The ethical demise of the political policy of affirmative action as a motive for enhancing women and education in South Africa: A double setback of a reverse strategy

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Abstract

In this article, the author questions whether the South African government is deceiving itself by parading an ultraliberal Constitution while failing to implement gender equality in education, society and the church. She explores the political policy of affirmative action as it pertains to rectifying the educational and gender inequalities of the past. Regrettably, since 1994, new discriminatory practices have emerged in the form of increasing gender violence, xenophobia, homophobia, corruption, fraudulent leadership, abuse of freedom and new expressions of exclusivity. This leads the author to question whether the provisions for affirmative action and gender equality in education and employment are nothing more than a political smoke screen, since instead of levelling the playing field, these provisions appear to have had the opposite effect. Consequently, the author examines whether the provision for gender equality in education actually poses a threat to the long-established cultural and social traditions that regard men as the dominant force in both public and private domains.

Introduction

South Africa's Constitution of December 1996 states that "… no person shall be unfairly discriminated against, on one or more grounds … race, gender, sex …" Chapter One: 1-3 states: "All men and women shall have equal protection under the law" and Chapter Two, No 9 of the Bill of Rights, reads: "Men and women shall enjoy equal rights in all areas of public and private life, including employment, education and within the family." The new democratic Constitution of 1996 not only granted a political guarantee to protect the rights of women, but also ensured that mechanisms be put in place to safeguard gender equality in all areas of life, including access to education. The policy of affirmative action, although a social justice issue, forms part of the political tools and strategies used to level the playing field and redress

past racial imbalances in the workplace and in education. In this article, the author examines the strategy of affirmative action in South Africa, which was harnessed to redress past discrimination, with specific emphasis on women and education, and to evaluate its effectiveness in this regard. The critical question remains: has affirmative action successfully challenged apartheid's racist and sexist legacy, or are there still fundamental attitudes that hinder the holistic development of women in South Africa? This study attempts to determine to what extent affirmative action has been able to transform the lives of the most disadvantaged of women in South Africa. How committed are South Africans in responding to the challenge to provide women with quality education so that they can enter the traditionally male-dominated environments of both society and the church?

The author attempts to answer related questions by examining how and why affirmative action was initiated, formulated and implemented. She does so by providing a brief historical framework of the status of women and education so as to contextualise the use of affirmative action and the outcomes-based education policy as restorative measures. The author critically examines whether these developments have made any significant difference in the lives of women, since despite the affirmative action mechanisms that were put in place to advance women educationally, socioeconomically and politically, other subversive and concealed prejudices and discriminatory behaviour patterns have surfaced, resulting in increased abuse of women and female children. Hence the author explores the reasons for the resurgence of prejudices, divisions and discriminations and asks: is it a societal rebuff of women advancement?

While gender activists are of the opinion that all women suffered under the apartheid system, the study of Fischer[1] is of the opinion that women suffered in different ways, depending on their race, class, sexual orientation, religion and ethnicity. Primarily, apartheid was a racial ideology, but because it intersected with conservative-class, cultural, religious and gender ideologies, life for women of colour, and particularly black South African women, was even more difficult. White South African women suffered from patriarchy and conservative religious beliefs, but they were not denied access to education. Apartheid, poverty and lack of educational opportunities exacerbated and perpetuated the suffering of black women – therefore the implementation of affirmative action appeared ethically necessary.

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[1]   Fischer, S. 1995. Placing women on the affirmative action agenda. People Dynamics. 13, no 5.

Educational reform and the empowerment of women

One of the greatest challenges that the newly appointed democratic South African government faced in 1994 was to transform the society and to ensure that all members of the population have equal access to resources, the greatest of which was the provision of quality education, since this was identified as the most critical need for transformation. *How* the new democratic government was to meet the challenge of altering the previously fragmented, inequitable, racially and culturally oppressive system of education to one of equity, equality, social and cultural empowerment was a crucial question, because it had to redress years of deprivation and educational inequities.

During the apartheid past, basic elementary and secondary education was not widely available to all; and where it was available, it was segregated and unequal. The important task of the new democracy was to develop and put in place an equitable educational system that redressed the vestiges of a bureaucratically unwieldy and racially biased educational system, with the aim of creating a system that provides quality education and training for all South Africans, regardless of race, class or gender (Martineau 1994:383).[2] The apartheid system was devised to create grave racial inequities and gender-based discrimination, which affected primarily women of colour, particularly black African women, who were excluded from vital educational opportunities. This is borne out by the article written by Rowena Martineau,[3] who testifies that in 1985, less than 5% of the black adult female population in South Africa had completed secondary school, and African girls throughout the nation did not have access to compulsory education until after 1994. In 1985, adult female illiteracy in South Africa was 67.3% among Africans, 11.6% among coloured people, 10.6% among Indians and 0.82% among whites – and this excluded the former South African homelands of Transkei, Venda, Ciskei and Bophutatswana.

