



**AN EXPLORATIVE STUDY ON WOMEN'S DEMOCRATIC
PARTICIPATION AND HUMAN RIGHTS IN THE
KWASANI MUNICIPALITY, KWAZULU-NATAL**

By

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DECLARATION

I, Siyasanga Olwethu Zibaya, declare that “An Explorative Study on Women’s Democratic Participation and Human Rights in The KwaSani Municipality, KwaZulu-Natal” is my own work and that that all the sources I have used or quotes have been indicated and acknowledged as complete references.

Student

Name: Siyasanga O. Zibaya

Signature:

Date:

DEDICATION

This work is dedicated to my mom and brother.

ACKNOWLEDGMENTS

I am deeply grateful to God who has kept me thus far. I am also grateful to my supervisor Dr. Alain Tschudin who introduced me to this great programme and has been a source of guidance. I am also thankful to my family and friends who have supported me.

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ABBREVIATIONS AND ACRONYMS

AIDS-Acquired Immune Deficiency Syndrome

ANC- African National Congress

CEDAW-Convention on the Elimination of All Forms of Discrimination

CGE- Commission on Gender Equality

COSATU-Congress of South African Trade Unions

CRC-Children's Rights Convention

DA- Democratic Alliance

FGM- Female Genital Mutilation

GBV- Gender Based Violence

HIV-Human Immune Deficiency Virus

ICASA- Independent Communications Authority of South Africa

IEC-Independent Electoral Commission

JMCIQLSW- Joint Monitoring Committee on the Improvement of Quality of Life and Status of Women

NGO-Non-Government Organization

RDP- Redistribution Development Programme

SADC- Southern African Development Community

SAHRC- South African Human Rights Commission

UDHR- Universal Declaration of Human Rights

UN-Women- United Nations Women

UNIDP- United Independence Party

WNC- Women's National Coalition

WPC-Women's Parliamentary Caucus

ABSTRACT

Women's democratic participation and human rights have been studied on a large scale and the focus has been mainly on women who are members of political parties and members of parliament. Human rights are also studied when human rights violations occur during conflict, but ordinary communities tend to be disregarded and no one seeks to find out whether they know their human rights and on what scale are they being violated. Women's democratic participation is not only limited to women who are members of parliament or political parties; some women's human rights are violated every day and hence awareness of human rights important even when there is no conflict. This dissertation will explore how women from KwaSani Municipality exercise their democratic participation and will assess whether they are aware of their human rights, how these rights may be violated and where women go to address the violations.

Chapter 1: Introduction

1.0 Introduction and Background to the Study

The aim of this research is to conduct an explorative study on women's democratic participation and human rights in a community in the KwaSani Municipality, KwaZulu-Natal, South Africa. The research was conducted in a semi-rural area called KwaSani which consists of low cost housing and is part of KwaSani Municipality. Historically, women have been excluded in political spaces and their roles in political mobilization have always been minimized. "The public sphere is a male-controlled domain where senior males hold leadership positions and dominate decision-making processes while side-lining the voices of women and junior men" (Heemann, 2013, p.134). The issue of gender is central in this research because the harm and exclusion that women have had to endure has been based on their gender. This is why it is important for women to pursue political liberty to address gender equality. "Political liberty has provided women with the space in civil society to organize autonomously and legitimize feminist politics or gender equity concerns, while women's participation in writing new constitutions has provided the opportunity to challenge customary law and the social power of private-sphere patriarchy" (Goetz, 1998, p.257). It is important for women to participate in political spaces as this will further the discussion of gender equality.

This research will then explore how women in KwaSani choose to pursue democratic participation and will probe their knowledge of human rights. In the context of this research, democratic participation is about how the women organize themselves and what motivates them to participate in public forums such as *imbizos* (traditional meeting). This will illustrate that any form of organizing amongst themselves is a political statement and a form of participation because "new democratic structures established to broaden popular participation in national decision-making have not always been more inclusive of women and more receptive to their concerns"(Goetz, 1998, p.245). Research has illustrated that although the South African government has established laws and policies which encourage women's democratic participation; women have had challenges participating within political spaces because men are still at the forefront of decision-making.

It is important to note that the South Africa is a political system. It has institutions; a Constitution and laws which seek to recognize, protect, represent and allow participation of all humans

regardless of their gender. “The Constitution says there will be 7 government institutions to protect people from abuse by the government. They are referred to as the protection mechanisms. It is their job to make sure that the government does its work properly” (www.legaladvice.org.za). The seven government institutions are provided in chapter nine of the Constitution and the institutions are The Public Protector, South African Human Rights Commission (SAHRC), Commission on Gender Equality (CGE), The Auditor General, Independent Electoral Commission (IEC), Commission for the Promotion and Protection of the Rights of Cultural Religious and Linguistic Communities and the Independent Communications Authority of South Africa (ICASA).

