

WHY IS IT IMPORTANT FOR WOMEN TO PARTICIPATE IN LAWMAKING?

Women constitute more than half of the South African population and therefore the voices of women must be included when decisions are taken and laws are made.

The inclusion of women in decision making is a fundamental human right. Women should participate in lawmaking because the implementation of legislation and government policies has an impact on their daily lives. More importantly, research has shown that when women take part in decision making, it leads to an increased focus and allocation of resources that improve the quality of life of all.¹ An increase in the participation of women in lawmaking can by extension lead to an improvement in access to basic services such as housing, education and welfare.

HOW CAN WOMEN PARTICIPATE IN LAWMAKING?

The South African Constitution says that there must be public access to and involvement in Parliament and its processes. There are different ways in which this can be done.

Women can participate in lawmaking by voting for the political party they think can best represent their views and concerns in Parliament. They can also become involved in organising and working for their chosen party and being elected into its structures. Women have risen to top positions in this way.

The public has a right to attend committee meetings and to participate in Public Hearings. If an issue is of great public interest, a Committee in the National Assembly or the National Council of Provinces may decide to hold public hearings or call for submissions. The public can inform a Portfolio or Select Committee of their views or on an issue it is debating. Members of the public may contact a Member of Parliament to express a view on a piece of legislation.

WHAT ARE THE CONSTITUTIONAL PROVISIONS ENABLING THE PARTICIPATION OF WOMEN?

The South African Constitution provides a framework for the promotion of gender equality, and therefore the participation of women in lawmaking. The Constitution contains several provisions that advance gender equality. The Bill of Rights guarantees equal treatment for all South Africans. It prohibits unfair discrimination on the basis of race, gender or sex. The Bill of Rights emphasises that measures must be taken to promote the achievement of equality in all spheres of society.

The Constitution makes provision for institutions that support democracy, as well as for the participation of women. These include, among others, the Commission on Gender Equality and the South African Human Rights Commission.

In addition to the provisions made in the Constitution, South Africa has committed to gender equality through its ratification of international conventions such as, the Convention on the Elimination of Discrimination Against Women (CEDAW) and the Platform of Action, which was

established by the Beijing Conference on Women. South Africa is part of several African programmes of action and the advancement of women, e.g. the Southern African Development Community (SADC) protocol on gender and development.

WHAT ARE THE KEY STRUCTURES FOR WOMEN TO PARTICIPATE IN LAWMAKING?

The first and most important way women can be involved in Parliament is during elections. How people vote in the elections determines the composition of both the National Assembly and the National Council of Provinces. The national election gives all people over the age of 18 the right to vote for the party of their choice. Women make up a substantial proportion of voters and can exercise their right to vote in order to influence how Parliament is made up, and how the institution prioritises the development of women.

The fourth Parliament has established the following Committees that deal directly with issues relating to women:

- *Portfolio Committee on Women, Youth, Children and Persons with Disabilities*
- *Select Committee on Women, Youth, Children and Persons with Disabilities*

A new Ministry for Women, Children and Persons with Disabilities has also been created to consolidate the government's activities in developing and protecting vulnerable people in our society.

WHAT ARE THE CHALLENGES FACING WOMEN IN PARTICIPATING IN LAWMAKING?

Despite women constituting the majority of the South African population, women are still in the minority when it comes to decision making. There are many challenges that prevent women from playing a full and meaningful role, and the biggest one is poverty. Poverty is a struggle faced by many South African women, especially rural women.

Access to basic services such as education, water and welfare has been influenced by unequal gender, race and class relations. In order for women to fully participate in lawmaking, women's access to basic services should be improved. Poor women have inadequate access to institutions that make laws.

The majority of women lack economic empowerment. Women are traditionally the poorest group in South Africa and more likely to be underemployed or unemployed. Furthermore, HIV/AIDS affects a far greater proportion of women, especially young women in their child-bearing years.

Violence against women remains one of the biggest challenges facing South Africa.

Our growing democracy has improved women's access to political power and decision-making. South Africa has also adopted legislation to specifically address gender equality.

The challenge is to make the rights accessible to all women.



HOW WELL ARE WOMEN CURRENTLY REPRESENTED IN PARLIAMENT?

Women's representation in the National Assembly has increased to 45%. South Africa ranks third in the world in terms of representation of women in Parliament.

WHAT ROLE CAN MEN PLAY?

Men have an important role to play in achieving gender equality in South African society. More and more men are taking a stand against violence against women and children. Men must influence other men to change attitudes, and to respect women. Men and women have an equal and significant role to play in the transformation of gender relations in society. No society can be truly emancipated until its women and men are free and equal, and to this end, men and women bear a shared responsibility.

Further reading:

¹ Molokomme, Representation of Women and Men in Politics and Decision-making Positions in SADC, 2001

IMPORTANT CONTACT INFORMATION:

*Portfolio Committee on Women, Youth, Children and Persons with Disabilities
Tel: (021) 403 3840*

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OF THE REPUBLIC OF SOUTH AFRICA