Prior to the 20th century, women of colour in South Africa worked primarily as domestics; if they were fortunate enough to obtain a professional education, they mainly worked as teachers. When missionaries opened hospitals for Africans in the mid-19th century, they employed African women as domestics and nurse's aides. By 1910, only one African woman had completed the full nurse's training, whereas 3 446 African women had teacher's qualifications. Shortly thereafter, however, nursing became one of the most popular and prestigious professions open to African women in South Africa. However, by as late as 1960, economic and educational prospects for the nation's women of colour had changed very little. Out of a

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[2]   Rowena Martineau., "Education Women and Education in South Africa: Factors Influencing Women's Educational Progress and their Entry into Traditionally Male-Dominated Fields" *Journal of Negro Education*: 66. no 4. (1997), 383-395.

[3]   Rowena Martineau 1994, 386.

population of 7.5 million African women, only 800 000 were classified as economically active. Half of that number were working as domestic servants; 200 000 as labourers on white farms; 25 000 as professionals (including 12 000 nurses and 11 000 teachers); and the remainder were employed as factory workers or clerks.[4]

Education that is vocational, domestic and subservient

What the South African educational system offered to black women was instruction in domestic duties, whereas males were taught a trade. Even in the mission schools, women were not encouraged – and were sometimes not even allowed – to obtain an academic education or skills training. In the 19th century, the primary concern of missionaries was to prepare African women to be good Christian wives and mothers, since that was all that was available to them. The domestic skills included sewing, cooking and laundry work. Indeed, several missionary "training institutions", such as Lovedale, Blythswood, Healdtown and St Matthew's, were founded specifically to train African female pupils as domestics. Mission education for girls was characterises by Gaitskell[5] as "vocational, domestic and subservient, suited to Africans, to women and to subordinate classes". Some of the fortunate and brightest girl pupils were granted opportunities to pursue more advanced academic schooling and teacher training; but even then, they were offered instruction that only prepared them to be the wives of teachers and preachers for the newly emerging male African elite. Education for women was always aimed at enabling them to fulfil a "worthy" subordinate role; leadership roles in the church – or even church ministry – were not even a consideration for women. This created a mentality that has persisted up to the present.

When the new democratic government assumed power in 1994, the educational situation was still deeply marked by racial disparities, as illustrated by Martineau's[6] observations concerning South Africa's higher education enrolments. In 1991, for every 1 000 white (*persons of European extraction*), Indian (*persons of East Indian extraction*), coloured (*persons of mixed race,* particularly those *of partial African heritage*) and African (*indigenous*) citizens in the population, there were 51, 35, 13 and 9 students respectively enrolled in South African colleges or universities (National Commission on Higher Education [NCHE], 1996). The racial disparities in university enrolments were even greater in the areas of science, engineering and technology.

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[4]   Kuper, L. (1965). An African bourgeoisie: Race, class, and politics in South Africa. New Haven:Yale University Press.

[5]   Gaitskell, D. (1988). Race, gender and imperialism: A century of Black girl's education in South Africa. In J. A. Mangan (Ed.), *Benefits bestowed? Education and British imperialism* (150-173). Manchester,: University: Manchester Press. 158.

[6]   Martineau, "Education Women and Education in South Africa" 387.

For example, in 1993, 67 white students were enrolled in the sciences for every African student; in engineering, the ratio was 148 white students to every African student.[7] It was further noted by Subotzky[8] that "nowhere are the inequalities starker than in the marked disparity between the historically black and white universities – characterised by severe race/gender imbalances in the extent and quality of teaching, research resources and institutional conditions".

Women of colour remained clustered in disciplines such as teaching and nursing. Both black and white women continue to be strikingly absent from courses such as law, architecture and engineering, although the lack of black women enrolments in these courses is far greater than that for white women. In 1988, only 5% of African women at technikons were studying industrial subjects, and none were studying engineering (Government of South Africa, 1997). In 1991, the overwhelming majority of students that enrolled in engineering and 97% or more of enrolments in the schools of architecture and building science, agriculture and computer science were male. Conversely, secretarial students were overwhelmingly female: 85% for Africans and over 99% for other groups.[9]

In 1993, reports Martineau,[10] women comprised 48% of the total South African higher education enrolment. This statistic is, however, deceptive because it does not convey the reality that large numbers of women were enrolled in correspondence courses and did not enjoy the benefit of interaction with professors and other students. Based on the 1995 Information Directorate figures from 15 to 21 universities, women graduates account for only 9% in engineering, 28% in agriculture, 38% in medicine and 47% in the sciences (Government of South Africa, 1997), and the most severe inequalities in South African higher education occurred among African women. African women remained clustered in the arts and humanities and thus found themselves marginalised and excluded from society's power structures, unable to participate actively in the policy-making processes of the future.[11] Since then, much progress has been made concerning the education of women, but the dropout rate for girls – according to 2011 statistics – remains a dire concern and is largely due to violence, sexual abuse and pregnancies.

