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'Strategic' challenges to gender inequality
The South African Gender Commission

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ABSTRACT ■ As part of constructing its new democracy, South Africa created the Commission on Gender Equality, a horizontal independent body charged with monitoring and stimulating efforts to create gender equality. With unusual powers and resources, staffed by energetic and committed feminists, the Commission is an unusual experiment in strategic feminist intervention. Based on a five-month participant observation study, this article describes the Commission's efforts to define 'women's interests' and to set priorities. While international feminist ideas and support were important in the construction of the Commission, the article argues that local concerns about avoiding controversy and building broad support have been more important in explaining the Commission's trajectory.

KEY WORDS ■ gender, South Africa, democratization

Over the past few years, it has become widely accepted that even in liberal democracies, citizenship practices have not been nearly as 'universal' as classic political theorists often assumed: participation in policy-making processes and access to state resources have often been implicitly based on a vision that treated the average citizen as a male worker. Feminist theorists have argued that states' tendency to ignore the ways in which different life experiences shape citizens' relationships to states is particularly problematic for women – from the way gendered differences affect access to public

positions and representation, to more subtle effects, such as the way child-rearing complicates the public–private distinction, or the way gendered patterns of paid and unpaid labor mean that pension schemes based on workforce participation can recreate gender inequality (Hobson, 1998; Jones, 1998; Misra and Akins, 1998; Orloff, 1993; Phillips, 1991).

But in discussing the need for a more 'gendered' citizenship – one that would take better account of how citizens' different lived experiences shape their interactions with the state – most feminist theorists have focused primarily on historical accounts of advanced industrial countries. Feminist theoretical discussions have tended to overlook some 20 years of efforts by newer democracies, especially in postcolonial countries, to take proactive steps to reduce gender inequality – ironically, often in response to the concerns of a transnational feminist movement, which has since the 1970s prompted international agencies to redefine development to include gender equity (Berkovitch, 1999).

Often, of course, these steps have been nominal, at best. New democracies have tended to create underfunded, understaffed women's ministries, more oriented towards what Maxine Molyneux (1985) termed women's 'practical' interests – that is, seeking to fulfill women's needs framed within existing gender relations, giving lessons in child nutrition or teaching crocheting as a way to provide women with some income – than toward what Molyneux called 'strategic' efforts to challenge gender hierarchies and the social relations that reproduce inequality.

In this article, however, I describe a more ambitious experiment, in which the participants frequently refer to Molyneux's 'practical/strategic' distinction to underscore their commitment to confronting the bases of gender inequality.[1] The South African transformation has of course been fundamentally about race, and about constructing a racially-inclusive democracy in place of apartheid's white supremacy. But the attempt to construct a truly inclusive polity has also involved a remarkable effort to confront gender inequalities. The South African Commission on Gender Equality is an explicitly feminist institution, designed to address precisely the 'strategic' concerns of which Molyneux wrote. It is an independent body, with real power to assert the importance of gender issues, staffed by energetic and sophisticated feminists – what Australian scholars have labeled 'femocrats' (Bulbeck, 1998; Gatens, 1998) – with real involvement in feminist debates and commitment to feminist intervention. As a horizontal independent body, the Gender Commission is designed to monitor the new state, seeking to ensure that South Africa's new democracy does not accidentally reinforce the gender inequalities that run through every layer of South Africa's diverse society – ranging from a terrifyingly high incidence of rape and violence against women, to more structural problems like labor markets rigidly segregated by sex as well as by race, to family patterns that assign rural black women virtually all responsibility for childcare but deny them access to resources (Baden et al., 1998).

Theoretically and practically, there are good reasons to take note of South Africa's experiment. At the theoretical level, the Gender Commission begs investigation. Once we abandon a biological, essentialist understanding of gender, how do we define 'women's interests' (Sapiro, 1998) – 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? How should the Gender Commission define gender equality, and where should it start? Moreover, feminist theorists increasingly recognize that the way 'women's interests' are officially defined now may shape the way gender is understood in the future (Pringle and Watson, 1992); how will today's institutionalization of a particular interpretation of 'women's interests' channel and shape women's aspirations in years to come?

These theoretical questions have practical parallels. For example, in rural Africa, household divisions of labor are relatively rigid; women and children are generally expected to collect water and gather firewood, tasks that are time-consuming and labor-intensive. In 1998, a newly-appointed Gender Commissioner noticed when she visited a small rural village in South Africa that women and men spoke about local problems in very different terms. While men talked generally about the need for jobs, social services and infrastructure, women spoke specifically about dangers lurking in the nearby river: crocodiles 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 was 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 complaints from a middle-class urban housewife, probably white, that the Johannesburg city council had misread her water-meter, overcharging her.

