

International IDEA, 2002, Women in Parliament, Stockholm (<http://www.idea.int>) (this is an updated version of the case study which was originally published in International IDEA's Handbook: *Women in Parliament: Beyond Numbers*, Stockholm, International IDEA, 1998).

Women Empowered – Women in Parliament in South Africa¹

M a v i v i M y a k a y a k a - M a n z i n i

«Freedom cannot be achieved unless the women have been emancipated from all forms of oppression. All of us take this on board that the objectives of the Reconstruction and Development Programme will not have been realized unless we see in visible practical terms that the conditions of women in our country has radically changed for the better, and that they have been empowered to intervene in all aspects of life as equals with any other member of society.»

President Nelson Mandela, 24 May 1994

The Goal: Gender Equality

Of the 490 members who were elected to the National Assembly and the Senate (now the National Council of Provinces) in April 1994, 117 were women – 109 in the National Assembly and eight in the Senate. This was a dramatic change from the previous apartheid government in which women constituted only 2.8 per cent of parliamentary representatives. In the 1999 national election, women constituted 29.8 per cent of the elected public representatives, placing South Africa in the top-ten in terms of representation of women, and giving it second highest representation in the Southern African Development Community (SADC) region.

The new government and parliament have undertaken various measures to advance the position of women and to promote gender equality in all spheres. The commitment to gender equality in the new government was affirmed by the election of Dr. Frene Ginwala as Speaker of the National Assembly, and later with the appointment of Baleka Kgositsile as Deputy Speaker. The increasing number of women selected for executive positions has further strengthened this commitment. Whereas the apartheid government in 1994 had only one woman Cabinet Minister (for health) and one Deputy Minister (for justice), in the Cabinet appointed in 1999, nine of the 29 Ministers were women (31 per cent). A Joint Committee on the Improvement of the Quality of Life and Status of Women has also been established to play a supervisory and monitoring role in parliament.²

F*rom the opening of South Africa's first democratic and representative parliament on 24 May 1994, President Mandela committed parliament to gender equality and women's emancipation.*

The increase in women's political participation is the result of two main factors: first, it is due to the work of the women in the African National Congress (ANC), who have been actively involved for decades in the struggle for national liberation and social emancipation; and second, it is the result of the policies and affirmative action mechanisms adopted by the ANC. Of the 119 women elected to Parliament in 1999, 96 (80 per cent) were from the ANC.

The New Constitution

Women played a remarkable role in the drafting of the new South African Constitution. They worked hard to ensure that clauses affecting their rights and their lives were included in the Constitution. This was not an easy task as they had to convince not only their parties but also the entire constitutional assembly. The new constitution protects many critical rights for women, including the right to equality; the right to freedom and security of the person (including the right to freedom from violence); the right to make decisions concerning reproduction, and the right to security and control over one's own body.

The new Constitution also contains many rights that by benefiting all women will improve the quality of life of even the poorest women. These include the right to education; the right to property; the right to a clean environment; access to adequate housing; access to health care services; sufficient food and water; and social security if people are not able to support themselves or their dependants. This requires the state to try, within its available resources, to meet these needs. These are some of the rights articulated by women in the Women's Charter, which was adopted under the Women's National Coalition campaign in 1994. It also contains children's rights and worker's rights. The constitution also contains a clause which enables women to take the Women's Charter and other charters forward so that they can be adopted as government policies.

The Means: An Overarching Policy in support of Women

The governments elected in 1994 and 1999, led by the ANC, have sought to develop and refine an effective overarching policy on women to guide government departments in their work. They have increasingly tried to mainstream women's issues, to draw them out from the sidelines of policy discussions and place them in the foreground. Women parliamentarians have played a major role in this process.

As part of its early efforts to bring gender issues to the forefront, the Reconstruction and Development Programme (RDP) office held consultations with women parliamentarians. It also created a Women's Empowerment Programme and included a section on women in its White Paper in 1994. Moreover, it produced a separate draft policy for women's empowerment in July 1995, which set out guidelines for government departments to ensure the participation and empowerment of women in their work.

From the work developed by the Transitional Executive Committee Sub-Council on the Status of Women, women parliamentarians took over and continued with the preparations for the Fourth World Conference on Women (FWCW) in Beijing in 1995. Working with non-governmental organizations (NGOs) and the RDP office they prepared a report which was presented to the United Nations; they also participated in other international and regional activities leading up to the women's conference. The preparations and discussions for Beijing enriched the development of the movement's gender policies. The 1994 country report on the status of South African women identified a wide range of problems confronting South African women, such as poverty, violence and unequal access to resources (whether financial, educational, health or employment).

Following the Fourth World Conference on Women in Beijing, the government adopted the Platform for Action. Government departments identified what actions they could carry out in specific periods of time to assist the process of achieving gender equality. These not only included focus areas, like women and violence, or women and health, but mechanisms to promote the advancement of women in South Africa in general. Government action in the context of the Beijing Platform for Action was further strengthened by its ratification, without any reservations, of the Convention for the Elimination of all Forms of Discrimination Against Women (CEDAW) in 1995.

National Machinery

A number of measures have been taken to establish national machinery that would effectively implement gender equality and non-sexism at various levels of government. An Office on the Status of Women (OSW) has been established in the Presidency to oversee and coordinate policy on women at the national level. This office has also been established in Premiers' offices to coordinate policy in seven of the nine provinces.