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[7]   Martineau, "Education Women and Education in South Africa" 387.
[8]   Subotzky, G. (1996, May 15). Single nation education. In Higher Education Review [On-line serial]. Available: http: / / www.mg.co.za / mg / research / 15may-edusinglenation.html 7.
[9]   Martineau, "Education Women and Education in South Africa" 389.
[10]   Martineau, "Education Women and Education in South Africa" 389.
[11]   Martineau, "Education Women and Education in South Africa" 389.

Cultural and social adversities that militated against women's educational advancement

While women were acutely disadvantaged by the Bantu Education policy, their plight did not stop there: their oppression was exacerbated by cultural, socio-political, religious, economic and patriarchal domination, which directly led to their educational disadvantage. Since racial discrimination was so conspicuous in the South African public scenario, it overshadowed other forms of discrimination that women suffered. Gender oppression, which was rife in the patriarchal South African society, was conveniently overlooked. Socio-cultural norms, stereotypes, ideologies and economic considerations were all factors that militated against South African women's chances of achieving success in educational pursuits.

As Unterhalter[12] asserted, even when women had the privilege of entering secondary school education, there were several socially and culturally abusive circumstances that made it difficult for female students to proceed to higher education. In South Africa, as in many African societies, the cultural and social expectations of parents notoriously disadvantaged their daughters in favour of their sons: daughters were not as highly rated as sons. Sons continue the family name, whereas daughters are married off into another family that will reap the rewards of her education. Thus the education of girls was not perceived to be a worthwhile investment, hence the low enrolment figures.[13]

Another factor that disadvantaged females in education was the overprotective attitude of African family members towards their daughters: they did not wish to expose them to potential dangers associated with receiving an education – and this was not only as they travelled to and from school. Interactions with male teachers and classmates were also a matter of concern. Even today, South Africa has the highest number of rapes worldwide, and the majority of the victims are young girls and women. Teenage pregnancy also accounted for the high dropout rates among African girls at secondary-school level.[14] Before 1994, they were required to leave school, and many never returned, thus losing out on opportunities in higher education.[15] Even under the new democratic regime, teenage pregnancies remain a

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[12] Unterhalter, E. (1992). Can education overcome women's subordinate position in the occupation structure? In E. Unterhalter, H. Wolpe, & T. Botha (Eds.), Education in a future South Africa: Policy issues for transformation (pp. 65-84). Trenton, NJ: Africa World Press. 69.

[13] Bourque, S. C., & Warren, K. B. (1990). Access is not enough: gender and perspectives on technology and education. In I. Tinker (Ed.), Persistent inequalities (pp. 83-100). Oxford: Oxford University Press.

[14] Bourque, S. C., & Warren, K. B. (1990),

[15] Martineau, "Education Women and Education in South Africa" 391.

great concern.[16] In her foreword to the HSRC report on teenage pregnancy in South Africa (2009), Minister of Basic Education Mrs AM Motshekga writes:

> South Africa has made significant progress since 1994 towards achieving gender parity in basic education. In fact, we have gone beyond achieving gender parity, to the extent that girls now make up the majority of enrolments in secondary schools. However, pregnancy is amongst the major concerns that pose a serious threat to gains achieved in public schools thus far. Teenage pregnancy undermines the Department's efforts to ensure that girl children remain in school, in order to contribute towards a quality life for all, free of poverty.

As already indicated by Unterhalter in 1992,[17] parents were unwilling to expose their daughters to unnecessary educational dangers, since sexual harassment within the classroom at the secondary level was already a disturbing matter at that time.[18] This concern has escalated and definitely accounts for the resistance to allowing girls to proceed to higher education. Despite the present liberal educational policy that allows pregnant girls to remain in school and to return to school post-pregnancy as an incentive to protect teen mother's educational attainment, the HSRC (2009:13) reports that only about a third of teenage mothers return to school. An additional concern is that there is a definite link between teenage pregnancy and HIV infections (HSRC 2009:15), which is yet another factor that militates against women's advancement in education.

An additional cultural pressure comes in the form of the importance of marriage on the part of women.[19] While women believe that education will improve their chances of finding an educated husband, many – owing to patriarchal pressure – are also wary of being too educated or entering fields of study that may limit their chances of finding a husband. Many (South African) men also prefer to marry women whose jobs leave them time to attend to children and the household, hence their preference for nurses and teachers as wives. As concluded by Lockheed and Gorman,[20] girls came to

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[16] Produced by the Human Sciences Research Council on behalf of the Department of Basic Education, with support from UNICEF "Teenage pregnancy in South Africa - with a specific focus on school-going learners Teenage pregnancy" 9 August 2009.

[17] Unterhalter, E. (1992). Can education overcome women's subordinate position in the occupation structure? In E. Unterhalter, H. Wolpe, & T. Botha (Eds.), Education in a future South Africa: Policy issues for transformation (pp. 65-84). Trenton, NJ: Africa World Press.