This episode, I think, illustrates the diverse and multifaceted character of women's interests – especially, perhaps, but not only, in post-colonial societies like South Africa, where differences of class, race and urban/rural location mean that women face very different challenges in their daily lives. But it also underscores the very 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? Where should it 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?

During a five-month participant-observation study of the Gender Commission's national offices in the first half of 1999, I participated in activities of the Commission's legal department; I also observed plenary sessions, meetings with other government bodies, and Commission workshops. In addition, I interviewed individual commissioners, staff members or feminist activists who might be familiar with the Commission when I thought interviews would help clarify processes I observed in the office. I hoped to observe the processes through which the Commission set a practical agenda through debates about alternative understandings of women's interests, or attempted to resolve potential conflicts between women – between rich and poor, black and white – through coalition-building and redefining interests.

Recent feminist scholars have stressed the role of international women's conferences and international donors in shaping the agendas of women's movements in many developing countries; feminism is clearly a 'traveling discourse', and activists in developing countries frequently look to international resources for help in their local struggles (Alexander and Mohanty, 1997; Thayer, this issue). In light of these processes, I expected to see donors play a large role in shaping the Gender Commission's agenda, and to see local feminists examine international experience, draw on international expertise and translate international feminist agendas into local terms, as they sought to address local gender hierarchies.

Yet while international experiences and ideas are important for how the Commission sets its overall policy goals, they offer few concrete guidelines for immediate action. Those priorities sometimes seem to be shaped by far more local concerns, which lead to internal conflicts over how to pursue broad feminist agendas, and may inadvertently undermine the 'strategic' approach embedded in the Commission's structure. I suggest in this article that choices about how to institutionalize new meanings of gender often play out on a much more local terrain, where concern about the broad acceptability of feminist intervention may lead feminists to restrain challenges to gender hierarchies. Even more problematically, I argue, internal dynamics within South Africa's feminist institutions may lead feminists inadvertently to undermine the broader women's movement in South Africa, with potentially serious consequences for the ways in which gender issues are represented within the state.

Structure of an agency

Created by South Africa's constitutional process, the Gender Commission is a horizontal structure of the sort increasingly common in new democracies: it stands independent of the South African government, while remaining part of it. After South Africa's first non-racial elections in 1994, a transitional government led by President Nelson Mandela wrote the country's first democratically-designed constitution. Adopted in 1996, the constitution calls 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. During the negotiated transition process, from the 1990 release of political prisoners to the writing of the 1996 constitution, 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.

Why were gender concerns so remarkably prominent in the new democracy's vision? Some scholars (Kaplan, 1997; Seidman, 1999) have suggested that these activists drew on a visible women's movement that emerged during the anti-apartheid movement, partly in response to the gendered character of apartheid's systematic exclusion of black women, partly in response to international feminist concerns in the 1980s. But Hassim (forthcoming) argues forcefully that this view overstates the importance of grassroots women's groups; she would probably describe the feminist activists within the anti-apartheid movement more as what is sometimes called a 'principled issue-network' (Keck and Sikkink, 1998) than as a social movement with a strong constituency. But whatever the relative weight of grassroots versus elite feminist voices in the process, the outcome was remarkable – especially considering that only a decade earlier, anti-apartheid activists often shied away from feminist issues, viewing them as divisive or as a new form of cultural imperialism.

By the early 1990s, leading activists within the anti-apartheid movement strategically promoted feminist issues during the negotiations, claiming to represent a grassroots constituency in township women's groups. Especially because they were able to unite women activists across the political spectrum in demanding a greater voice for women within the negotiation process, these activists managed to reshape the national discourse to such an extent that during the 1994 elections, all parties made special efforts to include gender issues in their election platforms. In a proportional representation system where the ANC was the heavy favorite, the fact that these activists persuaded the ANC to institute a 30 percent quota for women on its nominating lists meant that when the Constituent Assembly was formed in 1994, South Africa's new parliamentary body included one of the highest percentages of women in the world – changing the gender composition of political representatives so dramatically that the parliament buildings were remodeled to include more women's bathrooms, parliamentary meetings

were scheduled to accommodate childcare schedules, and the new (feminist) speaker of parliament started a parliamentary day-care center.

Despite the government's rhetorical commitment to ending gender inequality, however, the new parliament took three years to enact enabling legislation for new national machinery to confront gender discrimination, and budgets to match – a dragged-out process that almost certainly reflects the deeper ambivalence that many South African politicians feel about gender equity, despite enthusiastic public statements by politicians of all stripes. Nevertheless, by 1998, South Africa had in place 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 transformation 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' would examine all government policies, seeking to ensure that new policies – including those not directly related to gender, such as credit rules or land reform programs – actively addressed the sources of gender inequality. Finally, the new parliament created the independent Commission on Gender Equality to watch over the whole process.

