THE PARTICIPATION OF WOMEN IN SOUTH AFRICA’S FIRST DEMOCRATIC ELECTION

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ELECTORAL INSTITUTE OF SOUTH AFRICA
THE PARTICIPATION OF WOMEN IN SOUTH AFRICA'S FIRST DEMOCRATIC ELECTION: LESSONS FROM THE PAST AND RECOMMENDATIONS FOR THE FUTURE

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PREFACE

This paper has been prepared at the request of the Electoral Institute of South Africa (EISA) as part of its project on gender and elections. The project aims to identify obstacles to full political participation by women, including the biases and other difficulties experienced by women – whether as candidates or voters – in elections.

In her paper Ms Ballington provides an interesting and colourful overview of the participation of women in South Africa’s first democratic election in 1994. The paper deals with aspects such as the intimidation of women voters, the role of voter education, the attitudes of the various parties to women, and the election results in terms of women’s representation in Parliament. The paper concludes with a useful series of recommendations for taking into account the needs of women in the electoral arena.

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The Institute is most grateful to Ms Ballington for the valuable research contained in this volume.

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1 INTRODUCTION

For the most part, women have been excluded from the polis since the beginning of the democratic tradition.

Voting as a process of selection was first encountered in ancient Greece, where it was generally used for decisions put before the democratic assembly. Although various forms of voting have existed throughout the ages, voting emerged as a central theme in the 18th century with the birth of modern democracy. Political philosophy in this period – expressed most notably in the writings of Rousseau and through the English, American and French Revolutions – included the idea of representation, whereby the general interest of the people could be expressed through elected representatives. Today the right to vote for elected representatives is constitutionally guaranteed in most democracies.

However, adult suffrage as it was progressively extended, was reserved exclusively for men. Universal male suffrage was introduced in the French Constitution of 1793, and was in force in most countries by 1918. The fact that only male citizens could vote was not seriously questioned until the advent of the suffragists in the late 19th century, finding expression notably in the writings of John Stuart Mill. The slow enfranchisement of women began late in the last century, but the enfranchisement of women in this country has been particularly lagging. Voting in this country was conceived as a male preserve, and it was not until 1930 that white South African women were permitted to vote in national elections. After a long and hard struggle for political equality, black South Africans were finally able to cast their vote in South Africa’s first democratic election on 27 April 1994.

The 1994 national and provincial elections were arguably the single most important event in the history of South Africa’s transformation from an authoritarian regime to a democratic nation. Periodic and regular elections are one of the most important mechanisms through which citizens can express their political will, and the notion of elections as being ‘free and fair’ is considered central to the credibility of the electoral process. While the 1994 elections were
generally accepted as 'substantially' free and fair, there were a number of incidents prompting much criticism of the electoral process. One area that warrants particular attention, and which forms the focus of this paper, is the participation of women in the electoral process.

In relation to this participation, there are a number of questions that deserve examination: What does the existing literature tell us about the participation of women in 1994? What are the factors influencing women's participation in the electoral process? How did women candidates fare in comparison to men? Did the electoral system help women advance into Parliament? What lessons can we learn from South Africa's first democratic election? As the time for South Africa's second national democratic election nears, it is important that we remember the lessons presented to us by the past. The study of some of the obstacles encountered by many women in the 1994 election will provide a point of departure for making recommendations for future elections.

An examination of the participation of women in the electoral process will be undertaken in three separate sections: the pre-election period, the election itself, and the post-election period. By way of conclusion, recommendations will be made to inform the electoral process for the 1999 election and beyond.

2 THE PRE-ELECTION PERIOD

Women have played an important role in the liberation struggle in this country. Anne Emslie explains that the need for women to present a united front has long been perceived, and the period prior to the election in 1994 saw the formation of a number of women's organisations and pressure groups such as the Women's Lobby, the Women's Alliance and the Women's National Coalition, which produced the Women's Charter for Effective Equality. Pat Horn describes the women's movement prior to May 1994:

"What we loosely call the women's movement is not an organised formation with structures able to make decisions about its direction. It is an organic mass made up of many organisations, coalitions and groupings... within which has evolved a broad thrust of struggle for women's rights in South Africa."

Horn notes that for 18 months prior to the election, a broad spectrum of organisations expressed the need to build a strong women's movement to take 'the fight for women's rights into the new South Africa'. Although there was much criticism of the women's movement (focusing particularly on structural weakness, and lack of cohesion and common purpose), the efforts of the various organisations fighting for women's rights culminated in the national and provincial election in April 1994. The election was perhaps the single most important milestone in the

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4 P Horn 'Women at the Crossroads' April/May 1994 Work in Progress Supplement at 2.
5 Idem.
6 N Mudlala 'Building a Women's Movement' April/May 1994 Work in Progress Supplement at 3.

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struggle for liberation in South Africa. What follows is an account of the pre-election period, roughly from January to April 1994, which examines issues such as voter-education programmes and political party campaigns.

2.1 Rural women

Rural women count among the most ignored and oppressed sectors of our society. As Mamphela Kompe argues, they often lack the facilities and conveniences of urban people, access to land is limited, and in many villages women are prevented from participating in traditional decision-making. For people like Kompe, the 1994 election brought with it new hopes for changing the position of women, and for many women was their first experience of participating in the political process. Yet it should be noted that several obstacles to educating rural women about the electoral process, and integrating them into it, can be identified from an analysis of the 1994 election.