[18] Bourque, S. C., & Warren, K. B. (1990).

[19] Bourque, S. C., & Warren, K. B. (1990.

[20] Lockheed, M. E., & Gorman, K. S. (1989). Socio-cultural factors affecting science learning and attitudes. Washington, DC: The World Bank.

accept certain fields of study, such as nursing and teaching, as "soft" and, therefore, more "feminine". Conversely, they viewed fields of study such as mathematics and physics as "hard" and, therefore, more "masculine".

In 1994, the new democracy was not only confronted with gender inequality in education, but also with the socio-cultural norms, stereotypes and ideologies that undermined women's chances of succeeding in educational pursuits. It was therefore imperative that educational incentives in the form of grants and financial aid be made available to bolster women's education. It was against this background that affirmative action policies were introduced into the educational system. What was needed, alongside the fundamental restructuring of South Africa's educational system, was an agenda that would challenge the societal norms and stereotypes that militate against equality of women in education. The new democratic government settled on the OBE system of education, which they deemed to be the best system to remedy the multifaceted discriminatory practices of the apartheid era.

OBE: the answer to apartheid's legacy

The National Qualifications Framework (NQF) of South Africa is a coordinating structure and mechanism that was set up by the new government with the mandate to radically revise the highly fragmented system of education and training of the old regime. Its primary objectives were "to create an integrated national framework for learning achievements and to enhance access to, and mobility and quality within, education and training".[21] This system was to be equipped with an outcomes-based system of education that would have as its focus the transformation of the country's pedagogical and ideological legacy. Among the NQF proposals was the fundamental restructuring of the South African educational system.[22] Proponents of OBE in South Africa and internationally claimed that OBE possesses the capacity to meet the needs of "all students regardless of their environment, ethnicity, economic status, or disabling condition".[23] They further suggested that it would enable teachers and educationists to have a clearer curricular focus, develop better instructional methods, and assess learners' achievements with precise clarity and validity.[24] Consequently, outcomes-based education was

[21]   Crain Soudien and Jean Baxen, "Transformation and Outcomes-Based Education in South Africa: Opportunities and Challenges", Journal of Negro Education: 66, no 4, (1997), 449-459. (RSADE, 1997:14).

[22]   Gilmour, D. (1997, March). Intention or in tension? Recent educational reforms in South Africa. Paper presented at the annual conference of the Comparative and International Education Societies. Mexico: City, Mexico.

[23]   Capper, C., & Jamison, M. (1993). Outcomes-based education re-examined: From structural functionalism to post-structuralism. Educational Policy, 7(4), 427-446.

[24]   Crain Soudien and Jean Baxen. Implementing equity in post-apartheid educatio (1997), 450.

presented as the standardisation tool that would make education accessible to all?

Traditionally, OBE has its roots in two educational reforms: mastery learning and competency-based education. The mastery-learning movement was initiated by Benjamin Bloom, an American cognitive psychologist. The competency-based education movement was a reaction to the changing job market in the United States in the late 1960s, when questions arose about the role of education and whether it was preparing young people adequately for their future life roles. The basic premise of competency-based education is the integration of outcome goals, instructional experiences and assessment devices. The attraction of OBE for South Africans is the claim that it is a "learner-centred, results-oriented design based on the belief that all individuals can learn".[25] Advocates of OBE have stopped short of making the explicit claim that this initiative has the potential to become an emancipatory and liberating one, and it is precisely in this area that they have failed dismally. Nonetheless, they have made strong suggestions that OBE, given that it is built on the principles of "equity, redress, non-discrimination, democracy access and justice",[26] will address issues of social change. Chisholm et al[27] proclaimed in their analysis of educational equity issues that with the advent of OBE, "for the first time, high quality education will be available to everyone in South Africa irrespective of age, gender, race, colour, religion, ability or language", OBE was to provide an answer to apartheid's legacy. As a result, OBE was projected as the transformative text that would move South Africa from its primitive apartheid past to its modern post-apartheid future. It can be argued that the explicit racial discourse of apartheid has been expunged from the educational transformation process in South Africa, while the mechanisms and modalities of OBE have been linked strongly and directly with the notion of transformation.[28] As an identity-producing mechanism, the evolving notion of OBE that took shape in South Africa was highly political because its icons, cultural modalities and parameters speak to the assimilation of the previously disadvantaged into the world system.[29] The OBE system of education was meant to be accompanied by the policy of affirmative action, which also intended to give priority to the previously disadvantaged, both racially and gender-wise.

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[25] RSADE, 1997:17.

[26] RSADE, 1995:1.

[27] Chisholm, L., Soudien, C., Vally, S, & Gilmour, D. (1997). *Implementing equity in post-apartheid education*. Johannesburg: University of the Witwatersrand, Education Policy Unit. Curriculum 2005 is regressive. (1997, June 2). Cape Times, 8, 1.