The Gender Commission is one of several horizontal bodies designed to simultaneously monitor and stimulate transformation in South African society. As in many other new democracies, the negotiated transition meant that 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 implementation of new policies. In this context, the democratically-elected Constituent Assembly viewed independent horizontal bodies as important innovations, designed to ensure that citizens could appeal outside the normal structures of government as they sought to define in practice the meaning of their newly-granted constitutional rights. An independent Electoral Commission to oversee elections; a Human Rights Commission, which addresses racial discrimination as well as persistent authoritarian practices; the Commission on Truth and Reconciliation, which has provided a new model for how to address legacies of violence and authoritarian rule; a Youth Commission, and, of course, the Commission on Gender Equality – these are all designed to give the new government greater flexibility, to challenge past practices and create a more democratic polity and culture.

But what international bureaucrats generally refer to as 'the national machinery for women' in South Africa was particularly elaborate and ambitious. The new legislation gave the Commission on Gender Equality remarkable visibility and unusual powers. Its mandate is broad: its powers include the right to subpoena witnesses and evidence, and the right to intervene in both public and private sites. In explicit contrast to the many nationalist movements which have subsumed gender concerns to a broader nation-building program, or marginalized women's issues to a women's ministry committed to improving women's ability to fulfill their domestic obligations, the South African government created a structure that was meant to enable and empower feminist voices within the state, creating a gendered link between civil society and government officials. Although while attending meetings with other government departments, I was constantly made aware that lower-level bureaucrats like policemen or election officers often still dismiss these new 'femocrats' as representing 'special interests' – explicitly conflating the Commission with a relatively powerless NGO – I was also repeatedly impressed with how seriously the top level of the new government takes the Commission, and how much access to leading policy-makers the Commission can claim. In a context where a new, democratically elected government is deeply committed to the principle of equality and non-discrimination, the Gender Commission structure offers extraordinary potential for feminists seeking to address the dynamics that recreate gender inequality.

The first appointed Commissioners augured well for a feminist project. Although not all Commissioners necessarily use the term 'feminist' to describe themselves, all of them were clearly committed to promoting gender equality, and most had long histories of activism within the anti-apartheid movement, giving greater credibility to the feminist agenda within the new government's nation-building project. The first chairperson, Thenjiwe Mtintso, had been prominent in both the ANC and the South African Communist Party, with a respected record in the ANC's guerrilla struggle. Although she left the commission to become the ANC's deputy secretary general in late 1997, her vision is still visible in the Gender Commission's mission statement. The Commission on Gender Equality, it says,

> . . . 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. (CGE, 1997)

Of the initial set of appointed Commissioners, seven were women with strong backgrounds in political activism; the eighth, a man, is a progressive Muslim theologian, explicitly committed to feminist activism. Several Commissioners had strong ties to the South African and the international women's movements, both as academics and as activists; several Commissioners had been active in other social movements, including the trade union

movement and the disabled people's movement. In early 1999, Joyce Piliso-Seroke was appointed chairperson. With a long career in both the ANC and the YWCA, Piliso-Seroke has enormous experience in organizing women. In interviews, however, she 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 'strategic' feminist interventions that would challenge gender hierarchies, not simply efforts to help women survive within the existing gender framework (interview, June 1999).

In addition to eight Commissioners – who are appointed for terms of up to five years and usually expected to work full time on Commission business – the Gender Commission in 1999 had 38 staff, who worked either in the national office's departments, including policy and research, media and communications, and the legal department, or in one of three provincial offices. While their level of background in feminist scholarship was uneven, the Commission was explicitly committed to developing and strengthening their knowledge, requiring 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 demonstrate the extent to which the Gender Commission considered itself an explicitly feminist project – as well as demonstrating the extent to which the project was being designed on the run, by people who had not yet decided exactly how to define their goals and direction.

Initially, the Commissioners agreed to create a set of consultative networks, seeking to embed the Commission's discussions within a broader set of feminist activists and academics in South Africa. During the Commission's first year, many of the activists who had created South Africa's women's movement were contacted and asked to serve on these advisory bodies. Thus, the Commission hoped to embed the new bureaucratic structure in a broader network, ensuring that the new structure drew on existing feminist expertise and activism as it began to develop strategies for intervention.

There was extraordinary promise in the way South Africa's feminists approached gender issues. From the ministerial 'gender desks' to the independent Gender Commission, the 'national machinery' 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.