2.1.1 Obstacles to women’s voting

While the greater majority of women voted in South Africa with a sense of pride and civic duty, there are a number of reported incidents in which women stated that they would not be voting. Mary Kelley has argued that historical patterns and traditions appear to be influential determinants of women’s participation in the electoral arena. In ‘traditionalistic’ cultures, the political elite tends to discourage women’s political participation in order to maintain the male-dominated status quo. This practice seems to have prevailed in South Africa, although various other reasons can be cited to explain why some women did not vote in South Africa’s premier democratic election. According to a Someran opinion poll on voting patterns prior to the election, major reasons cited by respondents for non-voting included:

- that they were too old and sick to vote or go to the polling station;
- that they did not have identity documents; and
- that they did not understand what was going on in politics.

For example, Anna Boesens, an olive-picker in the Eastern Cape, showed little interest in the mechanics of the election, and instead wanted someone to tell her for whom she should vote. She expressed that she did not understand politics, and wanted to hear from others whom to vote for.  

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There were further factors which posed considerable challenges to rural women voters, as Hildegard Fast\(^7\) explains. Intimidation, in the form of threatened job loss or abuse from partners, is faced by many women who may choose to vote differently from the way they have been instructed. In 1994, economic dependence and ignorance about the secret nature of the vote compounded this problem further. Domestic responsibilities of caring for children and the elderly, and highly intensive labour made it difficult for many rural women to attend voter-education workshops. These factors, together with the cost of transport from remote places, often made preparation for voting on the day prohibitively expensive.

### 2.1.2 Identity documents

A further problem reported in the media, perhaps unique to rural dwellers, was that thousands of women had difficulty in obtaining identity documents as their fingerprints had become cracked or blurred. According to Free State traditional leaders' representative Nina Moroko,\(^6\) manual labour, the handling of dung (used as housing cement) and cleaning chemicals had changed the fingerprints of many women in rural areas. Moroko estimated that about 80\% of women in South Africa lived in rural areas, and that up to 60\% of them suffered from fading fingerprints. It was reported\(^5\) that some women had tried for many years to obtain documents, but had been recalled time and again by Home Affairs officials who could not match the old and new fingerprints. There were also reports of the issuing of incorrect identity documents, which stated either names or gender inaccurately.

### 2.1.3 Illiteracy

Mamlydia Kompe explains that a complicating factor in reaching and educating rural women is the high rate of illiteracy:

> 'We are talking about women who can't read or write, and people who have never been exposed to these things. Women don't know the parties, they don't know the ANC ... they only know Mr Mandela. And they don't know the NP, they only know Mr de Klerk.'\(^4\)

Kompe observes that many women were unable to follow the processes leading up to the election, and were 'unfamiliar with

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\(^{5}\) Idem.
structures like the Transitional Executive Council and the Government of National Unity and concepts like proportional representation. Illiteracy was clearly a problem hampering many women's participation in the electoral process. It is therefore necessary to seek creative means for explaining complex electoral issues in a way that is easily understood by illiterate voters.

2.2 Intimidation

Political intimidation is a common feature of elections in emergent democracies, and the experience of South Africa's first democratic election was no exception. During the negotiation process the political parties were aware of the risk that intimidation could disrupt the electoral process, and the interim Constitution (Act 200 of 1993), the Independent Electoral Commission Act 150 of 1993 and the Electoral Act 202 of 1993 were drafted to take this into account. The regulations the Independent Electoral Commission (IEC) drafted, the voter education it promoted, the publicity materials it disseminated and the procedures it planned were 'calculated to minimise the potential harm of intimidation'. However, there were unmistakable signs that voters were intimidated in both the pre-election and the actual voting periods. Prior to election day there were no fewer than 163 'no go' areas in which the dominant political party excluded political rivals. It is clear that violence and intimidation hampered election-day preparations, and arguably constrained the choice of many in voting for a particular party.

As mentioned above, it is clear that intimidation existed in a number of forms with regard to women in the pre-election phase. A large number of women, especially in rural areas, were particularly vulnerable to the intimidation of violence and threats by men. Research projects undertaken by the Women's National Coalition in 1993 and 1994 covered a range of issues, but Khumalo argues that the issue of political awareness among women is particularly important:

'Traditions of authoritarianism and male dominance – in all racial and social groups – impinge heavily on women's political rights. Women are often expected to toe the political line established by men. Some say they cannot assert their rights openly without risking a confrontation with their husbands or fathers, religious leaders, chiefs or employers.'

This kind of intimidation impacts directly on the electoral process. Many women have reportedly complained that they could not vote for the party of their choice because husbands, fathers and in-laws or chiefs told them whom

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17 Idem.
to vote for. Penny Flowman, a British Oxfam volunteer prior to the election, explained that ‘some people are being told they will be shot if they don’t vote right. Some of them are being told that the farmer can see through walls, that he will see where they put their crosses – and they believe it.” One woman had been warned that she would be beaten if the African National Congress (ANC) did not win the election. There were reportedly further problems involving domestic workers and employers telling them whom to vote for, as one domestic worker stated:

‘I’m really confused, my madam is telling me to vote for a particular party, at home my husband is telling me to vote for a different party. I’m really torn apart, I don’t know who to trust.”

Zondo, an organiser for the Education for Democracy Programme, argues that it is critical to help women develop a way of dealing with intimidation, and to help them understand that when it comes to elections they must make a decision by themselves. Dene Smuts, in a workshop on women in the electoral process, identified women’s vulnerability to the intimidation of violence as one of the most important obstacles they face, and added that the intimidation often leads to the disenfranchisement of large numbers of voters. It is imperative that the problem of violence and intimidation be addressed if South Africa is to have free and fair democratic elections.