South Africa is one of the countries which prides itself on its Constitution because it promotes a society that is intolerant of racial and gender discrimination hence there are laws which have been created so women can be empowered politically, economically and socially. The South African government is not only bound to the Constitution but also to the SADC Protocol on Gender and Development to ensure that they promote gender equality. “South Africa is bound by international, regional and sub-regional laws ratified and must take all necessary steps to protect women from discrimination and abuse in all spheres” (www.anc.org.za). The government has the responsibility to ensure that all citizens are equally participating in transforming South Africa to a 50/50 parity so that everyone can enjoy democracy and their human rights. This is why the African National Congress has created the quota system so that there is equal representation of men and women in parliament. “Quotas for women entail that women must constitute a certain number or percentage of the members of a body, whether it is a candidate list, a parliamentary assembly, a committee or a government” (Dahlerup, 2005, p.141). It is also important to note that women’s democratic participation is an integral part of the expression of their human rights.

This research is thus two-fold looking both into democratic participation and human rights since the one cannot be discussed without the other. The struggle that women have had to endure to participate in democratic spaces is equivalent to the struggle for the recognition of their rights. “Engaging the state in women’s rights has been an extremely difficult struggle with varying degrees of success. Historically, the state has been at worst hostile and at best extremely slow to respond to advancing the rights of women” (Mukasa, 2006, p.28). This led to the 1995 Beijing

Platform for Action and Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). This was to encourage dialogue on women's human rights and how they can be achieved. "Several internationally recognized conventions on gender equality have set targets for women's political representation, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which 179 countries are now party to, as well as the 1995 Beijing Platform for Action" (Dahlerup, 2005,p.144).

The Universal Declaration of Human Rights (UDHR) is also an important document which contains information on the different rights that all people have. "The Universal Declaration of Human Rights is based on an idea that came into its own during World War II: the idea that there are a few common standards of decency that can and should be accepted by people of all nations and cultures" (Glendon, 2004,p.02). The Beijing Platform for Action and the UDHR are international instruments of defining human rights and how they can be protected. The Beijing Platform for Action and the UDHR help define human rights on a global scale but human rights also need to be contextualized hence there is the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women.

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women is an African charter which aims to contextualize the experiences of African women so that the dialogue and protection of their human rights is in accordance with their experience. The South African government has created a committee called the Joint Monitoring Committee on the Improvement of Quality of Life and Status of Women (JMCIQLSW) which looks into the elimination of any discrimination against women. "The committee is guided by the needs of the poorest women (the majority of whom are African women). The Committee's priority is to monitor how government is addressing the impact of poverty, HIV/AIDS and violence on women" (www.pmg.org.za). The government then has the task of ensuring that women from small communities such as the low-cost housing community in KwaSani are knowledgeable about these binding documents which South African has signed so that they can be empowered and be able to challenge the government if it fails to protect them from any forms of violations of their rights.

1.1 Need for the Study

This study aims to investigate whether there is women's democratic participation at KwaSani Municipality and to assess whether or not women know their rights. This research is motivated by how women from semi-rural areas are marginalized because of their gender and the lack of development in their areas. "To make matters worse, most women in rural areas are unaware of the rights and privileges that the government's gender mainstreaming efforts bestow on them, and do not understand how government works" (Isike and Uzodike, 2011,p.231). There is work written on women's political participation but not at the KwaSani Municipality and each area needs to be analysed so that their specific needs are fulfilled. This research will also create a platform for women to voice out their opinions about what is hindering or promoting their political participation and also the violence that occurs to them because of their gender. This research is part of the Gcwalisa project which aims to understand the challenges of the KwaSani Municipality so that positive change can be catalysed and sustained. The project is spearheaded by my supervisor Dr A. Tschudin, it aims to analyse the development occurring in KwaSani by conducting research on women, elderly men and women, men and children. It will cover themes such democracy, food security, employment and indigenous knowledge. It also aims to understand the different challenges of each groups and how they can be assisted.

1.2 Research Objectives

The following represent the key objectives of the current research:

- **To investigate the mechanisms that exist at the local government level which encourage women's political participation or engagement**

This research objective aims to investigate whether there are political platforms that women can use to engage their rights and how often can they use these platforms. This research problem will investigate whether there are organizations that try to mobilize women and inform them about their rights and women's emancipation.

- **To investigate how female politicians represent issues faced by women in rural/ semi-rural South Africa**

This research objective aims to find out if there is a relationship between women from KwaSani and female politicians, because it is important for female politicians to understand the concerns that women in KwaSani have so that they can represent them accordingly.

- **To determine whether women at KwaSani are influenced by democratic narratives as opposed to feminist discourse.**

This is an important research objective because it will help the research understand what inspires the women from KwaSani to participate in politics. People participate in politics for different reasons and in this research it is minimized to democratic narratives or feminist discourse. Feminist discourse is the pursuit of women's liberation which is aligned with feminism. "By feminism, I mean the political analysis and practice to free all women. No woman, because of her race, class, sexuality, age, or disability is left out" (Wong, 1991, p.290). Democratic narratives is the pursuit of everyone's liberation, it is not gender specific. This will illustrate the women's political position.

