and committed feminists with a strong commitment to challenging the bases of gender inequality, it appeared to offer remarkable promise for feminist intervention at its inception in 1996. Four years later, however, many of the feminists who helped construct the commission were far more pessimistic. Unclear about its goals, immobilized by internal dissent and disillusion, the commission appeared to have reached a virtual stalemate. By mid-2000, South Africa's feminist project was in obvious disarray. Activists hurled accusations at each other through the national media, and the Gender Commission, the institution standing at the peak of the new democracy's efforts to give women equal citizenship, declared itself unable even to coordinate activities to commemorate South African Women's Day.

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What had undermined the feminist possibility embodied in the Gender Commission structure? Why did a project so full of promise–with energetic feminists, new institutional structures, strong political support from the new government, and generous financial support from international donors–lose steam so quickly? Nationalist movements arriving in power have often promised to give women greater access and representation but have repeatedly failed to follow through on those promises.[1] Does South Africa represent just another case of a nationalist movement subsuming feminist goals to a nation-building project, another case where activists back away from addressing gender inequality in order to maintain popular appeal? Does feminist rhetoric simply mask patriarchal intent, where male leaders claim to support gender equality but fail to provide resources or power to attain it?

Based on a participant observation study of the Gender Commission's head office, I argue that in South Africa, at least, the process has been more complicated, involving conflicts among feminists: tensions related to institutional design, conflicts over the definition of a feminist project, disagreements over how state institutions should relate to the non-governmental women's movement, and concerns about how feminist issues should be integrated into efforts to address racial and economic inequalities. For five months in early 1999, with an additional visit in mid-2000, I worked in the Gender Commission's legal department in Johannesburg, helping with research around legal and sociological issues, attending meetings and workshops; I followed up conversations and discussions around the office with more structured interviews with commissioners, staff members, and others, particularly from non-governmental women's organizations and from international donor agencies, who interacted with the commission.

The experience of the South African Commission on Gender Equality raises questions about feminist institutional design–specifically, questions about how institutions can represent women's voices within state policymaking discussions, while simultaneously trying to mobilize a constituency in support of feminist aspirations. From the perspective of some commissioners and staff members, the Commission structure held out the promise that they could voice a feminist critique from within government, representing "women's interests" in feminist terms. However, a more dominant strand within the commission stressed the importance of mobilizing wider support for feminist concerns, a project that seemed to require a more moderate, pragmatic profile. Unresolved and often unarticulated conflicts over what feminism means–and more specifically, over the relationship between feminist policymakers, the national state and its nation-building project, and the women whose lives the new "femocrats" sought to change–created tensions which impeded the day-to-day work of the Gender Commission.

In this article, I argue that the commission's innovative institutional form exacerbated conflicts over underlying feminist visions–specifically, conflicts over whether feminist policymakers should emphasize the representation of feminist voices within state policymaking circles, or whether they should mobilize women to support a broad feminist agenda. The Gender Commission has two aims: the feminists who worked there sought to represent women's concerns within the state, while simultaneously trying to mobilize and serve women outside the state, in civil society. These two goals often came into conflict with each other. Should the commissioners articulate demands for women within an existing set of gender relations, or should they try to articulate a challenge to existing inequalities? How these debates should be incorporated into the democratic state's broader nation-building project, and to what extent should feminist government officials try to represent the nation as a whole? How should these discussions inform government efforts to provide practical services to women in their daily lives, within an existing set of gender relations?

In an important article, Shireen Hassim and Amanda Gouws warned that South African feminists should pay careful attention to issues of representivity and inclusion as they formulate gender policy–a warning that runs parallel to Latin American feminists' concern that democratization would create distance between feminist professionals and grassroots groups as the former move into new state structures.[2] In observing the Gender Commission, I found those tensions were neither abstract nor theoretical; they were carried into the heart of gender policymaking, and indeed, were built into the very structures of the state itself. Conflicts over which projects should receive priority within the Gender Commission were complicated by political concerns about how best to promote feminism within government as a whole. The personal tensions resulting from this structural impasse created a sense of stalemate within feminist policy circles, so severe by mid-2000 that it risked undermining the very women's movement that had inserted feminist concerns into the design of the new democracy. Although the Gender Commission had begun by early 2001 to chart a way out of its stalemate, I suggest in conclusion that the very real dilemmas facing South Africa's feminist policymakers underscore important problems for those who seek to design gendered democratic institutions.

Constructing a Gendered State

Over the past twenty years, feminist scholars have paid increasing attention to issues of institutional design. In practice, "femocrats"–a term coined to describe the feminist bureaucrats who staff many of these new institutions around the world–have struggled to construct state institutions through which to represent women's voices in the

state and through which to begin to address the dynamics that recreate gender inequality. However, there is little agreement on what these institutions should look like, beyond a basic sense that whatever institutions are built in the present, may shape the way gender issues are understood and acted upon in the future.[3]

Descriptive case studies suggest that there are really two models of feminist institutions. In advanced industrial societies, feminist institutions tend to emphasize representation and voice, giving women new access to policymaking bodies through independent commissions or ombudspersons.[4] In postcolonial settings, on the other hand, feminist organizations and institutions may tend to be more oriented toward mobilizing women, seeking to ensure their participation in a gendered project of national development.[5] Especially in countries where socialist or state-centric developmentalist ideologies have dominated, women's institutions have tended to be described in top-down terms, as women policymakers seek to mobilize women to support state efforts, often by creating special programs for women within the overall national development strategy.