2.3 Voter education

At the time of the election most South Africans, roughly 80% of the voting population, had never voted before in a national election. Voters’ rolls were non-existent. A large proportion of the electorate were living in remote rural areas, and many were illiterate. Some reports estimate that up to 50% of the electorate were rural South Africans, and at least 60% of these were women. Therefore the importance of voter education in preparing a large rural, semi-illiterate voting population, who had never voted before, could not be overstated. A free and fair election is dependent upon an informed electorate, and in the run-up to the election massive efforts were made to inform citizens about the mechanics of voting and their democratic rights.

As Møller and Hanf explain, voter education was conducted mainly by non-governmental organisations, which ranged from churches to civic bodies and were affiliated to the Independent Forum for Electoral Education (IFEE). There were approximately 40 member organisations of the IFEE,

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20 Boyle op cit note 20.
21 N. Zondo ‘Women and the Vote’ (1994) 20 Agenda at 98.
22 Idem.
24 Wesley op cit note 14 at 13.
25 Møller & Hanf op cit note 18 at 4.
together with members of the Democratic Education and Broadcasting Initiative (which promoted voter-education on television and radio), and the IEC aimed to inform all voters of how to participate in the election. Political parties also ran voter-education programmes. What follows is not an analysis of voter-education campaigns that took place prior to the election, but rather an overview of issues of special relevance to women in the pre-election period.

The Electoral Code of Conduct\(^\text{27}\) aims to promote conditions conducive to the conduct of free and fair elections, in which political activity may take place without fear of coercion and intimidation. The Code committed parties to give effect to the following undertakings and stipulations in relation to women:

- to facilitate full participation by women in political activities on the basis of equality;

- to ensure free access by women to all public political meetings, facilities and venues;

- to respect the right of women to communicate freely with political parties and organisations; and

- generally to refrain from forcing women to adopt a particular political position or to engage in, or refrain from engaging in, any political activity otherwise than in accordance with their free choice.

However, there are a number of examples of problems encountered by women attending meetings, particularly in relation to voter-education workshops. And again, intimidation and fear of violence were contributing factors. Prior to the election, the Black Sash’s national co-ordinator for education, Gille de Vlieg, argued the importance of women trainers when conducting voter education in rural areas:

‘The patriarchal structure of our society makes women feel intimidated. Feedback from our trainers is that the biggest problem to be overcome is male domination, which sometimes results in women being denied access to some areas. Chiefs are suspicious of women entering their areas and educating women about voting. A lot of voter education is done by males and we believe that it is very important for women to be educated by other women.’\(^\text{28}\)

Similarly, as Sue Wixley explains, a crucial issue in reaching rural women was access to education forums, because women have traditionally played a minimal role in community meetings (whether kgoglas or local communities):

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\(^{27}\) Idem.


\(^{29}\) Cited in Mapula op cit note 9.
Their participation is limited either by formal prohibitions or by sheer male domination. Their excessive work burden – including collecting firewood and water, childcare and ‘men’s work’, like tending livestock – seldom leaves women any time to attend workshops or meetings.\footnote{Wixley 13.}

Wixley says that this is further complicated because the chief retains a veto power: ‘if he does not give the go ahead for voter education, it does not happen’.\footnote{Idem.} She adds that when workshops did happen, sometimes the men took over the resource materials and ran the workshops themselves: ‘Their attitude seems to be: “You are a woman, how can teach us?” This is reinforced by Manlydia Kompe, who explains that men would often dominate or disrupt workshops. Consequently, separate workshops were run for women so that they could voice their concerns without interruption.\footnote{Idem.}

For Ntomb’futhi Zondo, organiser of the Education for Democracy campaign, a critical task when educating women in rural areas was to develop a way of dealing with intimidation, and to create an understanding that when it comes to elections, women must make their own decisions about whom to vote for:

The reality is that most women, especially in rural areas (where the majority are) are not aware of their legal rights. Further, in some cases, discrimination seems to be officially sanctioned ... When speaking to women about women’s participation in political affairs, they can’t understand what you’re talking about.\footnote{Zondo op cit note 21 at 58.}

In her voter-education programmes, she emphasised that voting is both a right and responsibility; for example, the right to choose a government to represent you, and the responsibility of knowing about the parties and making government accountable. Zondo summarises the issues for women in voter education as follows:\footnote{Ibid 56.}

\begin{itemize}
  \item how to assure women that their husbands and employers do not know how they have voted;
  \item how to convince their male counterparts that women also have a leadership role to play;
  \item how to put pressure on government to ensure that it initiates an enabling atmosphere for women to establish themselves; and
\end{itemize}

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how to ensure that Parliament has enough women representatives.

The Elections and Balloting Project of the Independent Mediation Service of South Africa (IMSSA) played a major role in voter education prior to the election. The organisation emphasised the inclusion of women trainers in their programmes. These encouraged the full participation of women in the election process, and aimed to ensure that the process was a free and fair one. It is reported that a number of women were empowered by the training they received, and it was encouraging to see women imparting information which had historically formed part of the domain of men.

Barry Gilder of Malta Trust and the Independent Forum for Voter Education was quite optimistic about the effects of voter education: ‘The feeling is that women in rural areas are going to vote, although the statistics for women’s votes are slightly lower than for men.’ However, not everyone was as positive. Nozizwe Madlala argued that prior to the election, it was a big challenge to get women to the polls when they had never voted before. She explained that many organisations were involved in voter education, but argued that more work needed to be done with the emphasis on reaching women voters, farm workers and rural people:

‘South African women have not been encouraged to participate in politics. Violence and fear have compounded this problem. For people to feel safe going to the polls, security must be stepped up. Women must be made to know that their vote counts, that it will be secret and that no-one has the right to prescribe to them what party to vote for.’