[28] Crain Soudien and Jean Baxen. *Implementing equity in post-apartheid education* (1997), 456.

[29] Crain Soudien and Jean Baxen 1997: 457.

Affirmative action: a political tool for education and employment

Affirmative action, a political tool, originated in the United States in the 1960s for the purpose of uplifting the oppressed minority, whereas it was adopted by the post-apartheid South African government to uplift the oppressed majority. Inherent in affirmative action is the strategy to rectify historical discrimination and enable victims of discrimination to gain competitive advantages in relation to persons or groups who were previously privileged. The aim of enablement is to raise disadvantaged groups to a level that will enable them to take advantage of equal and merit-based opportunities once the effects of discrimination have been overcome. This is done by means of preferential treatment. Preferential treatment programmes, according to Olen and Barry,[30] are a practice that give individuals favoured consideration in hiring or promotion, for example black and female persons. Another form of affirmative action concentrates on the identification of potential, training and mentoring to achieve social equality and thus level the playing field. Since 1998, the emphasis of affirmative action has been on hiring and promotion.[31]

While affirmative action is aimed at facilitating equitable opportunities for previously disadvantaged groups, it has become a very contentious issue in South Africa in the light of the variations among the previously disadvantaged, as well as the hierarchies of oppression. Be that as it may, any diversity among the disadvantaged was directly associated with race, gender, disability, culture, education, training, language and religion[32]. This multiplicity of disadvantaged groupings/categories complicates the application of the affirmative action policy: who obtains preferential treatment and what are the criteria other than gender and race? While affirmative action is regarded as a process of transformation, it is also an entrenched political policy, as envisaged by Schreiner and intended to bring about

> transformation away from apartheid, poverty and exploitation, towards a non-racial, non-sexist and democratic nation in which the socio-economic conditions of the majority, that is, black working women and men, are substantially transformed in a manner which is empowering.[33]

To redress the effects of past discrimination and to overcome the historic economic marginalisation towards equalisation in all spheres of life,

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[30] Olen and Barry (1992:301.
[31] Theoretical and Applied Ethics; Study Guide PLS3701, Unisa 2010, 326.
[32] Leonard. A 2005.
[33] Schreiner 1996:80 in Goga, Farhana Affrimative Action: The Concept. Cultural, Communication and Media Studies. (2007) University of Kwa-Zulu-Natal.

preferential support and opportunities were perceived as an ethical means towards equity, justice and integrity. However, the policy became very controversial, as was borne out by the HSRC Review of September 2010. According to that review, it was the discrepancies relating to the *implementation* of affirmative action that had become increasingly controversial. The apartheid education and labour policies produced a glaring racial gradient in unemployment, employment and wage rates. To remedy this, the Employment Equity Act of 1998 obliged employers to ensure *equal* representation of designated groups, namely black people, women and people with disabilities in the workplace.

Disappointment, disillusionment and frustration sum up the feelings around the pace of transformation and the racially discriminatory 'side effects'. Self-interest appears to be informing evaluations among designated beneficiary groups, with black respondents more inclined than other population groups to support race-based affirmative action and women more partial to gender-based affirmative action than men. On the whole, the beneficiaries of affirmative action have been the better educated and skilled among the designated groups, while marginalised and vulnerable South Africans have benefitted less from affirmative action. The outcome of the HSRC[34] survey suggests that policy-makers need to find ways of overcoming the new division that has been created by affirmative action. They propose a repackaging of preferential redress policies that are less threatening and that appeal to the aversion that South Africans across the social, political and economic spectrum have to inequality. Suggestions are that affirmative action policy should concentrate more on a class-based redress agenda than on primarily racial redress. This proposal may ensure that interventions will obtain substantial public support in the wake of increased concerns about poverty, social justice and the creation of a socially cohesive society. It is precisely in this regard that the ethical value of affirmative action requires attention.

The morality of affirmative action

The fundamental ethical argument here is if discrimination is wrong, how can affirmative action be morally right? If gender and race are the only characteristics that are used to apply to affirmative action, then how morally prudent is this policy of enablement? Affirmative action achieves enablement by applying a form of preferential treatment to correct imbalances and not to create new imbalances. Providing preferential consideration for job-related matters in terms of hiring and promotion is not just based on race and ethnicity. It includes people with disabilities, women, poor people and low-income people, students who were traditionally excluded from higher education.

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[34]   HSRC Review Vol 8. No 3 September (2010).

Prior to this, many of these sectors have not been considered to the same extent as race and gender have been. While there appears to be a contradiction here, the proponents of affirmative action will claim that since race and gender discrimination is morally reprehensible, it is intended to correct moral wrongs.[35] However, when the focus is primarily on race and gender, then it becomes a moral dilemma when they are favoured to the detriment of other victims of past discrimination practices.