Appropriately for South Africa's diverse society, its new gender institutions were conceptualized in terms of all these processes: access, representation, and mobilization. South Africa's institutional framework for what international bureaucrats call "the national machinery for women" was conceived as an integral part of South Africa's new democracy. During the negotiated transition process, starting from the 1990 release of political prisoners and unbanning of political parties such as Mandela's African National Congress (ANC), feminist activists managed to insert gender concerns into the national political arena, insisting that if these issues were postponed until later, the new state would probably mirror other new democracies, recreating gender inequality by treating women as mothers and wives, rather than as full citizens. Although there is debate about the extent to which feminist ideas enjoyed a popular constituency in township women's organizations, feminist activists were surprisingly successful in inserting feminist concerns into the national negotiation process–especially considering that only a decade earlier, anti-apartheid activists had often avoided raising feminist issues for fear of dividing opposition to apartheid.[6]

Through the early 1990s, leading activists within the anti-apartheid movement strategically promoted feminist issues during national negotiations, claiming that they represented a grassroots constituency in township women's groups. Especially because they were able to unite women activists across the political spectrum, these activists managed to make gender concerns visible to such an extent that during the 1994 elections all parties made special efforts to appeal to women voters. In 1994, the ANC instituted a 30 percent quota for women on its nominating lists; in a system of proportional representation where the ANC attained almost a two-thirds majority, the ANC quota meant that when South Africa's Constituent Assembly was formed in 1994, the new parliamentary body included one of the highest percentages of women in the world. The country's first democratically designed constitution, adopted in 1996, called for the elimination of public and private discrimination, not only in terms of race but also in terms of "gender, sex, pregnancy and marital status," as well as religion and ethnicity.

By 1998, South Africa had created a series of national institutions designed to "mainstream" gender issues. In the Office of the President, a national Office on the Status of Women was established, to oversee the internal transformation of the civil service, monitoring hiring patterns within government to ensure that new goals for attaining gender equity were established and pursued as government structures were redesigned to erase the legacies of apartheid. Within each ministry, "gender desks" were supposed to examine all government policies, seeking to ensure that new policies actively addressed sources of gender inequality–including policies that were not explicitly linked to gender, such as credit rules or land reform programs.[7]

To watch over the whole process, the Constitution created the Commission on Gender Equality. One of several horizontal bodies designed to simultaneously monitor and stimulate transformation in South African society, the Gender Commission stands independent of the South African government while remaining part of it. As in many other new democracies, South Africa's democratically elected constituent assembly recognized that a negotiated transition meant change would be slow and gradual. Government departments continued as usual, often staffed by the same civil servants who had made policy during the apartheid era. Even after the 1994 elections, new ministers had to rely heavily on the civil servants already in place for information and for policy implementation. In this context, independent horizontal bodies appeared as important innovations designed to offer channels through which citizens could appeal outside the normal structures of government, as they sought to define their newly granted constitutional rights in practice. An independent Electoral Commission to oversee elections; a Human Rights Commission to address racial discrimination as well as persistent authoritarian practices; the Commission on Truth and Reconciliation to address legacies of violence and authoritarian rule; a Youth Commission; and, of course, the Commission on Gender Equality–these were all designed to give the new government greater flexibility, to challenge past practice, and to create a more democratic polity and culture.

Among these horizontal structures, the Commission on Gender Equality enjoyed remarkable visibility and unusual powers. With a broad mandate, its powers include the right to subpoena witnesses and evidence

and the right to intervene in both public and private sites. The South African Commission on Gender Equality is an innovative institution, designed to allow feminist activists simultaneously to represent "women's interests" within state policymaking processes and to mobilize support for new gender relations in society at large. Drawing on feminist scholarship and international experience, South African activists were able to build into the 1996 Constitution an institutional framework that could empower feminist voices in the state. They created an autonomous horizontal body that would monitor new policies, represent women's concerns, and offer alternative definitions of both femininity and masculinity within the broad public arena.

At the same time, the institutional framework of the commission allowed femocrats to take a more active stance in relation to the broader society, intervening in public debates to promote new definitions of femininity and masculinity and to challenge the sources of gender inequality. While I worked at the Gender Commission, I sometimes observed lower-level bureaucrats such as policemen or election officers dismiss these new femocrats as representing "special interests," explicitly conflating the commission with a relatively powerless non-governmental organization (NGO); but I also observed frequently that top-level policymakers took the commission very seriously and that commissioners had easy access to national leaders and to media outlets. In a context where a new democratically elected government is committed to principles of equality and nondiscrimination, the Gender Commission structure offered real possibilities for addressing the underlying dynamics of gender inequality.

The staffing of the new commission seemed likely to enhance these possibilities. The regulations for the Gender Commission require that Parliament nominate, and the president appoint, activists with strong records of commitment to gender equity. Although not all commissioners would necessarily use the term "feminist" to describe themselves, all were committed to organizing women and articulated concerns about gender equity; most had long histories of activism within the anti-apartheid movement, both in exile and within South Africa, lending greater credibility to the feminist agenda within the new government. The first chairperson, Thenjiwe Mtintso (who has authored an article that appears elsewhere in this issue), was a prominent figure in both the ANC and the South African Communist Party, with a respected record as a leading guerrilla commander as well as diplomat and politician. Although she left the Gender Commission to become the ANC's deputy secretary general in late 1997, Mtintso's vision is clearly reflected in the Gender Commission's mission statement. The Commission on Gender Equality "will strive for the transformation of society through exposing gender discrimination in laws, policies and practices; advocating changes in sexist attitudes and gender stereotypes; instilling respect for women's rights as human rights" through the "transformation of gender relations; redefinition and redistribution of power; and equal access to and enjoyment of economic, social and political opportunities."[8]