The task of the OSW is to take forward the National Empowerment Policy document, determining baseline information and launching gender-mainstreaming activities at the national and provincial levels. This would ensure that gender issues are indeed mainstreamed in government departments and that the CEDAW and the Platform for Action adopted in Dakar and Beijing, respectively, are effectively implemented.

In addition, parliament has passed legislation to create a National Commission on Gender Equality. The commission commenced its work in 1997. The task of this commission is to promote gender equality in society and to ensure that

government and other non-statutory bodies implement their commitment to gender equality. The commission will engage civil society and government structures in gender issues, monitor the situation, and advocate gender equality in a variety of ways. The commission consists of both men and women chosen by parliament and approved by the President.

The Human Rights Commission and the Office of the Public Protector, established by parliament, also play a major role in protecting women's human rights, as outlined in the constitution.

Department Policy

Women in parliament have played a major role in impacting on the work of government departments, particularly on projects that affect them such as housing, water, justice, local government, trade and industry. Gender focal points or desks have been set up in various departments that link up with the Office on the Status of Women. Government departments have issued central policy documents and undertaken a wide range of initiatives that re-prioritize their work, to meet the needs of the entire population, and particularly those of women. The following briefly outlines how various departments have complied with the agendas adapted to the needs of women:

- The Health Department has undertaken to create a system of primary health care that will be readily accessible to women and children anywhere.
- Welfare has initiated special pilot projects to address people at risk, especially single mothers.
- Water and Forestry have initiated community forestry programmes, to achieve re-forestation in a sustainable way that benefits the rural communities not only environmentally, but financially as well.
- The Department of Trade and Industry has taken concrete action to address gender equality by setting out policy and by implementing programmes that increase women's access to small business and financing opportunities.
- The Department of Justice has introduced several laws and policy documents to deal with issues such as marriage, divorce, domestic violence, rape and inheritance.

It has also come up with programmes and campaigns to advance women's access to justice and to ensure that the legal system responds to women in an appropriate and affordable manner.

Other Initiatives and Legislation

- The portfolio committee on finance has introduced the “women's budget process”, which aims at analysing the government's budgets from a gender perspective in order to pressure government to allocate money to women's empowerment and development. This project has been adopted by the Commonwealth as a pilot study.
- A wide variety of legislation and policies have been passed or are under discussion that will improve the lives of South Africans in general, and those of women in particular. These range around protecting women agricultural workers, equalizing welfare benefits for the old, equity in childcare benefits, the Truth and Reconciliation Commission, providing free legal aid for those in need, the termination of pregnancy law, protecting people with insecure tenure from losing their rights to land, as well as the South African School of Law (which among other things, guarantees 10 years of compulsory education, democratic governance bodies at school level and curriculum 2005).

The Results: Delivery of Resources to Women and the Poor

The fruits of government policy and parliamentary legislation have now begun to be seen in the delivery of critical resources and services to the poorest South Africans. Between 1994 and 1999, some of the achievements included:

- The building of 260 clinics, focusing on the most disadvantaged rural areas, and the upgrading of 2,358 clinics;
- Tax law reforms, removing discrimination against women in income tax;
- The renovation of 1,497 schools and the building of 4,308 classrooms;
- The feeding of 5.5 million children in school feeding schemes;
- The immunization of 63.3 per cent of all babies before the age of one, and an additional 10 per cent by the age of two;
- The introduction of free medical care for children under the age of six and for pregnant mothers;
- The approval of programmes to provide basic services of water and sanitation to millions of people;
- The provision of housing subsidies to millions of people and the building of close to one million houses;
- The provision of municipal infrastructure including water, electricity, sanitation, solid waste removal, roads, storm drains and community facilities to benefit 3.5 million people;

- Eskom's installation of electricity in 313,179 households, connecting 1.5 million people; and
- Programmes to provide electricity to 25,900 rural schools and about 2,000 rural clinics.

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The Road Ahead

Women would not have been able to achieve these results and advance their interests if, from the outset, they had not organized themselves into women's groups within their parties and on a multi-party level. They also benefited from the commitment and actions of women outside parliament. They are able to continue to advance their cause due to their links with and participation in women's organizations and NGOs in civil society.

The road for women parliamentarians has not been an easy one. When women came into parliament in such great numbers there were few facilities for them, including toilets in some of the buildings or floors. Some male toilets were converted to female toilets; a parliamentary day-care centre was established; and the parliamentary programme and sitting times were adjusted to take women's requirements and needs into account.

Many women MPs continue to struggle to balance family life with the demands of work that still include late hours, travel and very few facilities. Women are overstretched and overworked as they need to participate in various committees; network with women within their parties, at a multi-party level and with women outside parliament; and satisfy their party and constituency work. In addition to all this, they still have to play the role of mother, wife, sister and grandmother.

A great deal of work remains to be done to recharge batteries to meet the new challenges ahead and to defend the hard-won gains. As they stood strong to destroy the apartheid system, many women in parliament continue to be committed to work for a better life for all South Africans.

Endnotes

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1. Prepared with the assistance of material from the African National Congress Parliamentary Research Department.
 2. See <http://www.parliament.gov.za/misc/cabinet.html>