The activities of political parties were similarly seen by some to be inadequate. The ANC was identified by some as having the most active campaigners in rural areas, and Wixley points out that it identified women’s rights as one of the main election issues, together with education, housing and job creation. But Wixley argues that despite the ANC’s ‘slick newspaper ads publicising their plan to improve the lives of women by guaranteeing women the right to home and land ownership’, their American-style roadshow has not been adapted for rural voters. She argues that the ‘people’s forum’ (aimed at increasing grassroots participation) did not reach the people who were traditionally left at home while their men made decisions under the kgotla tree. This argument was reiterated by Mamlydia Kompe:

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56 Wixley 13.
57 Madlala op cit note 6 at 8.
78 Wixley 12.
89 Ibbot.
Very little is really happening ... no political party is really taking the
initiative to organise rural women and show them how to vote. We've
heard about a mobile education van; we haven’t seen it.\textsuperscript{140}

It is important that women, particularly rural women, be appropriately
educated about their political rights and the secrecy of the ballot. Women’s
vulnerability to fear and intimidation is a considerable obstacle which may
lead to the disenfranchisement of women voters, and needs to be addressed
in future elections to facilitate full and effective participation by women in
the electoral process.

\subsection{The media}

It is generally accepted that the South African media perpetuate stereotypes
of men and women which can hardly be regarded as egalitarian. The
Commission on Gender Equality (CGE) has stated that “South Africa suffers
deply from entrenched sexist attitudes which reflect in popular culture and
the media”.\textsuperscript{141} The Beijing Platform of Action on Women and the Media in
Southern Africa argues that, as in many regions in the world, the media in
southern Africa do not provide a balanced picture of women’s activities and
their contribution to national development. The work of women in rural
areas is particularly undervalued in economic terms.\textsuperscript{142} Media coverage
leading up to the 1994 election has been particularly criticised for failing to
represent women and women’s issues fairly.

Helen Moffett\textsuperscript{143} reflects on the way women were presented in the South
African media during the pre-election period, and is particularly critical of
the print media for failing to represent women fairly or equitably. She cites
the example of angry letters written to the \textit{Weekly Mail} (sic), levelling charges
of hypocrisy at the press for paying only lip-service to the notion of a
gender-inclusive future government for South Africa. She also notes that an
independent monitoring service reported back to the South African
Broadcasting Corporation and international bodies that in terms of
newsworthy items, “gender is almost completely invisible as an issue”.\textsuperscript{144}

Moffett adds that there was poor coverage given to women in the media, in
terms of quantity, quality and bias, which she believes was reflective of the
concerns and investment of society at the time. Although there were
“intelligent, credible, articulate women” appearing on programmes like
\textit{Agenda}, and newspapers featuring details of ‘Take Back the Night’ marches,
Moffett further criticises the media for trotting out the same faces – Frené

\begin{footnotesize}
\begin{itemize}
\item[\textsuperscript{140}] Idem.
\item[\textsuperscript{141}] Commission on Gender Equality (CGE) \textit{CGE Information and Evaluation Workshops: Executive Summary} (1998) at 12.
\item[\textsuperscript{143}] H Moffett: \textit{Women in the Media: “Little Victories and Big Defeats”} January 1994 Safe at 18.
\item[\textsuperscript{144}] Idem.
\end{itemize}
\end{footnotesize}
Ginwala, Cheryl Carolus – every time a token woman was required. Here the media, ‘having fulfilled its “skirt quota” considers its duty to gender equality duly performed’. But a further concern of Black Sash was that most women candidates were often untrained in the skills needed for politics ‘the need for training in public speaking, debating, lobbying and liaising with the media was seen as important’.

It is not surprising that ‘the image of women in politics often appears very negative … and during electoral campaigns particular emphasis is put on the male candidate to the detriment of the female candidate’. As Ruth Jacobson argues from her experiences of the Mozambican election of 1994, none of the print media made any attempt to look specifically at gender issues. In South Africa it appears that most of the focus in women’s issues was given to the problems that rural women were experiencing, but not much attempt was made to look at other important issues, such as the overall representation of women candidates and their obvious under-representation on political party candidate lists (this, of course, excludes political party campaigning). In the run-up to the 1999 election, the media must place women’s issues high up on the agenda. The CGE will seek through public education campaigns to engage constructively with the media and cultural groups which have been largely responsible for perpetuating stereotypes of women, as they have a vital role to play in changing perceptions on women’s issues.

2.5 Election campaigns

In terms of campaigning, in both the print and electronic media (and radio in particular) the ANC was described as the champion of women’s rights. This was illustrated in campaign slogans like ‘You have the cheek to call me the weaker sex?’ and ‘Women have been the glue that has kept this country together and we believe it is time that this strength was recognised. In real terms.’ This same advertisement then committed the ANC to ending all discrimination against women and assisting in their socio-economic advancement. The ANC’s election manifesto promised special assistance to end rural poverty by implementing land reform and providing education and housing.

The election manifesto of the Democratic Party (DP) devoted a special section to women’s rights, explaining that ‘women’s rights are inviolable, as are human rights’, and acknowledged that ‘economic growth is fastest in
countries where women have higher status and slowest where they face disadvantages". But unlike the ANC and the DP, the National Party's election manifesto made no special pitch to women, rather emphasising job opportunities, health, housing and general improvement in socio-economic conditions for all.