Mtintso's colleagues were also impressive. Of the initial group of appointed commissioners, seven were women with strong backgrounds in political activism; the eighth, a man, was a progressive Muslim theologian, explicitly committed to feminist activism. Several commissioners had strong ties to the South African and the international women's movement, both as academics and as activists; several commissioners had been active in social movements linked to the anti-apartheid movement, including the trade unions and the disabled people's movement as well as the women's movement. When Mtintso left the commission, she was replaced by Joyce Piliso-Seroke, appointed chairperson in 1999. With a long career in both the ANC and the Young Women's Christian Association, Piliso-Seroke has enormous experience in organizing women. In interviews, however, Piliso-Seroke was careful to distinguish her current work from her earlier role, insisting that the Gender Commission must address broader issues than just organizing women or helping women develop new income-generating activities. Stressing the need to redefine masculinity and to examine issues of reproductive rights and sexuality, as well as the need to empower women economically and socially, she clearly viewed the Gender Commission's task in terms of what she called "strategic" feminist interventions that would challenge gender hierarchies, not simply efforts to help women survive within the existing gender framework.[9]

The first eight commissioners were appointed for terms up to five years and were generally expected to work full time on commission business. By mid-1999, the Gender Commission had also hired thirty-eight staff people, who worked either in the national office's departments, including policy and research, media and communications, and the legal department, or in the three provincial offices. Recognizing uneven levels of background in feminist thought among commissioners and staff members, the commission required attendance at a three-week course in gender issues–a course developed jointly by local staff people and a Zimbabwean feminist whose salary is paid by the Commonwealth, run with international donor funds. With topics ranging from reproductive rights and sexuality to the construction of masculinity, the course syllabi suggest that the Gender Commission considered itself an explicitly feminist project–although the course, like endless internal discussions about how to organize the main office or how to regulate relationships between head office and provincial offices, or how to negotiate with parliamentary committees and the president's office, also demonstrated a strong sense among commission staffers that they were designing that project on the run, still deciding how best to define the commission's goals, direction, and institutional structure.

From the ministerial gender desks to the independent Gender Commission, South Africa's "national machinery for women" was staffed by people with a serious commitment to redefining gender and with a broad and thoughtful approach to what that project would entail. While the staff and Commissioners continued to debate the outlines of the project–including some basic issues, such as whether the commission should be primarily a monitoring body, or whether it will also engage directly in more programmatic activities, or what the relationship should be between politically appointed commissioners and the staff people who worked under them–the commissioners and staff recognized that they were engaged in a remarkable experiment in strategic feminist intervention.

But by the end of the commission's first term, in mid-2000, that promise appeared badly tarnished. A series of internal conflicts, ranging from debate over which feminist goals should be given priority, to fights over personnel issues, to conflicts over the relationship between commissioners and staff, to struggles over the relationship between the commission and the broader South African women's movement, had left the commission in disarray. By mid-2000, more than half of the staff and several commissioners had resigned or been fired under circumstances that clearly intensified divisions and conflict within the broader South African women's movement. When the Commission announced it could not coordinate activities for South African Women's Day, in August 2000, the announcement seemed to reflect a loss of capacity and confidence that would be hard to repair, especially if the very public stalemate at the Gender Commission undermined parliamentary support for future budget requests, as some commissioners feared it might.[10]

Sometimes, outsiders attributed conflicts in the commission to the debate over whether the commission should provide practical services to women in South Africa: should it just be a gendered development agency, providing help such as job training or income-generating schemes for women in rural communities, or should it see itself as a gender watch-dog over the national development project? Yet although finding an appropriate balance between service provision and strategic intervention was often discussed, the question rarely caused internal conflict: Most commissioners and staff members considered the commission's structure inappropriate for service provision. Indeed, the entire thrust of the new design was to create a site for policy discussion and evaluation of overarching government policy, mainstreaming gender issues into all government projects rather than creating a "women's ministry." Another common misunderstanding of the commission's internal conflicts emphasized personality strife between prominent individuals within the commission, a view given force by the fact that in late-2000 the conflicts had degenerated into a handful of law suits over labor law problems.

But as I hope to demonstrate, the stalemate that plagued the commission at the end of its first five years were created as much by underlying structural dynamics, legacies of unresolved tensions in the commission's initial design, as by debates over how to use commission resources and personality conflicts within the office. Two different visions of the commission's role–which coincided with two different visions of how feminist activists should relate to a broader nation-building project–were in constant tension with each other, creating ongoing disagreements about goals, strategies, and resources.

Representing Women

The challenge facing the Gender Commission was from its inception two-sided. The Gender Commission was designed to represent women's interests within the government, but its incumbents generally believed that their first project must be that of mobilizing a popular constituency. These tasks involve two very different dynamics: defining and representing women's interests within the state, on the one hand; mobilizing support for a feminist project whose very intent is the redefinition of femininity and masculinity, on the other. Balancing them, as the Gender Commission discovered, is considerably more difficult than fulfilling either one would be, alone. The Gender Commission had first to decide which "women's interests" should be given priority; but aside from that problem, commissioners sought to offer a feminist critique within state policymaking debates, while simultaneously building the constituency for feminist projects that would give that critique weight within the state. Each of these tasks, alone, would be complex and challenging; in concert, these tasks often created new conflicts, as the Gender Commission struggled to prioritize the needs of women in different social locations, to decide how it should relate to the rest of the state's nation-building project, and to define its relationship to women who are not, themselves, already committed to a feminist project.