Affirmative action is perceived as *reverse discrimination*, when a previously disadvantaged person has been raised to a level to rightfully take advantage of equal and merit-based opportunities and then continues to enjoy preferential treatment to the detriment of others who have not yet been enabled. *Reverse discrimination* is often interpreted and experienced by many as primarily a black vs white and rich vs poor issue. As a means to achieve restorative justice, preferential treatment is not unethical, but when it is restricted to race and gender and propagates other forms of discrimination and injustices, then it succumbs to unethical behaviour. The major criticism of affirmative action is that while some people benefit – and rightly so – new forms of discrimination come into being. Consider the employment strategies stipulated by the narrow definition of a White Paper on Education and Training of 1995. Instead of focusing exclusively on *formal qualifications, experience* and *relevant competencies* as prerequisites for a position in government departments, these prerequisites had to give way to new recruitment measures that focused primarily on whether the candidate shows potential. The affirmative action rationale was that if the government were to continue to demand formal qualifications, this would simply perpetuate discrimination against the previously disadvantaged candidates. The same White Paper called for an acceleration and intensification of in-service training for those affirmative action candidates that show *potential*.[36] But the in-service training was often omitted and the result was poor service delivery, corruption and the exacerbation of the suffering of the previously disadvantaged – and everyone else as well.

Impact of affirmative action on women

In terms of affirmative action policy, black women have been identified as those deserving of equal treatment in terms of opportunities for advancement, both in education and employment. It has also provided them with the right to compete on an equal basis in all spheres of social, economic, and political

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[35] Theoretical and Applied Ethics; Study Guide PLS3701, Unisa 2010, 327.

[36] Dubourdieu, E. 1999. Accentuate the positive? Affirmative action for South African women. Observatoire de recherches sur les anciennes colonies et leur liens avec l'Europe. Revue Alize, No 14.

activities, unlike before 1994.[37] Given that the highest rate of illiteracy was among disadvantaged women, this policy has assisted in empowering, developing and educating them. It has also made a considerable contribution to the lives of some rural women in the sense that many poor women are now the main earners of income to support their households. Black, Indian and coloured people claimed various elite positions during the country's first five years of affirmative action; however, white males did even better. Although black women made huge inroads in the highest and lowest skills sectors, white men gained greater dominance in the profession and qualified people of all races obtained access to a much bigger pool of plum jobs in a growing, diversifying economy. Black women made the fastest moves, increasing their number at executive level by 60% and seizing 20 000 new machine operator and assembly line jobs, whereas women of other races declined sharply. White women increased their share of the management pie, but by less than one percentage point, whereas young black men and women were promoted at a notable rate (Philip and Van Rooyen 2001). While there is a growing impression that equity is progressing, with over half of government department posts being held by black persons – and with women in the overall majority – this is only the case in government positions, not in the private sector.

Affirmative action was bolstered when the International Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) passed the Gender Policy Framework (GPF). The GPF's main aim was to integrate gender policies by ensuring that:

- women's rights are perceived as human rights;
- they have equality as active citizens;
- their economic empowerment is promoted;
- their social upliftment is given priority;
- they are included in decision-making;
- they are beneficiaries in political, economic, social and cultural areas; and
- affirmative action programmes targeting women are implemented.

With the purpose of establishing a clear vision and structure, the GPF guided affirmative action by developing laws, policies, procedures and practices that would serve to ensure equal rights and opportunities for South African women in all spheres of government, private and public sector jobs, community and family. This legislation bound parliament to take the lead in actively

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[37] Msimang, S. 2001. Affirmative action in South Africa: The policies of representation, law and equity. Women in Action, No 2.

abolishing gender discrimination from the governance of the country. While many of the above-mentioned policies and strategies have been implemented by the South African government, their success is still debatable.

It appears that South African organisations have not evolved enough to share managerial and leadership responsibility with women. Transformation has only raised awareness about gender inequality, and women continue to face barriers to career advancement, such as the glass ceiling. The fact that very few women hold top positions confirms that while *gender equity and affirmative action legislation* have been implemented in South Africa, job segregation and *inequality* in career advancement remain. The Catalyst survey of 2004 indicated that women's representation in the boardrooms of corporate South Africa remains startlingly low. It is apparent that women are significantly underrepresented in top corporate leadership positions in South Africa. However, it also seems that it is easier for women to become chairs of boards than to become CEOs. Eleven (3.0%) chairs of boards in South Africa are women, while only seven (1.9%) of CEOs in South Africa are women. Despite these low numbers, Catalyst 2004 indicates that South African companies are actually performing relatively well in comparison to the international average in this sphere, which indicates that only 1% of all chief executive positions are held by women. Adele Thomas, director of the University of the Witwatersrand Business School in Johannesburg, suggested that *suitable qualifications* be required for promotion into managerial positions, such as an MBA which can help to raise their profile (*Cape Times* 2004).[38]