Setting an agenda

Given the innovative and bold character of the Commission's goals, while it is certainly too early to judge the outcome, it seems reasonable to investigate the processes through which issues were defined during the Commission's first years of operation. Initially, I expected to see international donors and international feminist networks play a major role in shaping the Commission's agenda – a possibility that is frequently mentioned in discussions of feminist efforts in developing countries, where feminist activists look to international resources to support their domestic campaigns (Alexander and Mohanty, 1997; Thayer, this issue). In South Africa in the 1990s, the risk that decisions would be 'donor-driven' was perhaps especially acute. The new South African government sought to expand social services beyond the country's white minority to the entire population – a population that is obviously needy, given the long-standing inequities linked to apartheid's racial exclusion – and, simultaneously, to restrain government spending to meet neoliberal economic goals. At the same time, the South African women's movement had already learned to look to international donors for support during the anti-apartheid struggle of the 1980s; in general, women's groups within the anti-apartheid movement were able to garner considerable outside funding from agencies and foundations concerned about promoting gender equity as well as development and democracy (see, for example, Ford Foundation, 1995). Relations between the Gender Commission and donors were cordial: in 1999, the chief administrator for the Commission, herself a Southern African feminist with a long activist record, had previously worked for the Commonwealth mission to South Africa, strengthening the Commission's links to donor groups.

In that context, I expected to see the Gender Commission turn to donor agencies for support, and as a result, to allow donor agencies to shape their agenda. I suspect that my expectation was widely shared: in the first months after the Gender Commission was created, the South African government appeared reluctant to provide a full budget for the Commission and staff, apparently expecting that the Commission would raise outside funds – until chairperson Mtintso threatened, only half-jokingly, to lead a demonstration against the government demanding local funding for the Commission (interview, 1999).

Nevertheless, I could see little evidence that donors had shaped the Commission's priorities. Here, of course, the timing of this study may have been important. The Commission was barely entering its third year; as a unique experiment, it had unusually strong international donor support. There are certainly signs that donor agenda-setting could become a real issue in the future: the Commission's success in attracting outside funding led staff members and Commissioners regularly to worry whether the Commission is 'donor-driven'. Moreover, in internal discussions, references to the terms on which donor funds were originally requested are sometimes used to block specific programmatic innovation, since changing the outlines of a donor-funded project requires donor approval. And, if the Commission's internal dynamism and excitement subside, donors might easily become more interventionist than they are now – especially if the South African government should require the agency to increase its reliance on outside funding for basic operating costs.

But at this point, so early in the Commission's career, these concerns generally seemed more discursive than real: not only was the Commission able to insist on government funding for basic operating costs, protecting itself from possible future changes in international priorities, but international donors were so supportive of a new and innovative institution that they appeared willing to provide virtually open-ended funding. In mid-1999, for example, the Commission held a meeting for international donors, presenting a 'wish-list' for funding; I found no evidence that donors intervened in any way in shaping priorities for the Commission.

But if international donors are not setting the Commission's immediate agenda, how are priorities set? Clearly, international feminist agendas play an important role in directing attention to specific areas of gender inequality: the walls of the Gender Commission are covered with posters using local South African images to illustrate the clauses of the international Convention on the Elimination of Discrimination Against Women (CEDAW). Local staff people, as well as Commission documents, refer frequently to CEDAW and to the Beijing conference, emphasizing the importance of these programs in their strategic thinking. Indeed, the Commission's plan of action is framed in terms of international debates, linking local actions back to global feminist approaches and discussions.

Yet these international frameworks have proved rather too general to serve as a detailed guide to local intervention. Although the Commission's policy and research department has tried to produce a 'framework' for Commission activities, this project has proved problematic. As the staff member responsible acknowledges (interview, 1999), the document remains at a rather high level of abstraction, drawing on CEDAW and other feminist theoretical documents to stress Commission concerns in several areas: the economy, politics, violence against women, social services, culture and religion. Commissioners were very slow to comment on it, and discussion of the framework was desultory. Perhaps even more problematically, staff members quickly admit that neither the gender framework nor the annual 'plan of action' gives a clear sense of how the Commission might prioritize areas for action; nor do they offer a strong rationale for how to go about that process. While the framework lays out broad areas of concern, and the plan of action outlines detailed activities for the Commission's actions over the coming year, neither gives a clear sense of how different activities are to be prioritized.

This problem – how to translate the general approach of international conventions into coherent interventions in real people's lives – was graphically illustrated at a workshop held in February, 1999, in a rural area of the Cape province, at which local government officers were invited to describe their efforts to implement CEDAW. Most bureaucrats had never heard of CEDAW; they were unaware that South Africa had ratified the convention, and they had no idea how it might relate to their work with rural farm laborers, many of whom are women. Worse, when local non-governmental groups working with rural women expressed frustration, it was not with existing agencies, but with the Gender Commission. They had come to the workshop expecting not to be monitoring compliance with a little-known international treaty, but to be offered some programs that would help with people's lives – specifically, programs to stop evictions of farm laborers, a pattern that seems to have speeded up since the early 1990s, as white farm owners try to protect themselves from potential land claims by labor tenants. Nevertheless, although staff worried that the first workshop had raised unfulfilled expectations, the Commission planned to run several more similar workshops in other provinces, hoping to use South Africa's official international commitments as a way to insert feminist agendas into national debates.