Theoretically, the commission's goals were ambitious. In contrast to programs designed to "uplift" women through development programs, South African institutions were explicitly designed to address more complex issues, ranging from redefining masculinity to recalibrating underlying economic patterns which recreate gender inequality. Practically, its goals were equally far-reaching. In explicit contrast to the many new democracies that effectively marginalize women's issues to underfunded, understaffed women's ministries, South African planners hoped to enable and empower feminist voices within the state, creating a gendered link between civil society and government officials.[11] But in practice, the different various projects all embodied in the commission structure–access and representation, mobilization, and an implicit effort to improve women's day-to-day life through programmatic services–often

came into conflict in ways that undermined the commission's ability to achieve any one of those aims.

In order to represent women's interests, the Gender Commission first had to define them. Having abandoned a biological, essentialist understanding of gender, how should "women's interests" be defined–especially in a society as divided as South Africa's, where differences of race, class, culture, and politics are magnified by the legacies of apartheid?[12] Most South African feminists acknowledged the challenge of defining "women's interests," an especially complicated task for the urban middle-class women–white and black–who tend to staff feminist institutions and organizations, and who are profoundly aware that they face very different challenges from rural black women.

Clearly, institutions like the Gender Commission confront these dilemmas in practice as well as in theory. For example, in 1998, a newly-appointed Gender Commissioner heard women and men in a small rural village in South Africa speak about local problems in very different terms. While men talked generally about the need for jobs, social services, and infrastructure, women insisted that their top priority must be removing crocodiles from a nearby river, where they posed a real threat to women and girls fetching water and to the toddlers who accompanied them. The Gender Commission took up the issue, persuading the Water Ministry to target this village for its energetic rural water supply program. Some months later, when the new water supply system was launched, the women of the village celebrated the Gender Commission's role and extensive media coverage underscored the point. But in the months that followed, the commission found itself besieged by water-related complaints. Once water had been defined as an issue of gender equity, the commission was asked not only to bring water to remote villages but also to deal with a range of other water supply issues–including a complaint from a middle-class urban housewife, probably white, that the Johannesburg city council had misread her water meter and was overcharging her.

This example underscores the practical side to the theoretical questions underlying this project. Where should the Gender Commission start, and how should it choose between competing aspects of women's needs? Women's interests are always diverse and multifaceted, especially, perhaps, in postcolonial societies like South Africa, where differences of class, race, and urban/rural location mean that women face very different challenges in their daily lives. Where should the Gender Commission begin the proactive task of constructing a positively gendered citizenship, and where–given the way gender dynamics are interwoven into all social relations–should it step aside to allow other government agencies to address citizens' concerns? Although the Gender Commission did not generally conceive itself as a service-providing agency–and

thus it avoided programmatic interventions that would attempt to offer women help in their daily lives–the line between policy discussion and service provision was sometimes blurred in reality, as women in specific communities sometimes approached the Gender Commission for help in resolving practical concerns, especially in relation to other, more service-oriented ministries.

But beyond the problem of interest-definition lurked another issue, that of how commissioners should "represent" women–a problem magnified, perhaps, by the independence granted by the commission's horizontal structure. Because commissioners are not elected, there is little direct accountability to a broader constituency. How should commissioners decide what issues to "represent," and which issues to raise in public? Once appointments are approved, even the commission itself has little control over commissioners' public behavior. As minutes from several plenary discussions in 1998-1999 indicated, the Gender Commission lacked control over basic aspects of commissioners' days, including how commissioners spend their working hours, what they chose to say as public representatives of the commission, or whether and when they had to report back to other commissioners. No obvious structural mechanisms existed through which the commission as a whole could debate positions before they were taken publically by any of the appointed commissioners; similarly, the commission had no mechanisms through which to respond to commissioners' public statements once they had been made.

The obvious questions about accountability and democratic voice that this pattern raises are probably endemic to horizontal institutions. Commissioners and staff members seemed to voice issues of importance to them as individuals, either because of their personal experience, or because of their theoretical understanding of the bases of gender inequality. Initially, following suggestions in several discussions of women's movements in poor and developing countries, I had expected to find international donor agencies playing an important role in shaping the commission's agenda. In fact, because international donors were remarkably supportive of the commission's overall project, individual commissioners' views seemed far more important in setting the agenda for commission involvement in public discussions. Commissioners invited to speak in public could do so without first vetting their discussion with the rest of the commission and public statements by individuals were often treated as commission interventions.[13] Thus, for example, a commissioner who believed firmly that domestic violence is more common among poorer, less-educated groups suggested the commission should support educational programs in squatter areas; another commissioner was concerned that the commission monitor public employment programs to make sure women were included;

another drew on her experience in adult education to discuss the need to make adult education available to women. In each case, the individual commissioners' public statements were treated in media discussions as if they reflected a broader commission consensus. But even when there appeared to be no consensus in support of a statement, in general commissioners seemed reluctant to ask their fellow commissioners about the underlying feminist justification for public statements–or even for proposed activities or commission policies.

But commissioners faced a further problem: however defined, the feminist ideology espoused by most commissioners and staff members is far from widespread in South African society. Probably following the model of the Human Rights Commissions that have grown up in many new democracies, the commission was designed to allow democratic input through individual complaints and through provincial workshops. Under this model, commissioners would serve as independent monitors and ombudspersons to ensure that social relations and government programs do not persistently reproduce gender inequality. When asked how the commission sets its goals, many staff members referred to input from "the public" as a key stimulus. But when the commission tried to create channels through which ordinary women could articulate their concerns–through individual complaints and through regional workshops–the concerns that were expressed were often far removed from a broader feminist project. Sometimes, suggestions simply asked the commission to intervene to help women within an existing set of gender relations; sometimes, they took the commission far from what might normally be considered a central concern for feminist policymakers.