In the private sector, women still hold marginal positions, yet their representation is exceptionally high in the Cabinet and in parliament. Women's key positions in government and parliament indicate that their status in politics is improving faster than in the private and public sectors. It has been claimed that South Africa is ranked seventh in the world in terms of gender equity in government, since government sets out to promote their status and economic welfare. However, this is not the same in private and economic public sectors. Here women, especially black women, are not doing as well as expected, since preference is given, firstly, to black men and, secondly, with regard to gender, to white women. White females outnumber black females in the private economic sector, which makes white females the second most overrepresented group in management. It is argued that women are faring well in government positions because they pose no threat there, since government and public decisions do not hold any major financial implications. On the other hand, decisions made in private and corporate organisations can influence economies and, therefore, have major implications. Women are therefore not yet seen or accepted as an integral part of decision-making in important financial and economic sectors. For equal-

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[38] Cape Times, 2004.

opportunity policy and affirmative action legislation to be successful, therefore, corporate organisations need to become women-sensitive and women-friendly.

Affirmative action and the education of women for the church ministry

Thus far the article has focused on the educational, sociological and political situation in South Africa, since it was necessary for the author to ground the research in concrete reality. Affirmative action of women in ecclesiastical circles is somewhat more abstruse, simply because the judicial parameters do not always apply to the internal affairs of religious practices. Often the Christian church and religious denominations preach equity, but when it comes to women and their advancement in leadership and rank, cultural and religious restrictions are applied, which are blatantly discriminatory.

Be that as it may, at stake here is the struggle for justice, as well as moral and religious convictions. In the religious context, affirmative action, if considered as an issue of justice, is related to the personal integrity of those who follow Jesus, and it is beyond dispute that Jesus had women among his followers. One of the tenants of Christianity is that every human person, regardless of race, gender, class or nationality, is fundamentally equal in dignity, since each person is created in God's image. The Second Vatican Council rejected all forms of discrimination based on race and gender by declaring: "With respect to the fundamental rights of human persons, every type of discrimination, whether social or cultural, whether based on sex, race, colour, social condition, language, or religion, is to be overcome and eradicated as contrary to God's intent" *(Gaudium et Spes* 29*)*. It is, however, significant that justice and equity do not include any form of inclusivity concerning sacramental ministry and leadership, particularly in the Roman Catholic Church. Some other Christian denominations have progressed towards female ordination, but with limited ministerial and leadership opportunities.

All patterns and practices of exclusion concerning women continue to plague the church and religious practices in general in South Africa. The exclusion of women from full ministerial and religious educational advancement persists, and while there exists a moral obligation on church members to take positive steps to overcome this legacy of injustice, it appears that judicially administered affirmative action programmes in education and ecclesial employment are not applicable in religious circles. As such, the core conviction concerning equal dignity of all human persons and the condemnation of discrimination based on gender still function in juxtaposition. While, for example, the Catholic Church's ethical tradition embraces the use of affirmative action as a concrete means of overcoming entrenched social practices concerning racial and gender bias, this ethical tradition does not

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seem to apply to gender equity. For this reason there appear to be a constant discrepancy between the sin of gender discrimination and the ethical obligation to apply affirmative action in the church

Affirmative action is not window-dressing, and enforced affirmative action is not the answer to create a balance in the male–female ratio in the church. Equal opportunity exists only when people are given an equal chance to qualify for a given position, not by forcing an equal representation among those selected. Women have been in a religious culture of suppression for a long time, and when it comes to being prepared for certain positions in the church, many have not had the chance to qualify for such positions. Underqualification of women in the church is a reality because the prolonged suppression of women has robbed them of the chance to do so. One way of bringing women to active, recognised ministry and being eligible for church leadership is to find creative ways for them to develop and refine their own skills and giftedness and thus ensure that they have the same opportunities to meet the required standards. This may include affirmative action. Only when we observe the active inclusion of women will it be evident that change has taken place in South Africa, namely a change in how women are viewed, the way women are treated and the opportunities that they are afforded to obtain qualifications. These signs will serve as the outward manifestation of a change of heart. Education for women in the church should be the effect of change, and not the cause of it.

Subliminal gender oppression and prejudices that militate against women's education

Important legislation on customary law, domestic violence and child maintenance has been passed, which has had a direct bearing on the quality of women's lives (Employment Equity Commission 2001). Nevertheless, alarmingly high levels of violence against women, such as rape, sexual abuse, domestic violence, teenage parenthood, lack of education opportunities, unemployment and sexual harassment, continue to cause havoc in the lives of South African women. Even if there have been major successes in achieving gender equity at the political level, on the socioeconomic front, the battle is far from over. In this context, women are still regarded as second-class citizens, when compared with men, and most women accept secondary roles without hesitation. In this regard, women are often their own worst enemy, since they seem to take pride in accepting these secondary roles out of fear of challenging the cultural and social status quo.

