

PARTYING ALONG IN SILENCE

Violence against Women and South African Political Party Manifestos for the Local Government Elections of May 2011

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ABSTRACT

The high incidence of gender-based violence (GBV) in South Africa, as well as its serious consequences, makes such violence a matter of central policy concern to women. Local government programmes provide ample scope for intervening in GBV. But to what extent do political parties recognise this local-level role? To explore this question the authors analysed the manifestos of seven political parties released prior to South Africa's 2011 local government elections, finding that, overall, parties offered few concrete and specific proposals for addressing GBV. The thinness of the manifestos, it is argued, illustrates the fact that the mere presence of women in political parties does not, in and of itself, automatically result in policies with gender content. In this context, mandating quotas only ensures that large numbers of female politicians are now championing gender-blind policies. Ultimately, attention must be paid both to parties' policies and to their quota of women politicians if meaningful change to women's lives is to be effected.

INTRODUCTION

In May 2011, in the wake of numerous service delivery protests, South Africa held its fourth local government elections since 1994. These were easily the most-contested elections in years, with the official opposition, the Democratic Alliance (DA), threatening to take decisive control of the Western Cape, as well as to make

significant inroads into another large metropolitan area, Nelson Mandela Bay, in the African National Congress (ANC)'s stronghold of the Eastern Cape. The provision of services, amenities and facilities – and toilets in particular – became central to these battles. Gender, too, surfaced in the run-up to the elections, with the debate focusing broadly on two issues – women's political representation and the policy proposals parties were putting forward to address women's assumed needs and interests.

The use of quotas to increase and ensure women's political representation is advocated in both the Southern African Development Community (SADC) Protocol on Gender and Development and Millennium Development Goal (MDG) 3. The ANC is, however, the only political party in South Africa to accept the use of quotas to ensure women's representation. The DA, by contrast, has argued that women's representation will increase as their socio-economic conditions improve (Hassim 2003, p 86). While the 2006 local government elections had resulted in women occupying 40% of council positions because of a mixed electoral system where 50% of councillors are elected through a closed list PR system and 50% directly from wards, the 2009 national elections resulted in 44.5% of parliamentarians being women, due to the ANC's adoption of a 50% quota.

The 2011 elections thus provided an opportunity to increase the proportion of female local councillors, with Pansy Tlakula of the Independent Electoral Commission (IEC) even calling for the legislation of quotas (*Times Live*, 6 May 2011). However, the value and purpose of quotas are far from clear-cut and our article begins by examining in greater detail the various arguments around their application.

Elections are not confined to questions of representation alone, being an opportunity for parties to put forward their proposals for improving women and men's lives and conditions. Party manifestos thus provide important insights into those issues parties think are (un)important to the electorate, as well as their particular understanding of the problems identified, their causes and solutions. Taking one particular manifestation of gender inequality, gender-based violence (GBV), as its example, the article examines critically the policy proposals proffered by parties in this regard.

QUOTAS AND WOMEN'S POLITICAL REPRESENTATION

Approaches to increasing women's political representation may be described as either slow or fast track. The *slow track* option followed by the Nordic countries is characterised by 'incremental changes, coinciding with greater participation in the labour force and educational opportunities' (Dahlerup 2004, p 14). The *fast track* option is a feature of newer democracies, like South Africa, and relies

on electoral gender quotas to achieve its aim (Dahlerup 2004; Bauer 2008). The fast track option has been made possible within the context of a particular set of conditions: transition from a struggle or conflict situation, releasing an available cadre of capable women candidates to stand for public office, as well as participate in the drafting of new constitutions and laws; a strong women's movement able to advocate for women's increased political representation and exposure to a global women's movement, as well as the existence of international protocols on women's representation, such as the Convention on the Elimination of Discrimination Against Women (CEDAW) and the Beijing Platform for Action (Bauer 2008; Ballington 2004; Lowe-Morna 2004).