Suggestions stemming from individual complaints or local workshops often directed the commission's attention away from programs and projects that could be considered "feminist," by almost any definition. Nearly two-thirds of individual complaints focused on fathers' failure to pay child support–a systemic problem in South Africa, where high rates of family disintegration are combined with high rates of poverty, unemployment, and migration, producing what is probably one of the highest percentages of female-headed households in the world. Gender Commission staff found themselves at a loss. Although they were painfully aware of the deficiencies of the maintenance system–of women unable to negotiate the court system; of unequal resources that allow men to hire lawyers, postpone hearings, delay payments, sometimes for years; of court clerks providing inaccurate information; fathers simply disappearing from the scene, leaving the court unable to enforce maintenance orders–the Gender Commission did not have the capacity to pursue each case, nor could it force fathers to perform any better than the court system already did. While the Commission supported efforts to propose reforms in the maintenance system, activists

in the social welfare ministry and in NGOs focusing on child support issues were clearly better equipped for dealing with the intricacies of reform proposals and lobbying government policymakers.

In general, individual complaints rarely provided new windows onto structural issues; complaints tended to remain completely within an existing framework of gender relations rather than raising new concerns that feminists hadn't already considered.[14] Ironically, perhaps, commission staff members who hoped to pursue a feminist agenda tended to redefine the process, using complaints to publicize feminist concerns rather than expecting individual complaints to drive the commission's priorities–that is, shifting the commission's role in relation to these complaints away from representing and articulating women's voices within government, to using individual complaints as the basis for mobilization and publicity around issues that the commission considered important.

Although staff people consistently took individual complaints very seriously, trying to suggest avenues where complainants might get help or to prompt individual employers to redress discriminatory practices, they increasingly viewed complaints instead as a potential source of test cases. This meant, in practice, that there was active searching for potential cases on issues for which the commission sought to mobilize support and promote reforms. One morning, the commission's janitor reported that when her friend's husband had died recently, his family had refused to recognize the unregistered polygynous marriage. Under apartheid, customary marriages were not registered anywhere, so there was no official record. The deceased husband's family removed all his property from his two widows and children. Recognizing this as a common problem, commission staff members sought out the widows, hoping to use the case to test legislation regarding inheritance in customary marriages, seeking to create more safeguards for the millions of African women whose relationships are not registered or officially sanctioned. Thus, instead of stimulating new thinking at the commission, the individual complaint provided the basis for a feminist challenge to existing state policy.

Similarly, new issues could be brought to provincial offices or to irregularly scheduled provincial workshops. Through such workshops, the commission was prompted to consider the feminist importance of demands for better water supplies, more equitable household arrangements, or the gendered impact of South Africa's HIV epidemic. But sometimes, projects designed through processes intended to increase "representation" came into direct conflict with the commission's efforts to mobilize a feminist constituency; and after the commission had been in existence for several years, it was widely agreed that provincial debates had not stimulated new feminist directions. Although some provincially inspired projects fell clearly within the commission's overall framework (such as the decision, following discussion at a regional workshop, to

monitor new job creation programs to ensure that they included women), many of these projects directed the commission's resources toward projects that sat less comfortably with an informed feminist perspective. In 1998, the commission spent an inordinate amount of resources and energy organizing programs in the Northwest province, responding to frenzied attacks on people whom villagers believed were involved in black magic. Helping the "victims of witchcraft violence" was certainly a worthwhile effort, but more than half of the victims of the attacks were male; most analyses of the "witchcraft violence" of the Northwest province point to tensions arising from rapid economic dislocation, not gender transgressions.[15] By mid-1999, many staff members were arguing that other branches of government were probably better suited for intervening on behalf of the victims than the relatively small Gender Commission, whose resources might be better spent on programs more directly related to issues of gender equity.

By mid-1999, just as staff members had begun to seek out individual complaints that would help them pursue a larger feminist objective, it became common for commission staff members to view provincial workshops strategically, as a site where they could mobilize support and justification for feminist interventions, rather than to explore new issues. Because participants in local workshops might not share the feminist agenda of the commission, staff members were tempted to use workshops more as sites for educating local constituencies than as sources of inspiration. Thus, the job creation monitoring proposal–probably the most interesting suggestion to arise from a provincial workshop in the commission's first four years–turned out to have been initiated within the commission. Although the commission greeted the suggestion with excitement, as if it were a spontaneous suggestion from a local politician, in fact, the local politician had asked for help in writing his speech, and a commission staff member had inserted the proposal that the Gender Commission should make sure that a new job creation program in the province should include women.[16]

The horizontal, independent structure of the commission, then, gave it enormous latitude in deciding which issues it would prioritize in addressing gender inequality. But although this structure increased the autonomy of feminist voices within the state, it sometimes came into conflict with the commission's desire to "represent" women's concerns: exactly which voices should be represented, and how commissioners would represent those voices, was not made explicit in the institutional design. Individual commissioners were rarely held accountable to the commission as a whole, while the failure of public channels to point the commission in directions that might be consistent with feminist theoretical concerns led commissioners and staff members increasingly to view their role as stimulating feminist discussions and raising feminist concerns rather than representing or reflecting public debates. As I suggest in the next section, however, this shift created its own problems, as some commissioners began to worry that controversial stances might undermine the commission's credibility.