2.6 Political parties

As suggested above, of the parties that won representation in the National Assembly in the 1994 election, the ANC was arguably the party most firmly committed to women's equality. This was most demonstratively illustrated in the composition of the ANC's candidate lists, on which women were required to constitute 30% of the names, and therefore of the seats won in Parliament. In November 1993 the Mail & Guardian heralded this as a 'breakthrough for women in parliamentary and government representation', and concluded that:

"Those who consider the quota system patronising have underestimated the value of this achievement. The ANC appears to be the only party giving substantial attention to this issue. It is time others followed its lead."32

However, no other political party implemented such a quota, and indeed some parties were vocal in their contempt for quotas as an instrument to increase the representation of women. An analysis of the election results below highlights the disparate results as a consequence of compiling party lists.

2.6.1 Where the parties stood on the quota issue33

African Christian Democratic Party

The African Christian Democratic Party (ACDP) did not implement a quota system to increase the representation of women on its national and provincial lists. As a result, the party had a relatively low representation of women on its lists. Nationally, nearly 13% and regionally, less than 10% of the lists consisted of women. Women were not placed in winnable positions, as the first woman was placed at number 15 on the list.

African National Congress

As mentioned above, the ANC was the only party currently represented in Parliament to submit a list of candidates with a 30%
gender quota. The ANC Adopted List Process for national elections, finalised in October 1993, stipulated that:

‘Affirmative action for women will be a central part of being representative and we need to ensure that no less than one-third of the lists are made up of women. (They are 50% of the electorate). The ANC policy has been consistent in supporting the need for affirmative action and the need for gender equality. The people we elect to represent us in government will be responsible for representing the people of South Africa, not the ANC, and this makes it even more important that we ensure that no less than one-third of our list is made up of women at all levels.’

As a result, over 30% of candidates on the national and regional lists were women. This rates favourably in comparison with the other parties. Bridgette Mahandla, placed 66th on the national list, believed that ‘the ANC’s male leadership is now firmly committed to gender equality as an essential component of reconstruction and development’.9

However, the first woman, Albertina Sisulu, was only placed tenth on the list, and was the only woman amongst the first 20 candidates. Of the first 50 seats, only 10 were held by women. In April 1994, included in a Work in Progress election supplement was an article on ‘Ten Women Who Will Make a Difference in Parliament’. Of the 10 listed, seven were from the ANC, and it is interesting to note where some were placed on the party list: Frenie Gwala, 54th; Faith Govender, 85th; Baleka Ngqatsi, 34th; Tholulile Mthethwa, 33rd; and Nkosazana Zuma, 51st. Gevisser notes that the ANC list, with its quota, bunched most of the women in its first 100 names down near the bottom. The top of the ANC remained ‘a sea of testosterone’.10

Democratic Party

The preamble to the DP’s regulations for nomination of candidates under a proportional representation system, adopted in December 1993, stated that:

‘While no specific mechanisms for affirmative action on the basis of race or gender are contained in these regulations, the expected demands of the electorate for Party lists that are both non-racial and non-sexist are noted.’

The policy of the DP, therefore, was opposed to the implementation of a quota system, but was supposedly conscious that women should be on the list. The DP’s Pretoria-Witwatersand-Vereeniging (PWV) provincial candidate, Anchen Dreyer, stated in March 1994 that the

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9 M. Gevisser ‘Crossing the Line’ April/May 1994 Work in Progress Supplement at 5
10 Ibid 3.
party believed equality should be achieved through legislation, noting that ‘the DP believes that the ANC’s quota system will serve to perpetuate the separate status of women’.” Dene Smuts, a staunch advocate of women’s rights and a founder of the National Women’s Coalition, also slammed the quota system, arguing that ‘when you send a person into public life under a quota system, you automatically send her with a question hanging over her head about her competence’. And in a Radio 702 interview, national media officer Annchen Doherty accused the quota of creating a ‘gender ghetto’ that would set women apart and ‘disadvantage those it intends to benefit’. There was a further belief within the party that ‘affirmative action to correct existing imbalances should not disadvantage any other person’. Of the list of 200 national candidates submitted by the DP, just over 30% were women. However, many of these women were not placed in winnable seats, as there were only two women amongst the first 20 names.

**Freedom Front**

The Freedom Front (FF) decided only at the last possible moment to take part in the election. De Vos[9] explains that the party was given a special extension for the handing in of provisional national and regional lists, and a provisional list with only a few names was given to the IEC merely to comply with the legal requirements of the Electoral Act. The national list contained 31 names, and those individuals who had already held seats in Parliament were placed at the top of the list. An election committee decided collectively on the order of names on the national list. No elections or other popular input influenced the order of names on the national list or the quota system for women. As a result, there were only three women amongst the first 30 names on the national list.

**Inkatha Freedom Party**

For the Inkatha Freedom Party (IFP), its vision of a ‘modern and liberal democratic society’ meant a change in the status of women in society, particularly black women. The IFP Women’s Brigade did not feel that a quota system to increase women’s parliamentary representation was necessary; as Faith Gasa explained, ‘because there is a tradition of participation’. This, however, is questionable given the relatively low

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58 Caissie op cit note 56 at 5.
59 Weissel op cit note 58 at 29.
62 ‘Party Profiles’ op cit note 60 at 2.

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representation of women in Parliament. There was just over 10% representation of women on the national list, and nearly 16% on the regional list. On the national list, only three women appeared in the top 40 names.

Pan Africanist Congress

The Pan Africanist Congress (PAC) did not have a specific policy on women or quotas, because the PAC "views women as equals." On the national and regional lists, there was a 12% representation of women. Only one woman, Patricia de Lille, appeared in the top 15 names on the national list.

National Party

The National Party (NP) was opposed to affirmative action for women on lists, as 'it ends up humiliating the very people who are supposed to benefit from it. Merit alone should determine if a person gets the job.' The NP was not prepared to redress the imbalance between men and women's representation by applying a quota system. The party's leader, De Klerk, was reported as saying:

'Women's rights are not less or more important than those of men and children. The National Party stands for equality and equality to us means the rights of all must be balanced.'