The two most common forms of quota system have been voluntary party-based quotas and 'reserved' or 'special' seats for women (Tripp 2004, p 73; Bauer 2008, p 348). The former has worked well within South Africa's closed list proportional representation (PR) electoral system. Ballington (1998, p 78) argues that PR systems 'correlate strongly with greater women's representation' as they 'lead to women being better represented among the party's candidates on party lists'. This is particularly effective if the dominant party chooses to adopt a party list quota, as the ANC has done.

Elections at local level are somewhat different in that two systems are in place: the PR system and the first-past-the-post (FPTP, winner-takes-all) system used for ward councillors. The latter system means that the candidate with the most votes wins the ward, so citizens can vote directly for a candidate. This also allows for the development of accountability to specific constituencies, which is not possible under the PR system. Lowe-Morna & Mbadlanyana (2011, p 6) have stated that the FPTP system initially 'disadvantaged women, as they performed worse than men in the ward seats'. This was evident in the initial disparity between the percentage of women who were elected to ward posts and those who were elected through the PR system.

In 1995 and 2000 only 11% and 17% respectively of ward posts went to women. By contrast, 28% of PR seats went to women in 1995 and 38% in 2000. In 2006, 37% of ward seats and 42% of PR seats went to women (Lowe-Morna & Mbadlanyana 2011). While the gap between the number of women ward councillors and women PR councillors has narrowed, it is clear that, without the help of a PR system and party quota, fewer women would be elected to political office because they fare worse where they have to compete directly with men in the wards.

Arguments in favour of quotas typically take one of three forms: normative, consequentialist and symbolic. The normative argument states that 'fairness and equality require that women be present in decision-making structures' (Vincent 2004, p 72), while the consequentialist argument is rooted in the idea that more

women in political structures will 'result in different policy outcomes to reflect women's concerns better' (Vincent 2004, p 73). The third argument suggests that:

... quotas are a public demonstration of a society's commitment to equality, they place women in positions of power and this makes other women feel that they have role models, that they are not excluded, that the political process is legitimate.

Vincent 2004, p 74

A normative approach thus makes women's representation an end in and of itself, while the consequentialist and symbolic approaches treat women's representation as a means to particular ends.

Building upon the consequentialist argument critical mass theory has sought to establish the threshold at which women representatives begin to tip the scales in favour of better policy outcomes for women. O'Regan (1998, cited in Britton 2005), for example, states that women must control at least 30% of government to affect employment and wage policies and 40% to influence social policies. Britton (2005) casts doubt on critical mass theory and, like other writers, suggests that a range of factors, among them the political system, the nature of civil society and the state, influences women's political effectiveness (Goetz & Hassim 2003, pp 5-7).

Krook (2006, p 111) adds another dimension to the discussion by stating that the quotas currently being applied are 'not feminist quotas but rather gender quotas – and more properly speaking sex quotas'. As such, they seek to increase the number of women rather than to improve the level of women's issues within public policy. She argues that most research into and analysis of quotas does not pay adequate attention to gender, which '... replaces exclusive concern with women in politics and public policy with careful attention to the impact of masculinities and femininities, as well as relations between men and women, on political inputs and outcomes' (Krook 2010, p 233).

Thus, a move towards the gender/feminist dimensions of quotas and political representation allows for an understanding of the impact of power relations between men and women on policy decisions and also explains how quotas often result in descriptive, rather than substantive, representation.

LOCAL GOVERNMENT AND GENDER-BASED VIOLENCE

The high incidence of gender-based violence (GBV) in South Africa, as well as its serious consequences for individual women, their families and communities,

makes GBV a policy matter of central concern to women. While much of this policy, and its attendant legislation, is located within national government there is a role for local government in combating such violence.

According to s 152 of the Constitution of the Republic of South Africa (108 of 1996) the objects of local government are to provide democratic and accountable government for local communities, ensure the provision of sustainable services, promote social and economic development as well as a safe and healthy environment and encourage the involvement of communities and community organisations in local government matters. Chapter 5 of the Municipal Structures Act 1998 further details the facilities and amenities for which local government is responsible. These include, among others, electricity delivery, water for household use, sewage and sanitation, refuse removal and fire fighting services. Of particular relevance to GBV are municipal health services, public transport, parks and recreational facilities, childcare facilities and the provision of housing, either through building or renting. This latter set of responsibilities provides a series of important entry points into a strategy to combat GBV.