Mobilizing a Constituency

Although the Gender Commission was perhaps initially conceived as a monitoring body, after four years of service most commissioners discussed their project as much in terms of mobilizing support for a feminist agenda, as in terms of monitoring government policies and representing women's interests in government. Their reasoning explicitly reflected their own background as activists with feminist sympathies. In conversations and interviews, commissioners and staff people acknowledged that public support for feminism is far weaker in South Africa than public statements imply, and they viewed mobilizing support for a new understanding of gender relations as a primary goal.

For many commissioners and staff members, a first priority had to be raising feminist concerns in public, creating a greater awareness of gender inequality as a first step toward ending it. Commissioners and staff members were quick to participate in talk shows or national debates on issues ranging from how to make sure women can vote in national elections to discussions of the gendered character of media images. Many of the commission's activities responded to other government initiatives; thus, for example, the commission followed the parliamentary agenda closely, attempting to insert gender considerations early in discussions of new legislation. Generally, these efforts involved responding to events as they occurred, seeking to insert a feminist voice in public fora–albeit often with little advance warning or internal discussion.

But this emphasis on mobilizing support for feminism often created internal tensions about how to define the feminist project. While some commissioners and staff members argued that the commission should be a voice for theoretically informed feminist challenges to gender hierarchy, others expressed fears that if the commission took positions that were too controversial, the commission as a whole would marginalize itself in the public eye, jeopardizing the entire project. Repeatedly, commissioners suggested that the broad gap between the commission's stated goals and the public's attitudes toward gender equity required the commission to move carefully during its first years. The commission's mandate is much broader than its support is deep, and controversy could provoke resistance to feminist efforts. In interviews, some staff members suggested with a strong note of disillusionment that commissioners who sought to avoid controversy were hoping to advance their individual careers within the government, viewing a non-controversial term as a Gender Commissioner as a stepping-stone to further govern-

ment appointments. In contrast, several commissioners described the effort to avoid controversy as a principled stance, an effort to ensure that the feminist project retained political support within the ANC and the government.

Because public support for feminist goals was very shallow, several commissioners and staff members suggested, the Gender Commission would be wise to demonstrate that strategic feminist interventions could improve the lives of all South Africans, rather than pursuing goals that might divide women from men, or older women from younger ones. Sustaining popular support in the present would be a critical step in giving popular legitimacy to feminist policies in the future. Given the demographic structure of South Africa, this search for an acceptable face to feminist intervention took a very specific form. In interviews and informal conversations, commissioners and staff members insisted that the Gender Commission had no choice but to concentrate on issues relevant to South Africa's majority, that is, issues relevant to the lives of people who are poor and black. The commission's mission statement reflects this concern: although the commission defined its "constituency" as "all the people of South Africa," it asserts that "its target group is people living on the periphery, especially women in rural areas, on farms, in peri-urban areas, and in domestic employ"–meaning, in the South African context, poor African women, rather than the urban middle-class women, white and black. The Gender Commission described its goal as the effort to "bring to the center the voices and experiences of the marginalized, to become part of, and to inform, the nation building and transformation agenda of South African society." In practice, however, this vision was quickly redefined away from an initial emphasis on class differences between women to a geographic targeting of rural African women.[17]

In the commission's offices, the effort to mobilize a constituency that would support feminist claims seemed to mean, in practice, that consensus could only be reached in relation to issues of direct relevance to the lives of African women in rural areas. In discussions in plenary sessions and in daily office interactions, this target group was regularly invoked in discussions about priorities or in defining the use of commission resources. For example, the commission was far more active in public debates about how to reform the laws governing "customary" marriages, under which most African women are married, and in ensuring that job creation and economic development programs include women, than it was willing to be, for example, in challenging the corporate glass ceiling.

Staff members were quite concerned to ensure that commission resources should be concentrated on issues that could be directly linked to improvements of the lives of women outside the main urban centers

to demonstrate that feminist projects were of relevance to South Africa's larger nation-building project. In the day-to-day working of the office, however, this effort had negative consequences for some issues that might have seemed important to a theoretical feminist agenda. Commissioners or staff members invoked the commission's "target group"– or, as it was sometimes self-consciously referred to, "our constituency"– to block discussion of issues that might provoke controversy. When some staff members proposed to launch a campaign to decriminalize sex work, several commissioners objected strenuously, arguing that such a controversial stance would marginalize the commission as a whole. The debate over sex work seems to have marked the limits of internal tolerance. Opponents of decriminalization clearly viewed sex workers in strongly moralistic terms, rejecting efforts to describe sex work in terms of gendered poverty and vulnerability, rather than individual choice. Indeed, when proponents of decriminalization suggested that decriminalization might well help poor rural women–because they might turn to sex work for lack of alternatives–an angry commissioner responded that such a stance implied that all African women were prostitutes.[18] Although the plenary session's minutes reflect a decision to address sex work, the commission appeared to have dropped the issue completely, and the staff members and commissioner who initially proposed this direction refused to raise it again. Like many other issues involving sexuality, including reproductive rights and HIV prevention, the decriminalization debate appears to have been too uncomfortable for the commission to pursue it.[19]

The debate over decriminalization of sex work demonstrated the limits to the Gender Commission's feminist interventions. Controversial challenges to standard understandings of "appropriate" behavior apparently posed a threat to the commission's other project, that of mobilizing public support for its goals. Representing the concerns of women involved in sex work might fit a theoretical feminist agenda, but many commissioners apparently feared that such positions would undermine the commission's ability to reach women who viewed prostitution as an amoral choice, undermining the commission's efforts to mobilize support for feminist perspectives more generally.