- **To determine how the traditional community hinders or promotes women's political participation.**

The community of KwaSani is semi-rural therefore there is a possibility that women from KwaSani are still bound to their traditional roles. Secondly, there might be some customs such as *ukuthwala* (abduction) that are still being practiced which violate a woman's rights and lastly this research objective looks at gender equality. "Gender equality is a fundamental human right and an essential prerequisite for achieving a gender equitable society" (www.anc.org.za).

1.3 Research Questions

The study intends to answer the following key questions:

- How are women marginalized from fully participating in the democratic process?
- Do women nominally or substantively participate in the democratic process?
- How are human rights violations against women being resolved?

1.4 Structure of Dissertation

Chapter one has introduced the research and what it seeks to find out. It also illustrated the importance of women's democratic participation and how democratic participation cannot be

viewed in isolation of human rights. The key research objectives and questions were presented to show how the research topic will be answered and the direction which the research will take. Chapter two is the literature review which looks into different literature regarding women's democratic participation and human rights in a global and in a South African context. This was done to present a holistic perspective of women's democratic participation and human rights. Chapter three describes the theoretical framework comprising of The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women and participatory democracy which are used as a guideline. Chapter four looks into research methodology adopted for the study as well as the different phases of collecting data. Chapter five is the presentation of results and analysis. It also provides recommendations and conclusion for the study.

Chapter 2: Literature Review

2.0 Introduction

The aim of this research is to investigate women's democratic participation and human rights in the community of KwaSani. The study of women's democratic participation needs to be incorporated with human rights and that is why this study is important because it acknowledges that women's democratic participation and human rights are intertwined. The literature that has been used in this research will show that there is a need for women to participate in democratic institutions or be part of decision-making. The readings will show that some countries have taken initiatives in creating platforms for women but women still face challenges in achieving political status. They also illustrate that women should be seen as being beyond being voters or second-class citizens when it comes to participating in politics. The literature review explored illustrates how women's democratic participation and human rights are studied separately and not subjects that should be combined as women's democratic participation is part of women's human rights. Women's democratic participation should be viewed as something that is inherent just as human rights because this would assist in highlighting the necessity of women's democratic participation. Women's democratic participation and human rights are dependent on each other and women should know that it is their human right to participate in any democratic processes.

2.1 Mobilization of Women

The literature that is being explored illustrates that women have always participated in politics but as second-class citizens because men have always been at the forefront of any political struggles. This has not been by choice but due to patriarchy and how patriarchy is a state of mind that has no boundaries and can be carried to all spaces and not limited to the home. "Patriarchy is an ideological construct of a system encompassing ideologies, beliefs, values and practices underpinning the organization and structure of society – resulting in unequal power relations between women and men" (www.anc.org.za). This is why women have had to mobilize independently of men so that they can discuss the struggles that they face as women and also be consciousness of whom and what oppresses them. Cock and Bernstein (2001) speak about the mobilization of women focusing on South Africa and the Women's National Coalition (WNC) that was established in 1992. According to Cock and Bernstein (2001), the WNC consisted of 70 women's organizations that came together to identify women's needs and prioritized five issues

which they campaigned around such as women's legal status, women and land, women and violence, women and health and women and work. "Affirmative action and the political representation of women were identified as the main themes to run these five foci" (Cock and Bernstein, 2001, p.139).

All of the issues represented by the WNC were issues that all women of different races could identify with because there is a shared struggle amongst women of all races and also to some extent there are differences amongst them. Cock and Bernstein (2001) claim that the differences stem from the fact that there are certain problems that black women struggle with that are different to what women from other races are subjugated to. This is why Mtintso (2003) claimed that although women may have similar challenges they should not be grouped as being homogenous. According to Cock and Bernstein (2001) black women are mostly challenged by polygamy, customary law and homelessness.

Mtintso (2003) claims that the differences also stem from Apartheid's political, social and economic implications. Economically, they are different because of the history of South Africa and how colonialism and the Apartheid system divided the races. White people were economically in a better position than black people. In this context, black people are inclusive of Indian and Coloured people as provided in the definition of who is black by the Black Consciousness Movement. The Black Consciousness Movement defined blacks "as those who by law or tradition politically, economically and socially discriminated against as a group in the South African society and identifying themselves as a unit in the struggle towards the realization of their aspirations"(Biko, 2004, p.52). The construction of race and racism created challenges of how black women navigate in the world and created a double jeopardy because both their gender and race embodied different variations of oppression.