As this workshop illustrates, and as staff members clearly recognized, there is a relatively large gulf between international discussions of gender inequality and the local relationships that reproduce and reflect that inequality. Indeed, as I participated in conversations in the Commission's offices, I frequently volunteered descriptions of other feminist efforts, often from either Latin America or other parts of southern Africa; but although these anecdotes and experiences were sometimes viewed as offering a new prism through which to view a local problem, staff members generally tended to view international experiences as interesting, but exotic. Generally, they continued to emphasize South Africa's specificity, rather than stressing the utility of a comparative angle.

If international donors generally provide a cheering section, and international frameworks and experiences cannot provide a detailed program for local interventions, how is the Commission's agenda set, and who sets it?

Many of the Commission's activities come in response to other government initiatives; thus, for example, the Commission follows the parliamentary agenda closely, attempting to insert gender considerations into early discussions of new legislation. Similarly, the Commission monitors and participates in a broad range of national debates, responding to events as they occur, providing a feminist voice in discussions of electoral processes or media coverage – albeit often with little advance warning or internal discussion.

In these rapid responses, Commissioners and staff people rely heavily on their basic understanding of gender issues; although the level of background in academic feminism is uneven, staff and Commissioners generally expressed a real commitment to 'redefining gender'. By publicizing feminist analyses of national debates in the media, raising feminist issues in public debate, providing feminist input in legislative process, and sometimes making programmatic interventions, the Gender Commission tried to insert feminist concerns into the process of constructing a new democracy.

But aside from responding to immediate events, how does an institution like the Commission decide where to focus its attention and resources, given the diversity and complexity of social relations involving gender inequalities? To understand how the Commission prioritized its daily activities, one has to look more closely at the daily level of office activities. Where do programmatic activities and Commission interventions stem from – and, conversely, what potential directions may be silenced within the Commission, with what impact on future discussions?

Like other horizontal monitoring bodies, the Commission was designed to allow democratic input, through individual complaints and through provincial workshops, probably following the model of the Human Rights Commissions that have grown up in many new democracies, serving as both independent monitors and ombudspersons. Indeed, when asked how the Commission sets its goals, many staff members refer to input from 'the public' as a key component. But at least in terms of gender, these individual complaints and local workshops proved disappointing to those seeking to prioritize 'strategic' intervention. Nearly two-thirds of individual complaints focus 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 for how to handle each complaint. They were painfully aware of the deficiencies of the maintenance system: women's inability to negotiate the court system; unequal resources, which allow men to hire lawyers, postpone hearings and delay payments, sometimes for years; court clerks providing inaccurate information; and fathers simply disappearing from the scene, leaving the court unable to enforce maintenance orders. Nevertheless, the Gender Commission does not have the capacity to pursue each case, nor can it force fathers to perform any better than the court system already does. Staff members are quite aware of the deficiencies of maintenance systems even in wealthier and more organized societies; despite repeated discussions within the Commission and between the Commission, the Welfare Department, and NGOs dealing with the problem, no one on the staff has been able to improve much on existing government efforts to reform the maintenance system. In general, individual complaints do not provide new windows on to structural issues that feminists haven't considered. Complaints remain completely within the existing framework of gender relations, rarely offering new insights – with some exceptions, of course, like the plight of a young man raped in prison, whose individual complaint has prompted Commission efforts to change legislative wording to make male as well as female rape a punishable offense.

Ironically, perhaps, Commission staff responded by reversing the process: while staff take 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 means, in practice, that there was active searching for potential cases. The Commission's janitor reported one morning that in nearby Alexandra, on the death of her friend's husband, the man's family had refused to recognize his unregistered polygynous marriage; under apartheid, customary marriages were not registered anywhere, so there was no official record of the marriage. The family removed all his property from his two widows and children. Commission staff members, recognizing this as a common problem, sought out the widow, hoping to use the case to test, and redefine, legislation regarding inheritance in customary marriages, to begin to create more safeguards for the millions of African women whose relationships are not officially recognized. Thus, the individual complaint becomes not a stimulus for taking up an issue, but rather provides the basis for a feminist challenge to existing state policy. Again, however, this process begs the question of how the Commission decides where to put its resources and energy, and which issues are in most need of testing.

