

CC  
TE**THE BLACK SASH**

TRANVAAL REGION

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JOHANNESBURG**TO:** Members of the Multi-Party Negotiating Forum, Kempton Park**FAX NO:** 397-2211

1 October 1993

The Southern Transvaal Region of the Black Sash wishes to draw your attention to a document entitled "Briefing on Women, Culture, Customary Law and Equality", issued by the Women's National Coalition.

This document deals with issues concerning the relationship between equality, customary law and the Bill of Rights. In our view it correctly points out that equality is indivisible and that no category of rights should result in the oppression of and discrimination against any particular group: "Rights and equality should not be denied to women in the name of culture, custom and religion."

We **ENDORSE** and urge you to do likewise, the following proposals contained in the document:

- \* The bill of rights must be applicable to all forms of customary law, written and unwritten, customs, culture and religion.
- \* Where the rules of customary law clash with equality, equality must prevail.
- \* Where customs, culture or religion clashes with equality, equality must prevail.

Any exclusion of custom, culture or religion from the application of the bill of rights will create a country of two classes of citizens, those able to appeal to the bill of rights for redress and those unable so to appeal. Women and men must be equally assured of their rights by the new constitution.