While recognition can be given to the democratic South African government for theoretically promoting women rights and equality, South Africans need to question their cultural and religious belief systems, which

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are based largely on their various sacred texts and cultural systems,[39] so as to renounce any cultural or social justification of violent discrimination towards women. Violence against women is both unethical and criminal. The author of this article asserts that serious deliberation needs to be undertaken to transform the injustices that still exist in South Africa, and this needs to be done by women. The deconstruction of "life-denying gender ideologies",[40] which are contained in sacred texts, as well as in religious, cultural and social teachings and practices, needs serious scrutiny in the light of human rights and ethical guidelines. In the face of all the gender violence the majority of the population remains mute. The entire South African population needs to wrestle genuinely with social and cultural justifications of gender violence. For this purpose, a "feminist cultural hermeneutic" needs to be applied. While African feminist theology/sociology has attempted to engage with gender oppression, it has unfortunately encountered the challenge of a mind-set that regards feminism as a Western import[41] and thus invasive. This mind-set makes the task of African feminists very difficult, since feminists are aware that colonists and missionaries from Europe tended to demonise local cultures; as a result, feminism is regarded as an alien invasion. These same modern feminists need to ignore the intimidation produced by such a mind-set and to allow "feminist cultural hermeneutics" to enhance that which is good in local culture and to deal with those aspects that undermine and minimise the lives of women. It appears that some religious groups capitalise on cultural beliefs that deny women their rightful place, both in the church and in society, simply because culturally this was never a domain of women. Gender-sensitive cultural hermeneutics exacerbates the issue all the more. The author of this study does not deny that much of religious teaching regarding women was culturally bound, yet it is important to take a critical stance towards religious practices that exclude women from being full participants in all areas of life – practices and belief systems that have proved harmful to women. The author therefore suggests that the ethical principles embedded in feminist cultural hermeneutics be utilised as a means to counter-act gender violence, both in religion and culture.

It is particularly difficult to separate culture from life and religion in Africa. The conflation of religion and culture forms the foundation for the justification that men are superior to women, thus determining women's place in the family. Injustices and the denial of people's humanity has often been justified within the church and culture by alluding to so-called "biblical values" that render human rights worthless. Sometimes the ambiguous link between human rights, religious and cultural beliefs is clearly illustrated in

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[39] Nadar, S. 2009 Towards a feminist missiological agenda: a case study of Jacob Zuma rape trial. In Missionalia: Southern African Journal of Missiology. 37 no 1 (2009) 86.

[40] Nadar, S. Towards a feminist missiological agenda. 85.

[41] Nadar, S. Towards a feminist missiological agenda. 88.

the conflict between human rights and the iniquitous nature and use of some "biblical values", as is illustrated in some of the human rights that the South African Constitution grants, such as the right of same-sex people to marry.

The provision of human/women's rights is a good thing, but the so-called contentious human/women's rights have created a situation in South African society that enables perpetrators to commit violence against women, foreigners and homosexual persons to such an extent that it is being called the new pathology of South Africans. A most disturbing phenomenon is that violence against women has intensified to the point of becoming lethal in the case of black lesbians. Engendered homophobic and xenophobic victimisation has become a social disease, accompanied by abusive criminal intimidation. The author of this article purports that lesbian, gay, bisexual and transgender (LGBT) people from poor black communities – and black lesbians, in particular – are disproportionately at risk of discrimination, since they face violence twice as often as heterosexual women. Yet the government is mute when it comes to this systemic homophobic prejudice. Therefore, all interventions crafted to address homophobic victimisation require a strong partnership between scholars, the state, the church and cultural groups. The brunt of the new prejudices and violence is also being borne by foreigners, particularly black African foreigners. In a sense, apartheid has given way to hatred of black African foreigners (xenophobia), with black African women foreigners as primary targets. It is suggested that much of this hostility towards black African foreigners has emerged because of the unfulfilled promises of the new regime in South Africa.

Conclusion

To realise lasting social transformation, ethical and political scholars need to boldly confront South Africa's enduring legacy of inequality, discrimination and prejudice. To achieve the Constitution's promise of gender equality and social justice, more educational collaboration is required to develop an informed and unified strategy towards ensuring that all – and, specifically, women – are able to enjoy human rights. Social ethicists need to build a collective morality that affirms human dignity and non-discrimination in a manner that is experienced in the lived reality of all those who are still discriminated against in South Africa. The religious and political leaders of South Africa are still not vocal enough in opposing the vicious injustices perpetrated against women. This amounts to the same malicious practice whereby apartheid was substantiated by using a few unclear biblical, cultural and religious references. Nonetheless, before black politicians and social ethicists embark on the task of equalisation, personal, cultural, religious and social prejudices need to be confronted honestly. Until then, no amount of affirmative policies for women will eliminate the scourge of gender discrimi-

nation, abuse and violence, since discrimination and abuse militate against the moral and free pursuit of education for women.

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