STRUCTURAL ISSUES AT THE LOCAL LEVEL CONTRIBUTING TO GBV

Degraded, under-serviced and inadequate living environments are an enduring feature of apartheid's legacy. Through the Group Areas Act black¹ women and men were either located on the periphery of cities or, in the case of many black Africans, relocated to 'homelands'. This spatial dislocation created long and costly commuting patterns for many black South Africans, which endure to this day. Spatial fragmentation was further enforced through buffer zones, usually vacant lots of land, which also served to maintain the separation of communities. The accompanying residential segregation also entailed inferior housing and services to black townships. While designed to discriminate on the basis of race, these apartheid measures and their legacies have also created further hardship for poor black women in particular, including placing them at risk of violence.

Urban planners have recognised the importance of designing human settlements in ways that promote their inhabitants' safety. These include providing good street lighting, avoiding the creation of deserted areas or spaces that are not peopled for parts of the day, avoiding the creation of places where women may be easily trapped, such as tunnels and alleyways, and designing parks and public spaces that are open to surveillance and do not provide hiding places for attackers. Indeed, a manual commissioned in 2001 from the CSIR's Building

1 Unless distinguished as black African, 'black' includes all those people who, by virtue of their skin colour, were systematically dispossessed and disenfranchised (although to varying degrees) by the National Party government. This includes those groups classified as 'black', 'coloured' and 'Indian'.

and Construction Technology programme by the South African Police Service Social Crime Prevention Division even provides a series of guidelines for crime prevention through planning and design (Kruger, Landman & Liebermann 2001).

Studies examining where rapes take place illustrate the need to take such concerns into account when developing and designing settlements. One study, analysing 162 gang rapes reported at six inner-city Johannesburg police stations in 1999, found that 31% occurred in open spaces like parks, stretches of veld and parking areas. A further 11% took place along roads or alleyways, while 8% were perpetrated at transport nodes such as bus stops, taxi ranks and train stations. Another 2% of rapes were committed in public toilets. In 29% of these gang rape scenarios women were walking to or from particular destinations when they were forced into cars (often at gunpoint) and driven to another spot where the rape took place (Vetten & Haffeejee 2005). These data illuminate how neglected public environments and the absence of public transport, as well as unguarded public transport zones, provide opportunities for rape.

Rural environments are not necessarily safer for women either. Research conducted among rural women in the Qakeni (Flagstaff) and Port St Johns districts of the Eastern Cape has highlighted the dangers faced by women collecting both firewood and water, as well as travelling to the fields to harvest their crops. To reduce the number of trips they made each day, many women also bathed in the same spot as they collected water. However, being raped and assaulted while using public places for bathing, or walking to collect firewood and water or to work in their fields, was a real concern – if not an actual experience – for the women interviewed. Stretches of tall grass provided hiding places for rapists and robbers who attacked women when they were carrying heavy loads and were thus less able to defend themselves. Walking was therefore not a safe mode of travel for women in these districts (Potgieter, Pillay & Rama 2006, p 19).

While public spaces may indeed be dangerous for women, private spaces, or their homes, are not necessarily safer options. Interviews with women living in a squatter area in Cato Manor, Durban, point to how the informality of homes made from cardboard, metal sheeting and scrap plastics makes women vulnerable to violence in ways not experienced by those in formal housing:

We are all very afraid of the criminals, as we are staying in the shacks made of boards, we feel very much insecure, anybody can set our shacks alight easily, or just tear up the boards and take all our possessions. We feel helpless.

cited in Meth 2003, p 324

As Meth (2003, p 324) points out, women living in such circumstances 'cannot slam the door, lock someone out, or secure the windows' to keep themselves safe.