Beale (1996) states that being black and being a woman is a double jeopardy because the oppression comes in two folds, from a racial perspective and from being woman. Beale (1996) also mentions that the double jeopardy of women intersects with the economic, social and political positioning of black women in relation to white women. Historically, the economic divide between black and white women and the systematic violence that black women experienced led black women to work for white women and that affected the manner in which they related with each other. "And the black woman likewise was manipulated by the system,

economically exploited and physically assaulted. She could often find work in the white man's kitchen, however, and sometimes became the sole breadwinner of the family" (Beale, 1996, p.449). The historical background of black and white women created a challenge of how they should engage with each other but they also carried the identity of being women which assisted in pursuing gender parity. The differences between the two races also affect how the women approach political activism and also highlight that women's emancipation and political representation requires to be reviewed to ensure that all women are represented in political spaces.

The argument made by Cock and Bernstein (2001) and Mtsintso (2003) is also supported by Govender (2005) about how there are differences of struggles between black women and white women. The issue of differences amongst women could lead to the issue of representation because all races will need someone who can eloquently explain their struggle but the issues of differences should not derail women from their shared experiences and uniting which was the aim of the WNC. Women might have differences but their shared struggle in politics should be their uniting point because the political space is not race indifferent. Hassim (2004, p.03) states that "regardless of race, class, ethnicity, etc, women are consistently defined as political outsiders or as second-class citizens, whose entry into the public sphere is either anachronistic and short-term, or conditional upon their maternal social roles". Women's role in politics is minimized regardless of race but black women's role in politics was further minimized within liberation movement which were fighting against racism.

Historically, black women's role within political movements has been minimized. Standley (1996) discusses how black women activism in American was not recognised within civil rights movements and how historians have selectively written about black women's role in the movement. Standley (1996) claims that historians such as Harvard Sitkoff, Aldon Morris, Clayborne Carson and August Meier have all written about male leadership in the civil rights movement and do not discuss the role of women within the movement. Standley (1996, p. 456) further states that "he (Sitkoff) only cited two of the women who held positions of leadership in the movement- Fannie Lou Hamer who was elected delegate to the Democratic National Convention by the Mississippi Freedom Democratic Party in 1964, and Ella Baker, executive secretary of the SCLC- and underestimated their influence". Standley (1996) seeks to highlight

that there were some black prominent women in civil rights movements who led boycotts. She further disputes that Martin Luther King, Jr was the leader of the Montgomery Bus Boycotts and that a women called Jo Anne Robinson and her organization had led the boycott. Apart from historians' lack of recognition of women's involvement in the movement, Standley (1996) claims that it was sexism and that the men had authoritative opinions on leadership. "Despite the exclusion of black women in top positions in movement organizations and little recognition they received from blacks or whites for their contributions, the published accounts of black women activists suggest that the movement gave women as well as men a sense of empowerment" (Standley,1996, p.457). Although the work of Standley (1996) speaks on the marginalization of women in civil movements and how historian have intentionally minimized their role in the liberation struggles, Hill-Collins (2000) discusses the dimensions of black women's activism. The work of Hill-Collins (2000) seeks to demonstrate that black women played a pivotal role in the liberation struggle regardless of their marginalization and not being written about extensively.

According to Hill-Collins (2000), black women's activism has occurred in two dimensions. "The first, struggles for group survival, consist of actions taken to create Black female spheres of influence within existing social structures. This dimension may not directly challenge oppressive structures because, in many cases, direct confrontation is neither preferred nor possible" (Hill-Collins, 2000, p.204). The uniting of black women in existing oppressive social structures is important because it illustrates that they recognize the oppression and it is a form of resistance. "The second dimension of black women's activism consists of struggles for institutional transformation—namely, those efforts to change discriminatory policies and procedures of government, schools, the workplace, the media, stores, and other social institutions" (Hill-Collins,2000, p.204). Institutional transformation is necessary in any political change because all sectors of community should reflect democratic characteristics which are enshrined in the Constitution.

Institutions tend to reflect the political identity of the country hence it is important that they are also transformed. The work of Standley (1996) and Hill-Collins (2000) discuss black women's activism. Hill-Collins (2000) focuses on how black women structure their activism. Both discussions are important because they demonstrate how black women have participated in

liberation. Standley (19996) illustrates that women in politics are not necessarily viewed as political figures regardless of evidence of their activism solely because the social construction of how a woman should be takes preference in how she should act in her political portfolio.

The social construction of what a woman is and how a woman should be has made it difficult for women to participate in politics even though they might have mobilized themselves. Women have had to face resistance from men into participating. “Like COSATU women, ANC women found resistance from men in the ANC to their calls for increasing the numbers of women in ANC leadership” (Meer, 2005, p.40). According to Hassim (2004), it is because of how women are treated politically that they should be able to work with each other. Women’s political participation is not only limited by their racial differences but also their social construction which is something that Rowabotham (1992) discusses.