The structural tension between trying to pursue feminist interventions while mobilizing a broad constituency–all while trying to privilege the concerns of a "target" group of poor women in rural areas–contributed in large measure to the stalemate that plagued the Gender Commission in mid-2000. Repeatedly, concerns about mobilizing support risked undermining the commission's ability to represent feminist voices in policymaking processes. When, in the interest of mobilizing support for feminist efforts, commissioners invoked "the rural poor" to block potentially controversial programs, they risked effectively under-

mining the Commission's ability to draw on the skills and energy of already mobilized feminist activists. The academics and NGO professionals, black and white, who have generally articulated feminist issues are almost entirely urban and middle class. Although women's groups are spread throughout the country, and although rural South African women are often able to describe their concerns in ways that are consistent with "strategic" feminist agendas, the South African women's movement has been best organized and most visible in urban areas, including poor black townships as well as middle-class sites. In its decision to avoid the activist women's groups located in urban areas–especially groups that include middle-class Africans and white feminists–the commission turned away from precisely the groups most likely to support a feminist approach, toward groups of women much less likely to support controversial challenges to existing gender relations.

There are concrete indications that the decision to concentrate on representing "the rural poor" undermined links between the commission and urban feminist activists. In some of its first meetings, the commissioners decided to create a series of consultative workshops around specific areas of concern, hoping to embed the commission's discussions within a broader network of feminist activists and academics. During the commission's first year, many of the activists who had created South Africa's women's movement were asked to serve on advisory bodies, through which the commission hoped to ensure that the new structure drew on existing feminist expertise and activism as it developed strategies for intervention. Similarly, in its annual reports, the commission stressed its efforts to build "partnerships" with women's groups and feminist academics into its structure. But in fact, the commission never apparently activated these feminist networks of "consultative groups"– much to the disappointment of many of these activists, who increasingly viewed the commission as unhelpful in their efforts to articulate feminist ideas within the new state. Further, the commission had difficulty creating formal links to urban-based women's organizations, including groups that represented poor women in townships and squatter areas.

Although the commission sustained strong links to vocal gay and lesbian activist groups, the distance between organized urban women's groups and the commission was perplexing. In mid-1999, a legal NGO called a meeting to discuss possible reforms in the child welfare system. At the meeting, representatives of township women's groups were openly puzzled by the commission, asking who it represented, what it could do for their groups, what its role would be in representing their voice in the debate on legal changes. Commission staff members attended the meeting, but they told participants they were there to listen and learn. An

energetic Gender Commission staffer offered to photocopy materials for the meeting, but the activists made it clear that they were somewhat dismayed by the commission's failure either to help shape a feminist response to the proposed legislation or to provide concrete resources for their efforts. Conversely, several commissioners and staff members expressed frustration with the inability of feminist activists outside the government to understand the importance of the commission's other tasks, specifically, that of mobilizing broad political support for feminist projects. They frequently found fault with individual activists in feminist NGOs, viewing specific individuals as competitive, difficult, or in the case of some white feminist activists, as inadequately sensitive to issues of race and culture.

Over time, tensions over how the commission should define its projects–tensions that I attribute to its efforts simultaneously to represent feminist voices and to mobilize support for a feminist vision–undermined the commission's efficacy. By mid-2000, many feminist scholars and NGO activists, black and white, openly expressed a sense of alienation from and abandonment by the very institution they had helped design, criticizing the commission publically to journalists and even going so far in private conversations as to suggest that the government should consider cutting funding for the commission's activities.[20] Some commissioners, including several with strong links to international feminist networks and to academic feminist circles, resigned their positions, returning to academe or to non-governmental work, and the commission forced the resignation of its prominent and visible chief staff person. Through the first half of 2000, nineteen staff members resigned or were fired, including several with strong backgrounds in either feminist activism or scholarship. Although most of the individuals involved perceived the conflicts in terms of personalities and individual loyalties, the patterns of conflict suggest that underlying the surface tensions were competing visions of feminism. The institutionalized understanding of the Gender Commission's project increasingly stressed a more pragmatic, safer understanding of feminist intervention, emphasizing service to women within an existing framework of gender relations rather than promoting direct challenges to persistent gender inequality.

In the fraught relationship between the Gender Commission and South African feminist activists, the structural tension between representation and mobilization was almost tangible. Gender Commissioners–themselves educated, urban, and middle class–hoped to represent the majority of South African women; but even if most poor, rural women are willing to define their interests in terms of challenging gender hierarchies, they rarely articulated their interests in broader feminist terms or sought to challenge the hierarchies of power that sustain gen-

der inequality. Unwilling to pursue issues that might be specific to urban middle-class women, or issues that might provoke controversy among core political supporters, the Gender Commissioners and staff tended to neglect the more sophisticated–and more urban, more middle-class–women who had already been mobilized in support of feminist goals.

By mid-2000, the Gender Commission's exclusion of already mobilized feminists had produced an ironic result: the commission was far more likely to target an audience that would act like dependents who need assistance than as a constituency whom the commission represents–effectively recreating the institutional patterns of countless women's ministries across Africa, who have sought to provide services that will help women survive within an existing set of gender relations, and risking undermining the very constituency on whom the commission would have to rely if it wished to promote the feminist ideals articulated in its mission statement.