The design of houses and housing settlements also plays an important role in addressing violence against women and increasing their sense of personal safety. Interviews with women in Gauteng about their experiences of public housing highlighted the need for houses to be designed with two doors instead of one. Women pointed out that it was more difficult to flee an abusive partner when only one door served as both exit and entrance. A settlement layout focused on creating safe communal spaces onto which houses face, rather than the standard linear grid design, would also ensure greater safety for women and children (CASE/GDoH 2000).

Domestic violence literally makes some women homeless. However, the extent of abused women's particular homelessness is often disguised. While women are more likely to move among family, friends and shelters in search of accommodation, some do literally end up sleeping on the streets. This, too, places women at risk of violence. In their interviews with 28 homeless women living in transitional housing schemes and the various abandoned buildings dotting inner-city Johannesburg, Dladla, Hargreaves, Greenberg & Vetten (2004) found that some women had entered into relationships specifically to secure accommodation, as well as their personal safety. While some of these women had been moderately and even severely injured by their partners, they nonetheless saw their partners as protecting them from other men in the homeless community.

Local government is also responsible for the metropolitan police and in 2006 the SAPS National Instruction for dealing with domestic violence was specifically revised to include the metropolitan police services. The possibilities (and risks) of this role have, however, barely been explored.

Better documented is the metropolitan police's harassment and intimidation of sex workers, frequently through the use of municipal by-laws dealing with loitering, drunken behaviour and soliciting for the purposes of prostitution. In 2009 the Cape Town High Court ordered the SAPS and the SA Cape Metropolitan area police to stop arresting sex workers for any purpose other than prosecution and, in particular, doing so knowing that no prosecution would follow (*The Sex Worker Education and Advocacy Task Force v The Minister of Safety and Security and others*). The Sex Worker Education and Advocacy Task Force (SWEAT) had applied for the order to prevent law enforcement officers from arresting sex workers when they had no intention of prosecuting them in court and from arresting them in order to harass, punish and intimidate them or for any other ulterior purpose not sanctioned by law.

GENDER POLICY FRAMEWORK FOR LOCAL GOVERNMENT

At least some of these interventions are contained in the *Gender Policy Framework for Local Government* (GPFLG) released in August 2007 by the then Department of Provincial and Local Government. Among the key performance areas highlighted by the GPFLG is safety, including safety from GBV (Department of Provincial and Local Government 2007, p 16). A number of recommendations are put forward to promote women's safety, including: organising public awareness campaigns, strengthening services and responses to violence and establishing further safe houses and promoting intersectoral co-ordination. The framework also includes questions to guide municipalities in monitoring interventions intended to promote safety and security. It highlights the fact that, as a preventive measure, safety should be improved in public spaces such as transport termini and parks.

PARTY MANIFESTOS: ADDRESSING GENDER-BASED VIOLENCE

As the discussion above has highlighted, there is ample scope for a local government response to GBV. Drawing on the analysis set out above we now examine the extent to which parties focused on these issues in their manifestos, as well as whether or not the gender dimensions of these issues were recognised.

The following party manifestos were reviewed:

- African National Congress (ANC)
- Democratic Alliance (DA)
- Congress of the People (Cope)
- Inkatha Freedom Party (IFP)
- United Democratic Movement (UDM)
- Azanian People's Organisation (AZAPO)
- National Freedom Party (NFP)

The main issues for all parties (except the IFP, whose manifesto contained little of substance) were service delivery, economic development and community building. Most of the opposition parties also aimed to fight corruption and mismanagement of funds (also acknowledged to some degree by the ANC). While all parties placed a strong emphasis on improving infrastructure and creating economic opportunities, their proposals were gender blind and women's needs were not addressed directly. In fact, the word 'women' was barely used in the manifestos.

Only the ANC made reference to women's representation in local decision making. The party stated that it was set to achieve 50:50 gender equality after

the 2011 elections and attributed the increase in women's representation at local government level to its gender equality policy.

Cope also looked at the inclusion of women in decision making, but from a very different perspective. The party aimed to create subcommittees within ward committees for specific groups such as children, persons with disabilities, youth, women and older people, to allow for greater participation and to provide a space for these groups to voice their concerns. The UDM had a similar plan to allow for women's voices to be heard through sustainable development councils, which would be representative of the community.