Rowabotham (1992) discusses the issues of women’s social construction and how that has excluded women from positions of power and also excluded them from political spaces. She argues that women have been fighting to participate in politics and balance power between men and women and that people need to move away from biological debate which puts women in the kitchen and being pregnant and out of the public space. Women have not always challenged men about the structure of politics but about other domains which men have made themselves leaders. “Long before any political movement for women’s rights came into being, women challenged definitions of their natures imposed by men through secular and religious culture. This involved contesting what constituted culture and could lead to questions about how boundaries determining personal and public affairs were set” (Rowabotham, 1992, p.18).

The above mentioned readings illustrate that women have always tried to mobilize amongst themselves in their shared struggles. Women might share certain struggles but they are also different but that has not stopped women from participating in their emancipation and fighting for inclusion in political spaces as it is part of their human rights. The history of Apartheid in South Africa and its legacy has contributed towards why women cannot work together because the racial differences have had a momentum impact on peoples’ minds that they cannot move pass them. This has not only affected how women work together but also their exclusion in politics because the roles that they play in politics are minimized. The readings that have been

cited have shown that women are capable of being in political spaces but the problem lies with men and how they have not committed themselves to transformation of the political space.

2.2 Women and Democratic Participation

It has been previously stated by Hassim (2004) and Rowabotham (1992) that women have been politically excluded and that this has been done on purpose because of the perception that women are supposed to stay at home and not be in spaces of power. Male domination and patriarchy are the reasons that women have had challenges in politics. Young (1997) claims that male domination occurs when men have power which is unchallenged or when they have power over women through how institutions are set. There are three reasons as to why male domination exists. The first one is the creation of patriarchy. Patriarchy has given men the power to dictate to how a woman should be and what her role is in society. “Patriarchy is characterized by male domination and power” (Hooks, 2004, p.02).

The second reason is the exclusion of women from democratic institutions. Institutions are supposed to be gender indifferent but they have also contributed to the oppression of women as stated by Young (1997) because they have created a platform in which men have power and women are excluded. Young (1997) is supported by author Eboh (2004). Eboh (2004) argues that women’s emancipation is a universal struggle but there is still a need to transform institutions because they are also part of the oppression of women.

The third reason is that there is an economical imbalance between men and women. The economic divide between men and women has led men to be economically independent and that has made women to be economically dependent on men but that does not mean that there are no women who are economically independent. Eboh (2004) also agrees that the economical division is one of the factors that are making men powerful and the economic sector has treated women unfairly. The current study proposes that it is not only political spaces that need to be transformed but all institutions of power must be transformed and accommodate women.

Norris (1987) supports the argument made by Young (1997) and notes how institutions are not gender indifferent and that male domination is a factor on the positions that women get in the institutions. “In addition, women who are included within government are usually restricted to certain areas of ministerial responsibility, especially departments of education, consumer affairs,

welfare and health” (Norris, 1987, p.117). The role that women are supposed to play in the home has been extended to the type of political portfolios that they are made responsible for. The portfolios have the same characteristics of being nurturing which is a characteristic that women are supposed to have. The stereotyping role of women is an extension of male domination and is used to politically exclude women and is a challenge to women’s democratic participation.

Shvedova (2005) claims that there are two challenges to women’s political participation. The challenges are political and economic. The political challenges exists because of how men have taken up leadership positions and are main participants in decision-making and that there are not a lot of women in politics so women do not have a variety of women candidates to elect from. “Men largely dominate the political arena; largely formulate the rules of the political game; and often define the standards for evaluation. Furthermore, political life is organized according to male norms and values and in some cases even male lifestyles” (Shvedova, 2005, p.35). Deckham, Dolan and Swers (2007) claim that the reason why women do not participate in politics is not because of men or how the political arena is structured but because they do not have the necessary qualifications that are needed for them to participate. Women may not participate in politics because they feel that they do not have qualifications but there are also other reasons as to why they might not want to participate.

There is also the reason that women will go for political positions that are less competitive and which men are not interested in. “Compared to men, female citizens repeatedly indicate less political interest, women officeholders and party faithful aspire to lower offices and have less desire to run for higher office, and different factors prompt them to run in the first place” (Deckham, Dolan and Swers, 2007, p.148). There is also the economical aspect to participating in politics. Participating in politics is not merely about providing a service to the public but there are also economic gains in participating in politics and that is why in some places, women have been excluded in participating. “Another obstacle to women's political participation is the intensely competitive nature of politics itself. In the countries of South Asia, politics is a lucrative source of income and power which men attempt to control” (Akhtar and Ali, 2012, p. 226).

The economical challenge is that women do not have sufficient resources and sometimes have the double burden of having to care of home and sacrifice their careers. Shvedova (2005) claims

that the introduction of quotas may be the solution for women's political participation as the political scene will be forced to bring in more women therefore give women a variety of candidates to choose from. The quota system is not only a way of forcing men to include women into participating in politics but it is also a way of luring women into participating cause the quota system acts as a supportive system in which women can depend on if their participation is being challenged. As it has been stated, the quota system was established for the promoting of women's democratic participation but the increase of women in political institutions is not necessarily an illustration of transformation.