Similar dynamics operated in provincial workshops. Provincial offices created sites where new issues could be raised; women are invited to bring gender-related issues to the attention of the Commission in workshops where discussions range from demands for better water supplies, to more equitable household arrangements, to more governmental attention to the gendered impact of the HIV epidemic. But provincial debates were somewhat quirky, prompting the Commission to take on new projects with relatively little internal discussion of why the project should be a high priority.

Some of these 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 – but other provincially inspired projects were perhaps more tangential. 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. But while helping the 'victims of witchcraft violence' was certainly a worthwhile effort, most staff members recognized that the effort probably diverted Commission resources away from a broader feminist agenda – especially because more than half of the victims of the attacks were male, and because gender relations do not seem to have played a major role in the attacks.

Just as individual complaints were increasingly used as the basis for test cases – as Commission staff sought out cases that would create a basis for broader 'strategic' interventions in South African society – Commission staff members used provincial workshops strategically. The development program monitoring proposal was not raised spontaneously, but was in fact rather surreptitiously inserted by a Commission staff member into the local discussion when a local politician asked for help in writing his opening speech (interview, 1999). While Commissioners and staff may have an explicitly feminist agenda, participants in local workshops may not share it – and 'the public' might well propose directions for the Commission that would detract from its feminist project. Almost inevitably, staff members hoping to pursue 'strategic' goals were tempted to use workshops more as a site in which they could educate local constituencies than as a place where suggestions for new directions for the Commission might emerge.

Silences and tensions

The explicit agenda-setting mechanisms of the Commission – both the internationally-informed frameworks and the mechanisms through which individuals and provincial groups could raise new issues – did not, as far as I could tell, determine the priorities for Commission action. The more I observed discussions around the office, the more I began to believe that much of the agenda-setting of the Commission took place in private, as individual Commissioners and staff members reflected on the aspects of gender inequality that seemed especially important to them, based on either their personal experience or their theoretical understanding of gender issues. In voicing concerns over Commission directions, Commissioners and staff-members were as likely to draw on their experiences as activists in a range of groups – including in feminist organizations, but also in other areas, ranging from disabled people's rights to unionism and adult education to Islamic theological debates – as on explicit feminist concerns.

Open plenary sessions of the Commission were generally quite decorous; Commissioners rarely challenged each other or staff in public, and when an individual Commissioner chose to pursue a particular issue – when one Commissioner engaged in a public discussion about a widely-publicized court case, for example – there existed no structural mechanisms through which the Commission as a whole could debate the positions that any of the appointed Commissioners might take publicly. Even within the Commission's domain, there was little overt questioning of Commission programs, perhaps reflecting a general sense that the Commission is still defining itself and its role. Commissioners seemed reluctant to ask about the underlying feminist rationale for specific activities, focusing instead on more general questions such as the relative weight of monitoring government activities versus engagement in direct programmatic efforts.

Yet below the decorous surface, there were constant tensions in the office over how to define the Commission's direction. Sometimes, these tensions seem to arise because of individual Commissioners' concerns about their long-term political careers. While the Commission's enabling legislation requires Parliament to nominate, and the President to appoint, full-time Commissioners with an academic or activist background in feminist work, these qualifications are hardly standardized. Moreover, many activists who fit the qualifications will almost inevitably hope to use the visibility of their term at the Gender Commission as a stepping-stone to other government positions – a fact that some staff members believed led some Commissioners to pursue more acceptable, 'practical' goals rather than risk controversy.

But this internal silencing may be related to a broader process of silencing, stemming from general fears that the Commission as a whole might be marginalized in the public arena. Even Commissioners with a consistent commitment to a strong feminist agenda may avoid controversy; several argued in conversations 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. Viewing public support for feminist goals as very shallow, several Commissioners and staff members suggested that the Gender Commission would be wise to demonstrate that 'strategic' feminist interventions could improve the lives of all South Africans, rather than pursue goals that might divide women from men, or older women from younger ones. The Commission's mandate is much broader than its support is deep, and there is constant fear that controversy will provoke resistance to feminist efforts.

Given the demographic structure of South Africa, this search for an acceptable face to feminist intervention takes a very specific form. In interviews and informal conversations, most Commissioners and staff members

– who are nearly all black – rejected any racial distinction between 'white' and 'black' feminisms; but without exception, they insisted that the Gender Commission must concentrate on issues that are relevant to South Africa's majority. Several Commissioners put it in racial terms, worrying that if the Commission's public profile were too 'white', opponents could easily dismiss gender equality as a form of cultural imperialism. But in general, the concern was expressed in terms of a need to avoid allowing feminist goals to be defined by elite, upper-class women, whose aspirations might have little to do with the needs of the country's poor black majority.

This concern is reflected in the Commission's mission statement: although the CGE defines 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 urban middle-class women, white and black, who have generally been identified with feminist concerns. The Gender Commission seeks to 'bring to the centre the voices and experiences of the marginalised, to become part of, and to inform, the nation-building and transformation agenda of South African society' (CGE, 1997).