None of the parties addressed gender-based violence specifically, referring instead to crime generally. All parties, with the exception of the IFP, aimed to improve crime-fighting measures by working with communities and targeting crime-infested areas. The ANC planned to increase the visibility of SAPS personnel at police station level with focused patrolling in cities and on highways, as well as extending the distribution of police stations (ANC, March 2011). It also maintained that it would promote 'the formation of street committees and village committees as part of community efforts to combat crime, and through partnership with the private sector, community groups and municipalities' (ANC, March 2011).

The DA also referred to community policing and aimed to improve municipal policing services through training. It was the only party that offered a concrete violence prevention programme, which it planned to expand to other areas. According to the DA the Violence Prevention through Urban Upgrading programme has been shown to be effective in combating violent crime in underdeveloped areas by improving local infrastructure such as parks, schools, walkways, clinics and so on. The DA claimed that implementation of this programme in Khayelitsha had reduced the murder rate by 33% (Democratic Alliance, April 2011). The programme also included the establishment of a gender-based violence satellite office (Impumelelo 2010).

Cope, too, recognised the need to address the spatial inequalities of apartheid and proposed dealing with this legacy by creating mixed-use zones so that business and residential areas were no longer separated.

Cope's community policing strategy was aimed at providing each community with 'knowledge, responsibilities and resources to play a role in combating crime in its locality'. Monthly forums were proposed to analyse crime statistics and incidents (Cope, March 2011). The UDM looked at bringing satellite police stations closer to communities. This is an important aspect, as women often have to travel great distances to get to their nearest police station. Municipal police services were also addressed by Azapo, which aimed to set up municipal policing in areas which could afford them and to improve co-operation among the SAPS, municipal police services and the community. The NFP also

mentioned improving co-operation among these structures to combat crime and enforce by-laws.

The DA was the only party which mentioned the need for improved access to antiretrovirals for rape survivors (as well as for expectant mothers).

There was very little substantive discussion of housing and no mention of women's particular needs in this regard. Cope nonetheless recognised the need for the community to be involved in planning housing on the basis that a 'one size fits all' approach (Cope, March 2011) does not meet the unique needs of individual communities. Both the DA and the ANC also discussed bringing human settlements closer to employment opportunities. Importantly, the ANC mentioned the need for more support for safe houses and shelters used by women and children affected by GBV. However, there was no recognition of women's medium- to long-term housing needs after they left shelters.

Overall, the manifestos offered little that promoted gender equality or addressed those forms of violence that affect women disproportionately. This is indicative of political representatives' limited ability to apply a gendered lens to the world and translate this analysis into substantive policy proposals.

WOMEN IN POWER: WHAT NEXT?

The following points can be made on the basis of this analysis: firstly, while all political parties have women members, with both the DA and NFP being led by women, this does not necessarily guarantee a strong focus on women's interests in the policies put forward by parties. The manifestos illustrate this. Much the same point can be made about the representation of women in political office.

Following the 2011 elections the number of women in ward seats declined by 4% to 33%, while the proportion in PR seats increased by 1% to 43%. Overall, there was a 2% decline in the proportion of women representatives from 40% in the 2006 elections to 38% in 2011. But it is doubtful that an increase in the number of women representatives would have benefited the women electorate greatly; the gender content of the manifestos is simply too thin to mount a significant attack on GBV. And if women were not able to influence the content of the manifestos substantially it is not very likely that they will be able to bring a more gendered perspective to those manifestos once they are in office.

Arguably, there needs to be a shift in focus from a pure emphasis on the presence (or number) of women in political structures to an analysis and understanding of women's *effect* on those structures and processes. It is no service to the cause of gender equality when the presence of women is delinked from the content of policy and women politicians' influence upon those policies. It is clear that in the future the argument for gender / feminist quotas needs to be articulated more strongly if policies are to promote gender equality effectively.

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