The removal of discriminatory laws and the introduction of development programmes supportive to women was supposedly the NP route to encouraging women's participation in politics.

The NP did not compile a national list of candidates for the election of members to the National Assembly, but rather opted for the process of compiling a list for each region. An examination of the candidates' lists submitted by the party reveals that women did not feature prominently. For example, on the list submitted for the Orange Free State, no more than three out of 30 candidates were women, and in the Western Cape, five out of 42 candidates were women. On average, there was just over 11% representation of women on the regional lists. It is clear that the NP was not committed to a policy of gender inclusivity in Parliament.

Proportional representation systems are usually more favourable than constituency systems for aiding the entry of women into Parliament.

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and the political arena. One of the primary functions of political parties is to nominate and support candidates for office, especially women candidates, and parties therefore play a crucial role as gatekeepers to election. But in order to get women elected, it is vital that a large number of women are both nominated onto candidates’ lists, and appear in the top ‘winnable’ sections of these lists." It was the clear under-representation of women on political party candidates’ lists that prompted the formation of women’s parties.

2.6.2 Response: Formation of a women’s party

When Constance Khoza saw the small number of women candidates on the various parties’ election lists, she ‘was so shocked that she decided to form a women’s party to increase women’s participation in politics’. After consultation with other concerned women, including the executive director of Operation Hunger, Ina Perlman, the Women’s Rights and Peace Party (WRPP) was formed in early 1994 to contest the election. Khoza’s main concern was to make sure that women’s needs were enshrined in the new Constitution, and to strengthen the voices of the few women representing their parties in Parliament.

The WRPP wanted women’s rights and issues to be considered in every decision made in Parliament, and argued that women’s issues should not be ignored or left to a section of government dealing with those issues. The party’s manifesto stated that ‘it is time for the presence of a women’s party in government in which the leaders are women and the majority of candidates are women’, and ‘it is time for women to have equal decision making powers with men’. But Constance Khoza pointed out that ‘we are not against other political parties or against men. We stand for a new non-sexist and non-racist society’.

3 THE ELECTION: VOTING FOR A NEW SOUTH AFRICA

On the first day of the election, 27 April 1994, voters started arriving at polling stations well before dawn. The great majority of South Africans had previously been excluded from the political process by the apartheid regime, and had never voted before. The voting process was therefore both historic and emotional, the culmination of decades of struggle by the majority of South Africans. On this day,

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"In 1994 the South African Women’s Party was also created, which hoped to 'provide an independent voice for women who feel strongly about allowing male-dominated parties to decide their destiny around issues such as abortion, customary law and sexual offences'. Emilea [op cit note 3 at 13] explains that it was also concerned with selecting and electing representatives who supported women’s interests and the transformation of society. But the party had few members.


"Ibid.


Women in South Africa’s First Democratic Election"
some polling stations opened hours late, and voters waited in long queues; while other stations did not have ballot papers.\(^{26}\) Monitoring reports mentioned dozens of queues estimated at over 5,000 people.\(^{27}\) Yet despite these obstacles, 19,533,498 people turned out to vote. The voter turnout rate was extremely high, estimated at 86 percent.

### 3.1 Women and voting

Reports from all over the country suggested that women, as well as men, turned out en masse to vote for a democratic government. As no voters’ roll was compiled for the election, the exact number of women who voted is not known. Eleanor Sisulu stated in July 1994 that ‘just as [women] were in the forefront of the struggle against apartheid, women were also in the forefront of the voting process.’\(^{28}\) Photographs and press reports portray an atmosphere of jubilation and celebration, despite the lengthy queues and hot conditions. Pogrund noted that after the polls opened, the ‘atmosphere then became jovial, and not even the dust or long hours of waiting in the sun dampened spirits. A woman hawker even profited from selling fruit and sweets to queuers.’\(^ {29}\) Ruth Jacobson\(^ {30}\) notes that as with the Mozambican election, women with children at the breast were often given priority over other people standing in line. This, on occasion, lead to ‘baby-swapping’ in queues, where the same baby would go through three or four times so that its ‘mother’ could avoid the queue.

Although there were a number of complaints alleging irregularities in the electoral process, including irregularities during the voting and pirate voting stations, there is no evidence to suggest that this impacted significantly on women. Perhaps the biggest problem for some women, particularly rural women, was intimidation by spouses or others regarding the casting of votes. Another potential problem, affecting some women voters as well as men, was political illiteracy. Although voter education had explained the use of the ballot paper and the secret ballot, there was still the possibility that some people would vote without being completely familiar with the process, or with the 19 political parties on the ballot paper. Despite alleged irregularities, the election was declared ‘substantially’ free and fair, and there is no evidence to suggest that women were substantially disadvantaged in the voting process.

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\(^{29}\) Pogrund op cit note 74 at 174.

\(^{30}\) Jacobson op cit note 48.
4 ELECTION RESULTS AND THE POST-ELECTION PERIOD

4.1 The electoral system

The 1994 democratic election heralded the end of international isolation for South Africa, and signalled the beginning of a new role for it in the international order. In the course of multi-party negotiations that spanned nearly three years, it was agreed that the election would be contested on the basis of an interim Constitution. It was here that women are generally thought to have scored a significant victory, through the requirement that each delegation to the negotiations have at least one woman representative.37

The electoral system is accepted by many as having a significant effect on the number of women in a national parliament, and indeed a large literature exists which attempts to explain women’s high or low political representation through structural and socio-economic factors.38 In the area of women and the electoral process, for instance, Wilma Rule39 has written extensively on the contextual elements that correlate to women’s political representation. Rule has found that the foremost predictor of electoral success for women is the structure of the party-list proportional representation system, while the non-list proportional representation system (including single-member districts) is the least favourable for increasing women’s representation.40 The list proportional representation system, especially closed lists, allow political parties considerable influence over who is represented on the party’s list. Parties wishing to appeal to a wide constituency will find it necessary to put up candidates who reflect the composition of the electorate. For this reason lists can work to the advantage of women, as with the ANC’s adopted quota system.