Francis (2009) argues that there might be a high number of women in political institutions such as parliament through the quota system but it does not guarantee that it will solve the problems that female parliamentarians are challenged with. "Because the political party quota system is controlled by men, it is the instrument of gender mainstreaming across South Africa, making women dependent on specific men or male-controlled organisations for their political upliftment" (Isike and Uzodike, 2011, p.232). This is why female parliamentarians have had to collaborate with other women from civil society in trying to emancipate women and there is also the formation of the Women's Parliamentary Caucus (WPC). This form of collaboration is not only a political move but also it acts as a form of a support group because women have had to teach themselves and be their own self-reliance. The formation of the WPC is to transform parliament and be inclusive of women so that they (women) can be effective. "The WPC can further be seen as an arena in which women parliamentarians are both intellectually unrestrained in enunciating women's concerns, and sheltered from the informal disciplining effects of the legislature" (Francis, 2009, p.134).

Powley (2005) writes about women's political participation in Rwanda. Rwanda has been able to include women in the political arena by increasing the number of female parliamentarians after the genocide. "During the nine-year period of post-genocide transitional government, from 1994 to 2003, women's representation in Parliament (by appointment) reached 25.7% and a new gender-sensitive constitution was adopted" (Powley, 2005, p.154). This turn around in women's representation in parliament was through the quota system. Women's movement had to mobilize to be able to get the representation in parliament and ensure that the new Constitution would establish gender equality. "The preamble, for instance, cites various international human rights

instruments and conventions to which Rwanda is a signatory, including specific reference to the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)” (Powley, 2005,p.155).

Goetz (2003) discusses the relationship between the high numbers of women in politics and whether that transcends to substantive change or not. Goetz (2003) claims that education should be the main focus for women because it has potential of building their confidence and that could be beneficial for their political participation. She also states that women’s political participation should not be regarded as being high because there are a lot of women in political positions. She states that “numbers of women active in women’s organizations, or at least numbers of women’s organizations in a country, might be a better indicator of levels of women’s political participation” (Goetz, 2003, p.03). Bird (2003) supports the claim made by Goetz (2003) and states that the quota system does not reveal women’s political representation. Meer (2005) argues that the high numbers of female parliamentarians has advanced women’s participation because they have been able to spearhead laws that protect women. Women’s political participation is complex because it requires an evaluation of whether their participation is substantive or procedural because if the latter prevails, women’s participation in politics will lack political substance as illustrated by Geisler (1995).

Geisler (1995) focuses on women and their status in politics in Zimbabwe, Zambia and Botswana during the era of colonization and the era of democracy. This is to see if there have been changes in how women who participate in politics are viewed. The overall perspective is that democracy does not guarantee that there will be emancipation of women and nor does the establishment of laws. “In Zimbabwe the availability of equitable laws has not always guaranteed their application. The rights and wrongs of many women are still to a large extent defined by some convenient, make defined, version of tradition” (Geisler, 1995, p.547). She further argues that in Botswana, the women’s council that was established called the Botswana Council of Women conducted activities that focused on how to be a good woman and also discussed matters regarding how a woman should be when married. The council lacked political dialogue. In Zambia the United Independence Party (UNIDP) women’s league also faced the same challenge that was faced by the Botswana Council of Women. “The UNIP Women's League, like other similar organizations, had always been an adjunct to the main body, and only

acted in specific projects, typically voluntary work such as adult literacy classes, 'funeral committees' and other welfare oriented activities" (Geisler, 1995, p.548). Geisler (1995) demonstrates that it is important for a country transitioning into democracy to support women's political development to ensure that women are emancipated.

Asiimwe-Mwesige (2006) writes about the political transition that happened in Uganda and how women had mobilized to participate in the transition from a movement system to a multiparty system. The country had experienced dictatorship and war. It was important for women to participate in the political transition and be at the forefront because that was the beginning of democracy, but not all women had been participating. "The participation of Ugandan women in the transition is a mixed bag between inaction and some action. On the one hand there was active organising and engaging by a few women's rights organisations and on the other there was passivity at best and complete apathy at worst" (Asiimwe-Mwesige, 2006, p.05). Those who had participated sent a memorandum to the Constitution Review Commission, worked with human rights organizations and consulted with political parties to include women in decision-making. "Women must contribute to consolidating multiparty democracy in Uganda which among other things means working towards enabling our society to be transformed in order to end discrimination and subordination of women, the poor and marginalized" (Asiimwe-Mwesige, 2006, p.11). It is important for women to participate in post conflict dialogues as they have also been affected. Although women are making efforts and achieving some achievements in parliament, women who are also outside of parliament have taken the initiative to empower themselves.

