

WORKING DOCUMENT FROM THE RURAL WOMEN CONSTITUENCY/IES

PREAMBLE

We, the rural women of South Africa conscious of the initiatives amounting from the time of CODESA (Gender Advisory Committee), the Government's Three Bills, the Multi-Party Conference, the National Women's Coalition, the voter education initiatives and such other related initiatives, wish to address the whole issue of the place of women under Indigenous or Customary Law and traditional systems of authority in the broadest sense.

Realising that at this juncture no matter how well meaning all these initiatives are, it is important for us as a constituency **in our own right**, to take the initiative in addressing our own circumstances and needs during and after the transition.

NOTING THAT:

1. the efforts of the Gender Advisory Committee succeeded in as far as opening space for participation by women in the CODESA Forum, and thus succeeded in sensitising negotiating parties to gender issues;
2. the Government's Three Bills on human rights treat our Constituency in a manner tantamount to discrimination and exposing us to uncertainty and possible insecurity with regard to fundamental human rights;
3. the bills submitted by the various delegations for fundamental human rights fail to grasp the complex nature of our position as well as the fact that we, as women living under indigenous systems of law and authority come from diverse constitutional and cultural experiences, which entail special limitations and therefore needs. These limitations and needs go far beyond what applies generally among other South African women whatever their specific circumstances;
4. although the National Women's Coalition is gravely concerned about the question of women in the rural areas, it is our belief that for the success of the whole initiative towards addressing the issue of fundamental rights it is important that we, the rural women, should take the initiative to negotiate together with our urban sisters the position of women falling under systems of traditional authority, fundamental human rights and a future constitutional dispensation, if we are to be emancipated in the true sense of the word;
5. any bill of fundamental human rights that fails to secure for us equality in a true and substantive sense of the word as well as failing to offer us through enforcement mechanisms such rights, shall be a travesty of justice;

6. presently traditional leadership appears to be engaged in efforts to retain the system of traditional authority and indigenous law during and after the transitional period, we are of the view that such initiatives should be addressed openly and democratically with the women leadership and all rural women constituencies through an educative and accountable process;
7. the issue of free political activity and expression and other associated rights is said to be the very essence of democracy, it is our conceived view that there is lack of proper safeguards to ensure rural women's accessing and exercising of such rights. The traditional practice of leaving rural women out of the main-stream of decision making in all the structures (political and administrative) has resulted in their being marginalised and lacking in experience that would facilitate their participation and benefitting from the envisaged changes taking place in the country.

WE THEREFORE PROPOSE THAT:

1. An urgent mechanism be formulated whereby rural women can be brought in to engage effectively in the whole transitional debate and processes.
2. Special attention be given to the need for rural women to engage with all the initiatives emanating from respective traditional authorities.
3. The issue of rural women's participation in all administrative and political structures during and after transition be addressed as a matter of urgency.
4. Rural women be availed of the opportunities and resources to engage with the submissions on fundamental human rights.
5. Rural women be availed proper access and participation in the establishment of enforcement mechanisms that directly affect their position as citizens and future voters.
6. A special financial dispensation be considered to assist these rural women's initiative to set up:
 - 6.1. an institutional base;
 - 6.2. means of liaising with all affected and interested parties;
 - 6.3. educational training/programmes for rural women leaders;
 - 6.4. rural resource centres with appropriate training and information officers;
 - 6.5. a monitoring and facilitating body to work in close liaison with:
 - 6.5.1. Technical Committees of the Multi-Party Negotiating Council and any

other relevant structures of a future government;

6.5.2. traditional authorities and governments in the TBVC and SGTS;

6.5.3. any future enforcement structures.

TIME FRAMES

Considering that the initiative should be tied up with current events, we propose that:

1. A steering committee representative of all women participants at the Multi-Party Negotiating Council be formed with immediate effect to:
 - 1.1. consider this submission;
 - 1.2. devise a strategy with specific time frames.
 - 1.3. consider an initial submission to the Technical Committee on Fundamental Rights and
 - 1.4. any other considered Technical Committees.

SUBMITTED BY:

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