The 1994 election was held on the basis of proportional representation as stipulated by the interim Constitution, using the closed list system. According to proportional representation, seats are allocated to a party in the National Assembly in direct proportion to their overall share of the national vote. For example, the ANC won 62.6% of the national vote, and has 62.6% of the seats in the National Assembly. Half of the 400 seats in the National Assembly were chosen from nine provincial lists, and the other half were elected from a single national list.41 It was up to the party to decide whether to submit both a national and regional list (like the ANC and the DP), or just a list for each region (as did the NP), provided that the lists did not contain the names of more than 400 candidates. It was further provided that the lists denote in fixed order of preference the names of candidates determined by the party.42

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38 See works by P. Neirn, R Mathland and W Rule.
40 See Kelley op cit note 8 at 2.
41 See items 1-4 of Schedule 2 to the interim Constitution, Act 200 of 1993.
42 Women in South Africa’s First Democratic Election
Table 1 compares the number of women on the national list of political parties with those elected to Parliament in the 1994 national election.
Of the 111 women members of Parliament, 90 are ANC representatives. This means that 35.7% of the ANC members of Parliament are women – a higher representation than guaranteed by the party’s quota in compiling candidate lists, and equal to representation in the Nordic countries. It is important to note that none of the represented opposition parties included quotas to ensure that at least 30% of their candidate lists would comprise women. As a result, only 13.5% or 20 out of 148 MPs from opposition parties are women.

It is interesting to note that the WRPP received 6 434 votes, with nearly half the votes coming from the PAV and Western Cape provinces. This was an insufficient number of votes to achieve representation in the National Assembly. This result is perhaps not surprising, considering the limited appeal of many ‘women’s issues’. As Kelley illustrates by reviewing the experiences of women’s political parties in other Western democracies, it is clear that they have had a minimal effect. The impact of women’s issues is apparently insufficient to generate and maintain a viable women’s political party, and to attract the broad-based support needed to obtain power.

The election results placed South Africa in a favourable position in terms of women’s representation internationally. Largely through the ANC’s adoption of a quota system to ensure the representation of women, South Africa is placed seventh, after countries like Denmark and Sweden. The world average for women in the lower houses of parliament is currently 13 percent, and South Africa compares favourably at 27.7 percent (this figure has recently increased to 29.3 percent). However, in comparison to the Nordic countries with an average of 36.7 percent, South Africa’s representation is lagging somewhat. The table below provides a world classification of women represented in parliaments (lower houses).

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*See Inter-Parliamentary Union Web site ‘Women in National Parliaments’ [http://www.ipu.org/wmn-e/classif.htm](http://www.ipu.org/wmn-e/classif.htm).*
<table>
<thead>
<tr>
<th>Rank</th>
<th>Country</th>
<th>Elections</th>
<th>Seats</th>
<th>Women</th>
<th>% Women</th>
<th>System</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sweden</td>
<td>09/1998</td>
<td>349</td>
<td>141</td>
<td>42.7</td>
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<tr>
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<td>03/1988</td>
<td>179</td>
<td>67</td>
<td>37.4</td>
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<tr>
<td>3</td>
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<td>09/1997</td>
<td>165</td>
<td>60</td>
<td>36.4</td>
<td>List PR</td>
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<tr>
<td>4</td>
<td>Netherlands</td>
<td>05/1998</td>
<td>156</td>
<td>54</td>
<td>36.0</td>
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<tr>
<td>5</td>
<td>Finland</td>
<td>03/1985</td>
<td>200</td>
<td>67</td>
<td>33.5</td>
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<tr>
<td>6</td>
<td>Germany</td>
<td>09/1998</td>
<td>660</td>
<td>237</td>
<td>35.9</td>
<td>MMP</td>
</tr>
<tr>
<td>7</td>
<td>South Africa</td>
<td>04/1994</td>
<td>400</td>
<td>117</td>
<td>29.3</td>
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<td>8</td>
<td>New Zealand</td>
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<td>170</td>
<td>35</td>
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<td></td>
<td>Cuba</td>
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<td>10</td>
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<td></td>
<td>Vietnam</td>
<td>07/1997</td>
<td>450</td>
<td>118</td>
<td>26.2</td>
<td>TES</td>
</tr>
</tbody>
</table>

Source: Inter-Parliamentary Union, 15 October 1998.

Key: PR = proportional representation; MMP = mixed member proportional; TES = two-round system.

Table 2: Women in national parliaments

Comparatively, it is apparent that South Africa ranks favourably on a worldwide scale. However, it is important to note that in those countries with the highest representation of women, many parties have adopted quotas guaranteeing the representation of women in parliament, rather than achieving this through constitutional clauses or laws. For example, in 1983 the Norwegian Labour Party decided that ‘at all elections and nominations both sexes must be represented by at least 40 per cent’. In 1994 the Swedish Democratic Party introduced the principle of ‘every second person on the list a woman’. As a result, women constitute 42.7% of the members in parliament in Sweden, and nearly 37.4% in Norway.