Kwangwari and Mudege (2013) have written about how women in Zimbabwe work together in the District of Goromonzi. The authors conducted research in the district, looking specifically at the work of civil society and how it empowered women and whether it was able to give them information and skills that would give them the opportunity to sustain themselves. "Civil society is supposed to democratize development and political processes by giving voice to more people who would otherwise be neglected by formal political processes" (Kwangwari and Mudege, 2013, p.239). One of the findings that came through from this research is that women participated in civil society because they thought there was something materialistic to gain and sometimes leaders of the civil society groups withheld information about the presence of "visitors" in order

to minimize the number of people who would be present at the meetings” (Kwangwari and Mudege, 2013, p.246). There was also the problem that poor women felt that they were neglected because of their economic position and were excluded from participating. “Access to resources was also linked to age and gender. Age and gender affected what a person could and could not do and, hence, the degree to which individuals could be empowered” (Kwangwari and Mudege, 2013, p.249). The result of the research was that civil society needs to work harder to empower women to ensure that their participation will bear results for how they are positioned in society.

2.3 Women and Human Rights

Kemp (2006) writes about the conditions in which women in Africa are living and how their human rights need to be developed and secured. The first point of analysis by Kemp (2006) is to look at the role of women in times of conflict and post conflict. The argument presented by Kemp (2006) is that women are not part of the peace negotiations. This illustrates how women are neglected during an important process but they are the most vulnerable and affected during conflict. “Women’s voices go unheard during formal peace negotiations, disarmament, demobilisation and reintegration, the creation of new constitutions, elections, reconstruction, rehabilitation and the establishment of judicial systems” (Kemp, 2006, p.03). There is also the issue of women and education and how women have not had access to education. “The education of women and girls is a marker for many things – development, human rights, health and the ability to provide financially for oneself and one’s family. Africa’s history of educating girls and women has not been completely satisfactory but this is changing” (Kemp, 2006, p.05).

Hamdan (2005) also writes about education but the focus is on Saudi Arabia and how girls and boys were taught differently. Boys had a more open form of schooling whilst girls had to be policed and could not do subjects such as physical education. Their studies had to be religious. The issue of women being educated is not only limited to Africa but is a global problem. It is one of the various ways in which women’s rights are violated.

2.3.1 Women and Cultural Practices

Ukuthwala is a cultural practice of the Nguni people who are Xhosa and Zulu. “The custom entails the ‘abduction’ of the unsuspecting bride-to-be by the suitor’s friends once the marriage

has been negotiated between the two families” (Ovens and van der Watt, 2012, p.13). The girl that is abducted is normally underage and has to do duties that are performed by a wife which includes having sex with a man that is much older than her. *Ukuthwala* is an act of violation because it promotes the abduction of young girls and statutory rape because sometimes the girls are underage. The South African Constitution protects the rights of children from rape and abuse amongst other things. According to section 28 of the Constitution, “every child has the right to be protected from being mistreated, neglected or abused” (www.paralegaladvice.org.za). *Ukuthwala* is an illustration of how cultural practices can be at loggerheads with the law. They are at loggerheads because some communities may practice certain cultural practices which are deemed to be harmful therefore in such communities, cultural practices take precedence over the law. This could be due to the lack of knowledge that the victims have about their rights or that it has become part of the norm. Maluleke (2012,p.07) states that:

Customary practices such as *Ukuthwala*, virginity testing, widow's rituals, and others are entrenched, and in practice take precedence over equality in the villages' where they are carried out. It is therefore questionable whether the constitutional protection of gender equality is making a difference to women living in communities with a strong commitment to traditional norms and practices.

Ndashe (2005) writes about the universality of human rights and how they also need to be put into context of women who are in Africa to accommodate the cultural or traditional practices. She argues that women are not a homogenous group as assumed hence the concept of human rights needs to be put into context with regards to where women are located. “International human rights instruments are expected to deal with the multi-layered forms of oppression of women whose realities do not necessarily coincide with those articulated in mainstream human rights discourses. However, they have not yet responded adequately to this challenge” (Ndashe, 2005, p.77).

This illustrates that when it comes to establishing laws and human rights, it is important for the drafters to contextualize the law and human rights so that they are applicable. The issue of cultural practices which are harmful is a complex dialogue because Africa has a history of fighting for the recognition of their cultural rights so there needs to be a discussion in which the concept of cultural rights is explained and also how there are certain cultural practices that are

harmful and are a violation of human rights. Establishing human rights and laws is not sufficient because these issues require a renewal of thinking and this is not an easy process; hence it is easier to just continue with the practices. “Women’s organisations themselves have accepted that traditional practices, which are deeply rooted in society, cannot simply be legislated away; but they also realise that combating such practices requires political will and commitment, dialogue within communities and with traditional leaders, and civic and human rights education” (Gawanas, 2009, p.141).