In practice, this vision has been redefined away from its initial emphasis on class differences between women, toward a geographic targeting of rural African women. This target group was often invoked in discussions about the Gender Commission's priorities or in deciding on 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 in challenging the corporate glass ceiling. Staff members were quite concerned to ensure that Commission resources be concentrated on programs that could be directly linked to improvements of the lives of women outside the main urban centers.

Yet this commitment to a rural focus may have silenced discussion of some issues that might, in theory, have been important for many women's lives. There have been some revealing moments of conflict. 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 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 argued that poor rural women might turn to sex work for lack of alternatives, an angry Commissioner responded as if the speaker had implied that all African women could be prostitutes. Although the plenary session's minutes reflect a decision to address sex work (CGE minutes, 1–2 Nov. 1998), the Commission dropped the issue completely, and those staff members and Commissioners who initially proposed this direction refused to raise it again. Like many other issues involving sexuality, including reproductive rights and HIV prevention – although, interestingly, not including issues around gay and lesbian rights, where the Commission has been outspokenly supportive of a highly-mobilized group of gay and lesbian activists – the decriminalization debate appears to have been too uncomfortable for the Commission to pursue. 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 non-governmental organizations and a former Gender Commissioner were actively involved in Law Commission discussions, the Gender Commission itself remained almost entirely silent on the subject.

To some extent, the sex work debate revealed an unspoken concern about racial conflict within the Commission, a tension which surfaced in daily interactions although it was rarely acknowledged openly. In the South African context, where feminists who opposed apartheid struggled for many years to demonstrate that feminism need not undermine the overall unity of the national liberation movement, it is not surprising that Commissioners and staff members took real pains to avoid allowing internal racial divisions to erupt in the office, or divide feminist voices. While some black staff members discreetly acknowledged a concern that specific 'white' South African feminists, as individuals, occasionally lacked respect for or knowledge about African traditions and mores, they generally seemed to feel that mentioning race explicitly might undermine the non-racial feminism that prevails in the Commission. Indeed, in private conversations, many staff members would refer to race only silently, pointing to their own skin rather than articulating the words. During a Gender Commission staff report-back on the experience of monitoring the 1999 national elections, an African staff member described her shock at hearing racial insults hurled by 'Coloured' adults waiting to vote at Africans standing in line; but when she went on to suggest that perhaps the Gender Commission could also consider holding diversity training and anti-racist education for its own staff, the suggestion met a lengthy and obviously painful silence.

For white Commissioners and staff members, on the other hand, tensions around racial difference were far more explicit. In conversations and interviews, several expressed anxiety about internal conflict, suggesting that they sometimes remained silent about feminist concerns for fear of provoking racial tensions. Given the history of debates about feminism within the

anti-apartheid movement – in which feminists in the early 1980s were frequently attacked for raising divisive issues, or importing concerns of 'bourgeois' white women into the anti-apartheid movement – it is not surprising that white feminists who support the new government were nervous about racial tensions, and were particularly sensitive to the Gender Commission's decision to target the country's poor black majority.

But the debate over decriminalization of sex work demonstrates the way a cautious vision of feminist intervention – constrained by the fear of provoking controversy, and limited to a target group defined by region, class and race – may limit the Commission's ability to pursue its own strategic goals, and could undermine South Africa's women's movement as it exists outside state structures. At a theoretical level, it is often hard to separate the issues that affect rural women from those that affect all women. Programs that initially address the concerns of urban, middle-class women could change patterns that also affect the rural poor; as the decriminalization debate showed, limiting the Commission's general vision to strategic interventions directly affecting rural women could lead feminist officials to overlook issues of importance to many women.

Even more seriously, perhaps, the decision to restrict the Commission's focus shaped the relationship between the Gender Commission and the women's movement, undermining the Commission's initial efforts to embed itself in networks of 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 through the country, and although rural South African women are often able to describe their concerns in ways that are consistent with 'strategic' feminist thinking, 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. The insistence that Commission activities should be limited to projects involving the rural poor risks undermining the ability of the non-governmental South African women's movement to participate in Commission activities – a danger underscored by the fact that the Commission has never mobilized the feminist networks of 'consultative groups' it created in its first few months.

In post-colonial settings like South Africa, educated, elite women have long had more access to the state and to the media than the poorer majority; progressive feminists must remain alert to the danger that elite concerns dominate their agenda. On the other hand, however, if the Gender Commission puts its resources only into programs that directly touch the lives of poor rural women – issues such as working conditions for farm laborers, for example, or the provision of clean water to rural villages, or even rural women's concerns about access to grazing land for domestic animals – it could neglect, even weaken, the women's movement where it exists, by

ignoring those women most able to articulate demands for themselves. If it becomes difficult to raise issues that reflect the concerns of the urban middle class, the Gender Commissioners and staff – who are themselves educated, urban and middle class – could find themselves treating their target audience as dependents who need assistance, rather than as a constituency for whom the Commission serves as a kind of representative.