4.3 Problems: Women in Parliament

In South Africa, Parliament has significantly improved the conditions of women members since the 1994 election. In 1985, only 2.5% of parliamentarians were women, and one woman MP described Parliament as a ‘theatre of the absurd ... with its wasteful and inefficient traditions of a schoolboy’s debating society of endless hot air, rhetoric and point scoring’.35

36 Idem.
37 P Senato et al, A Report on What the SA Parliament has Done to Improve the Quality of Life and Status of Women in South Africa (updated) at 65.
The transformation of Parliament has been a priority for the Speaker, Frêne 
Ginwala, and many of her colleagues, and has included a re-examination of 
parliamentary working hours and the establishment of a crèche.30

However, what is an immediate cause for concern in the post-election 
period is the suggestion that many women parliamentarians will not run for 
a second term. Prior to the election, there were many studies on women in 
Parliament. From current literature it is apparent that a major challenge for 
Parliament has been to live up to its stated commitment of non-sexism.31 The 
CGE estimates that as many as 26% of women parliamentarians do not intend 
to run for election in 1999 because they have found Parliament to be 
hostile and alienating, which could amount to a reversal of the gains of 1994:

'A reversal of the hard won gains we made in the 1994 elections, which 
have placed South Africa at the forefront of increasing the 
representation of women in politics in global terms, would be a major 
blow to democracy. Every effort must now be made to ensure that this 
does not happen.'32

The CEDAW Report notes that there are still a number of concerns of women 
in Parliament that need to be addressed. These include conflict between 
work and domestic responsibilities; alienation and burnout; unchanged 
processes in Parliament, so that 'the institution does not have a place for 
their voice';33 a lack of skills for dealing with Parliament, such as public 
speaking skills; and the attitudes of some men. This list is by no means 
exhaustive, as much has been written about this subject recently. Although 
many of these problems affect men, in general it is thought that they are 
more acute for women, as the CEDAW Report notes:

'What has been the single most striking difference in the interviews 
with men is that they rarely mention their personal lives as challenges 
or obstacles to their participation. Another striking difference is that 
they feel they have a voice in government and an influence on its 
direction.'34

Hannah Britton's report on women in Parliament35 contends that the 
burdens women carry in Parliament and in their personal lives have 
resulted in this sense of burnout and alienation. While certain changes have

30 Idem.
31 See, for example, the report cited in note 91, CEDAW report; H Britton: 'Women Have the Numbers – But not the Power' 
32 CCE op cit note 41.
33 CEDAW Report, article 7.
34 Idem.
35 Britton op cit note 93 at 1.
taken place to reflect some of the needs of women, the report argues, the qualities required to be an MP remain fundamentally unchanged. To participate fully in Parliament, members need a high level of education, familiarity with legislative processes, and manageable outside responsibilities. It is therefore vital that women be trained in the requisite skills and that they develop the capacity to be effective in their roles as MPs, to enable them to participate fully in the parliamentary process.

5 CONCLUSION

This paper has provided an overview of the participation of women in the electoral process before, during and after the 1994 election, by examining literature that is currently available. As we look ahead to our second national and provincial elections in 1999, and indeed beyond, it is important that we take heed of the lessons presented to us by the past. Although the 1994 election was declared substantially free and fair, there are number of considerations to be noted about women’s participation in the electoral sphere. The following considerations and recommendations are put forward for taking the interests of women into account in the electoral arena:

- Voter and civic education are of ultimate importance to illiterate and rural voters. These voters need to be appropriately educated about their political rights. This is particularly relevant in traditionalistic and oppressive cultures where women are discouraged from or influenced in political decision-making.

- As voters are required to register in order to participate in the 1999 election, it is vital that women (as well as men) acquire the barcoded identity documents issued after 1986. Many rural women were without identity documents in 1994, and it is important that they be targeted ahead of the next election.

- Every effort should be made to ensure that voters are not intimidated in the electoral process. This is particularly important for rural women, who may be disenfranchised as a result of intimidation.

- The importance of the Electoral Code of Conduct should be widely communicated, particularly the stipulations pertaining to women. These include the full participation of women on the basis of equality and the free access of all women to public meetings.

- Women need to be fairly represented in the media, in terms of air-time (perhaps there should be special time-slots for women?) and in communicating women’s activities and issues. The media must also

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[2] What has been covered in this paper is by no means exhaustive. However, what has emerged is that there has been an attempt to provide a thorough examination of the participation of women in the 1994 election. Their participation and the obstacles women encountered in the 1995–96 local government elections has been closely examined by a number of scholars, and information in this regard is readily available.
broadcast in languages understood by most women, and community radio stations must be utilised as an important avenue to reach rural voters.

- Women need to be sufficiently represented on party candidate lists. The ANC’s affirmative action quota guarantees this, and opposition parties should consider quotas as a strategy to increase or at least sustain the representation of women in Parliament, instead of reserving seats. For this it is important that women be identified and then trained and promoted as candidates.

- In campaigning, political parties need to take gender issues seriously, and not only pay lip-service to the notion of gender equality.

- Parliament needs to continue on its path to becoming ‘women-friendly’. Women parliamentarians need to be equipped with the requisite skills and develop the capacity to become effective parliamentarians.

The recommendations listed above recognise that women encountered particular difficulties and discriminatory practices during the 1994 election. The IEC exists on the basis that it will deliver free and fair elections in South Africa, at both the national and local levels. Part of the IEC’s commitment to promoting conditions conducive to free and fair elections, is a commitment to give particular attention to women and issues of equity. By acknowledging that women encountered certain problems in the 1994 election, we are provided with a point of departure from which to ensure that some of these problems are addressed and rectified ahead of future elections. It is hoped that this paper contributes in some way to this process.
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