

Women's Rights as Human Rights

National Women's Day 2012

By Pregs Govender, SAHRC Deputy Chair

Mary Robinson, former UN High Commissioner for Human Rights and former President of Ireland, noted in the Nelson Mandela 10th annual lecture that South Africa is a "nation of paradoxes" for women. Women are well represented in cabinet, parliament and political parties, yet the majority of women's daily lives remain unchanged. Women bear the brunt of gender based violence, poor service delivery, HIV and poverty. She reminded us of the United Nations report, "Resilient People, Resilient Planet: A Future Worth Choosing": *"Any serious shift towards sustainable development requires gender equality. Half of humankind's collective intelligence and capacity is a resource we must nurture and develop for the sake of multiple generations to come. The next increment of global growth could well come from the economic empowerment of women."*

How will we get there when the global patriarchal economic system has reinforced and deepened poverty, inequality and gender-based violence in our country and across the world? How do women, who are the majority of the poorest and whose time is consumed with ensuring the survival of families, advance their rights? Despite women's numbers in political systems, women who are poor stand little chance, against those who are corrupted by and collude with those who own the wealth of the world. In South Africa, for example, the Constitutional-legislative-institutional progress made in attempting to address existing power imbalances, including those based on gender, have been seriously undermined by global economic choices. The rapid implementation, for example, of the General Agreement on Trade and Tariffs in South Africa, resulted in the loss of tens of thousands of jobs in women-dominated industries such as clothing factories. Most of those women workers are now doing whatever work they can find, mostly in insecure and casual jobs, where they again face the exploitative conditions they had fought against during Apartheid. Massive public resources were diverted to global arms deals and building FIFA white elephant stadiums while many women do not know whether they and their children will have anything to eat today.

This week while we marvelled at snow falling in Johannesburg, women who were homeless faced the challenge of ensuring warmth and protection for their babies. Yet many owners of large global industries deny the science of climate change as well as their own responsibility. Women subsistence farmers across Africa produce the food that keeps families alive, yet the statistics used to measure economic growth do not recognise, respect or record their contribution. In South Africa, they receive little if any of the agricultural support that enabled the growth of Afrikaner agribusiness during Apartheid. Nearly a billion people around the world suffer from hunger and related disease, while the United Nations says there is enough food to feed everyone. The billion-dollar food industry, from those who patent seed (preventing farmers from saving and reusing seed) to those who produce pesticides that have been linked to cancer, have huge influence and power over global and local policy-making institutions.

Locally patriarchy has reinforced conservative 'tradition and culture'. This has taken terrible forms such as the killing of women because of their sexual orientation or because they are labelled 'witches'. In the face of

all these challenges, women work hard, juggling impossible tasks in too little time. Yet the tidal wave of poverty and violence often reduces all the hard work to grains of sand.

What then are the lessons of 1956 for us today? Moments that garner public attention point us to a rich, mostly invisible 'herstory' of resistance to patriarchal oppression, from slavery and colonialism to Apartheid. African women, particularly those who were the poorest had little protection against the barrage of Apartheid's daily humiliation. The United Nations declaration that Apartheid was a crime against humanity recognised that our whole country was a prison. Apartheid's pass laws reduced African women to minors with few if any rights in the land of their birth. The women leaders of the march asserted non-racial unity. With linked arms and laughter, women danced and sang their sisterhood and solidarity. They stood together against the divisive military, political, economic and social system that Apartheid was. In 1992 women united against patriarchy to form the Women's National Coalition that mobilised women in rural and urban areas. They envisioned a 'new South Africa' that respected all their rights, (from land to water to an end to violence).

They took this vision, in solidarity with some progressive men, into the Constitution, shaping a strong commitment to women's rights and gender equality. In the early years of our Democracy, a significant number of women MPs ensured that Parliament passed a raft of laws, from labour laws to the Domestic Violence Act. Government signed and ratified the United Nations Convention on the Elimination of all forms of Discrimination against Women (CEDAW). A strong, independent Constitutional Court was established. Institutions supporting democracy such as the Human Rights Commission, the Public Protector and the Commission for Gender Equality were established.

In the 98/99 National Budget Government committed itself to ensuring that future budgets would address the gender-differentiated impact of all income and expenditure. Government needs to give effect to this commitment. It needs to examine the gendered impact of the economic, fiscal and trade decisions it makes. Households cannot pay more for water than big corporations, as is currently the case. Women's shelters and crisis centres cannot be allowed to close in the face of high levels of gender-based violence. Every government department, from national to local, has to be called to account for its responsibility to the Constitution's commitment to women's rights as human rights. Companies hosting glittering national women's day events must be asked: what are you paying your women workers and what are their working conditions? All institutions whether educational, religious, sporting or media have the power to undermine or contribute to social justice, equality and peace.

This month the SAHRC launches its provincial hearings into the right to water and sanitation. Government will be held to account to address existing problems. Government websites (from national to local) must list the companies contracted to provide and maintain services. Those companies who use and pollute water with impunity will be held to account.

On International Women's Day in March this year the Commission held a roundtable with people committed to ensuring that the voices of women (young, old, rural, urban, of different abilities and sexual orientations) would communicate the impact of the lack of water and sanitation on their health, their education...their

lives! Our rights are indivisible, inter-dependent and equal. It is time to use all the power we have, wherever we are, to assert women's rights as human rights.

Women's organising and action have yielded significant victories, one of the most recent of which is the withdrawal of the Traditional Courts Bill. Government has committed to taking the bill back to the drawing board, with the promise of real consultation and participation by rural African women. The lesson of 1956 is that women in other sectors of society need to stand in solidarity to ensure that this happens. Apartheid's social engineering perfected the notion of second class citizens. There can be no second class citizens in Democratic South Africa, whether on the basis of race, class, gender, sexual orientation, disability, age or geographic location. Our Constitution insists that dignity is the birth-right of every single one of us.

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