There is a real irony in the assertion of a poor, rural target group. Despite a discourse that involves redefining gender and going beyond 'practical' interventions, the unspoken tendency to block projects not directly related to rural female poverty accidentally recreates a feminism that targets the same 'virtuous' constituency[2] imagined by 'women and development' programs – a community that is passive and dependent, unable to articulate its own needs or to pursue controversial challenges to inequality. Viewed positively, the decision to target poor rural women reflects the Commission's strong commitment to a democratic vision, and a concerted effort to avoid privileging elite voices; viewed negatively, the Commission's emphasis on the rural poor risks further undermining its own feminist base, by neglecting the very voices most likely to support 'strategic' feminist efforts.

Tensions over how the Commission should work with existing women's organizations and non-governmental groups based in townships and inner cities are visible in conversations in the Commission's hallways. Although many staff members and Commissioners remain deeply committed to feminist interventions, others regularly invoke the rural poor to block programs that seem controversial or that seem likely to lend substance to external accusations that feminist perspectives ignore the needs of the African majority – underscoring the danger that, like so many other nationalist movements, the ANC will back away from its feminist commitments. In the effort to broaden feminism's appeal, the Commission's strategy of focusing on a less-mobilized target constituency, while continuing to avoid controversy, risks further undermining the very constituency that 'femocrats' need to support feminist policies within the state.

Conclusion

Most discussions of why post-colonial states have backed away from earlier promises to address gender inequalities have stressed male resistance: male leaders, male voters, and male household heads have reasserted old hierarchies, demanding that the new state reinforce existing family structures and household patterns, recreating patterns of inequality (e.g. Chatterjee, 1989; Stacey, 1983). In that context, programs for women have been marginalized and ineffectual, restricted to operating within circumscribed limits rather than challenging the underlying definitions of gender.

This study, however, suggests an additional dimension: it underscores the local limits to 'strategic intervention', and the extent to which activists' capacity to pursue new directions is limited by the existing playing field. The Gender Commission structure offers enormous possibilities for intervention: dedicated 'femocrats' with real power and resources, with state power behind them. Yet the Commission's ability to translate theoretical goals into practice is limited by pragmatic considerations – concerns over careers, fear of provoking controversy, avoidance of internal tensions over race or class – to such an extent that incumbents find themselves searching for relatively 'safe' projects. In the process, the Commission risks demobilizing its most forceful potential supporters, further undermining the ability of femocrats to challenge the basis of gender inequality in the future.

As I suggested at the outset, the Gender Commission is a work in progress, and its internal dynamics and its agenda may change dramatically as its participants continue to redesign its structure and priorities. Yet even if it fulfills its early promise to tackle gender inequality, the Commission's struggles over how to give local content to international feminist frameworks may offer an important insight into why the line between 'practical' and 'strategic' policy interventions remains so blurry. Ortner (1996) argues that gender relations are rarely set in stone; individual women, she argues, actively reinterpret and redefine gendered social relations in a wide range of settings, in a process she calls 'embedded agency'. At a more institutional level, however, it is precisely because the Gender Commission *is* an 'embedded agency' – an institution embedded within the new South African democracy, shaped by a broader political reality in ways that inevitably complicate simple visions of feminist aspirations – that it may restrict itself to a cautious and pragmatic path as it seeks to construct a gendered state. Even for femocrats, empowered within a relatively sympathetic South African state, with a structure explicitly dedicated to promoting dramatic interventions against gender inequality, it is clearly far easier to imagine a gendered project of national development than it would be to imagine how best to redefine gender. Fearing controversy and marginalization, and seeking to avoid internal disagreement, the Commission may well limit its 'strategic' interventions to work within the pragmatic framework of an existing gender hierarchy – seeking to empower women in small ways, hoping that incremental change will create a basis for challenges to gender inequality in the future.

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Notes

1 Although some feminist scholars have suggested that Molyneux's distinction may overlook the extent to which 'practical' policies – for example, those that give women greater income-earning possibilities within a gender-segregated labor market – may empower women in ways that may deepen into more profound challenges to gender inequality (e.g. Lind, 1992), I was struck during my fieldwork by the frequency with which activists used Molyneux's terminology, signaling their awareness of theoretical feminist scholarship and international experience, as well as indicating a commitment to challenging the very basis of gender inequality.

2 I owe this phrase to Deborah Mindry (1999).

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