During the first five years of South Africa's democratic experience, gender policymakers appeared so insistent on representing the concerns of poor women that they seemed to undermine the likelihood that already mobilized feminists could participate at all in policymaking discussions–perhaps replacing the risk that democratization would undermine links between grassroots women's groups and the professional feminists who staff new state institutions with a different problem. Instead, it seemed likely that privileging grassroots and popular gender concerns would undermine the state's ability to take up more controversial or complicated feminist issues. As committed feminists turned away from new state structures in frustration, the Gender Commission became increasingly isolated and embattled and by early-2001 appeared on the verge of becoming irrelevant to both state policymaking processes and the non-governmental women's movement.

Conclusion

By mid-2001, after the conclusion of my period of participant observation in the commission offices, the South African Gender Commission seemed to be moving out of its impasse. New appointments to the commission, combined with renewed efforts by non-governmental feminist activists to re-engage with the commission, seemed to reinfuse energy into gender policy discussions. Several strong feminist activists were appointed to the commission, giving it greater credibility within activist feminist circles and helping rebuild its links to already mobilized feminists in South Africa. At the same time, the commission seemed to be taking stronger stances on some of the more controversial issues, even challenging government policy in key areas like how to confront South Africa's HIV epidemic. By rebuilding links with feminist activists, reconstructing working relationships within the commission and between the commission and non-state feminists, the commission seemed to be seeking new directions.

But the lessons of the commission's first few years, as it struggled to design a workable structure for feminist intervention, demand reflection. In the construction of the South African Commission on Gender Equality, feminist activists sought to create an independent body that would have the power to intervene in basic gender relations. Through the commission, feminists hoped to create an institution that would be able simultaneously to monitor new government policies, provide feminists access to government policymaking processes, and ensure that gender issues could be raised throughout South African society. But in its early years, feminist policymakers confronted institutional dilemmas that resonate beyond South Africa's borders.

Having created an independent horizontal body that could move freely, representing feminist voices within the state while maintaining close ties to a non-governmental women's movement, South African femocrats found nonetheless that political pressures quickly complicated their efforts to bring a broad feminist agenda to the table. Although the commission's designers clearly privileged issues of feminist representation in and feminist access to policymaking discussions, the commission shifted increasingly toward mobilization, orienting the commission's energy and resources toward women who were less likely to be part of the women's movement and toward making feminist arguments more widely acceptable. As part of the effort to mobilize support, commissioners increasingly sought to avoid controversy–a strategy that created a sense of stalemate and brought those femocrats who sought to construct a feminist project within the state into conflict with those who sought to mobilize a constituency for women's issues within a broader project of national development.

South Africa is perhaps an unusually complicated society, where ordinary disagreements between feminist activists are quickly intensified by tensions around differences of racial identity, cultural traditions, and political perspectives. But the experiences of the Gender Commission underscore the institutional challenges facing feminist policymakers, as they feel themselves forced to choose whether to put energy and resources into representation, mobilization or both.

Of course, that choice may ultimately prove to be a false one. The stalemate at the Gender Commission in mid-2000 may demonstrate that it is not entirely possible to distinguish the task of feminist representation within the state from the effort to mobilize popular support. Perhaps feminist interventions are by nature controversial, because inevitably they challenge basic social patterns of gender relations, inequality, and power. In the absence of broad support for feminist goals, feminist policymakers who want to represent women's interests

within the state in feminist terms will also have to strengthen support outside the state for feminist ideas. In seeking a way out of its stalemate, perhaps the Gender Commission will be able to forge a third path, mobilizing support not for a socialist or developmentalist state but for feminist interventions, creating a popular constituency that will provide a base of support for feminist policymakers as they represent women's interests within the state in the future.

NOTES

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14. There are, of course, some exceptions. In 1998, the complaints of a young man who had been raped in prison prompted commission efforts to get legislative wording changed, to make male as well as female rape a legal offense.
15. Jean Comaroff and John Comaroff, "Alien-Nation, Zombies, Immigrants, and Millenial Capitalism," and also "Cultural Policing in Postcolonial South Africa" (both in working papers 9901, American Bar Foundation, 1999).
16. Interviews with author, 1999.
17. CGE *Mission Statement*; for more on this position, see Thenjiwe Mtintso's article in this issue.
18. The racial tensions that emerged during the sex work debate threatened to make visible the racial undertones that often infuse debates about the definition of feminism, like all else, in South Africa. Although commissioners and staff members–who are nearly all black–rejected any racial distinction between "white" and "black" feminisms, some black commissioners insisted that if the commission's public profile became too "white," opponents could easily dismiss gender equality as a form of cultural imperialism. Similarly, some white commissioners and staff members expressed concern that feminism should be defined in a way that would make it central to South Africa's "non-racial" democratic project, rather than separated out. See Seidman, "'Strategic' Challenges."
19. In mid-2000, almost two years after decriminalization was discussed in a commission plenary, South Africa's Law Commission (a body charged with revisiting existing legislation, to renew and reform South Africa's legal framework) proposed to consider decriminalizing sex work; but although several women's NGOs and a former commissioner were actively involved in Law Commission discussions, the Gender Commission itself remained silent.
20. Turner; interviews with author, 2000.

Malika Ndlovu

born in africa but

born in africa but
breastfed another mother tongue
put to sleep on foreign lullabies
praying for a jesus-heaven
when i die

born in africa but
into a designated cultivated patch
flung far from the indigenous tree
strategy for carving out my destiny

born in africa but
mixed equals inferior,
rearrange that exterior
scorned for the secret
exposed by my skin
enslaving beliefs
this child was bathed in

born in africa but
i have died to
the hiding
dividing
fearful deciding
of what i am
who i should be

born in africa but
a self made prisoner
i release captivity
i am free to unfold the sacred map
no other will dictate my individual destiny