International human rights need to be diversified so that they are applicable to the realities of all women. Although this is a challenge, Ndashe (2005) claims that it is so, because African governments have also not taken the initiative to domesticate international human rights. Although there is the issue of domesticating international human rights, the Convention on The Elimination of All Forms of Discrimination (CEDAW) and the Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa have been progressive initiatives in protecting women’s bodies from cultural practices. “The Dakar Platform for Action made inroads in terms of locating the multiple sources of African women’s human rights violations, thus making linkages between gender discrimination, traditional and harmful practices, and violations of other rights” (Ndashe, 2005, p.79). There are cultural practices that can be seen as violating women’s human rights but it is also important for women to play an active role in identifying the cultural practices that violate them and also those they find beneficial to them.

Goodhart (2003) writes about the applicability of human rights and whether they are universal or are they relative. The argument held by the cultural relative theorists is that since human rights are a concept of the West, they may not be applicable to other societies who are not from the West. There might be some aspects of human rights that are universal but the concept of human rights may be problematic with other countries because people might have different cultural beliefs. This is why it is important to have documents such as UDHR which is an intentional document demonstrating which rights should be universal. “The UDHR was a response to a holistic war scarred by the large-scale crimes perpetrated against individuals which the 1946 Nuremberg Charter was to qualify as crimes against peace, war crimes and crimes against

humanity” (Gowlland-Debbas, 2008,p.02). Universalists take upon a different opinion from the relativists. Universalists claim that human rights are applicable to all societies.

2.3.2 Women and Violence

Norris (2013) writes about femicide in the context in which the victim is killed by their partner through domestic violence. The killing of women by their partners has become a global trend although the cases are underreported. The cases that have been reported illustrate that femicide is a global problem and in Spain and Finland the number of femicide cases has increased. The cases that were reported showed that the women and been killed by people that they were dating. Norris (2013) further states that in the United States, most African-American women are killed through acts of femicide from their partners and femicide is number seven on the top ten lists of causes of death in the United States. Mexico has also had a problem with femicide and it is one of their leading causes of death. Mexico is ranked in the 16th place in the incidence of homicides against women globally. “According to a report produced by UN-Women, cases of femicide in the country have seen a steady increase since the year 2007, which had recorded the lowest number of femicides since 1985, but by 2009 the number had already exceeded those recorded on 1985 by about 25%” (Católicaspor el Derecho a Decidir, 2012, p.03). The increase of femicide in Mexico is caused by the challenge of impunity. The justice system does not favour women which discourages them from reporting their cases because they fear being discriminated against. Femicide is one of the many forms of abuse that women have to endure.

Female Genital Mutilation (FGM) has received a lot of awareness through the media because of what it entails and the reason behind why it is practiced. “Female genital mutilation-also known as female circumcision- is an extreme example of efforts common to societies around the world to suppress women’s sexuality, ensure their subjugation, and control their reproductive function” (Toubia, 1995, p.224). It is practiced in Africa, Asia and the Middle-East. Although awareness has been increased about FGM, laws still need to be strengthened to address the issue of FGM. “Recent efforts at the official international level, on women’s health and human rights agendas as a health hazard and a form of violence against women” (Toubia, 1995,p. 225). In certain countries in Africa they practice FGM through infibulation. The infibulation occurs when a girl child has reached a particular age and is considered to be ready to be infibulated. “Most circumcision take place when a girl is already and in regard to boys and men in particular,

linking the operation and a girl's experience of her social feminization (in some places accomplished through aggressive gender training and even threats of torture)) ” (Toubia, 1995, p.229). The effects of FGM are physical and psychological. “In addition, the amputation of the clitoris and other sensitive tissue reduces a women's ability to experience sexual pleasure” (Althaus, 1997, p.131). The practice of FGM is at loggerheads with human rights because it is considered a cultural practice because it is a practice that shows a rite of passage.

FGM has some cultural significance since certain or particular groups of people practice it. Although the practice of FGM has been addressed and how it could be a violation of human rights, there are some women who might defend it because they might want to preserve their culture. The practice of FGM is a globally known phenomenon and those who operate on women need to be charged with a criminal offense. Countries which practice FGM have bounded themselves to the CEDAW, Children's Rights Convention (CRC) and to the African Charter on the Rights and Welfare of the Child. A woman's or a girl's body has become a site to commit the most treacherous forms of violence and rape is part of the violence that occurs on a girl or woman's body.

Copelon(1995) writes about how women's human rights are violated during war and how rape is at the centre of the kind of violence that occurs on women during wartime but it is normally neglected. “Historically, the rape of women in war has drawn occasional and short-lived international attention. It comes to the light as part of the competing diplomacies of war, illustrating the viciousness of the conqueror or the innocence of the conquered” (Copelon, 1995, p.197). Kohn (1994) also mentions how the issue of rape is neglected post wartime as if it is not considered as a problem. Kohn says this with regards to what happened to the women during the Yugoslavia conflict and how that highlighted the flaws of international law and its position on women's rights.

According to Copelon (1995), it seems that rape is used to mark those who are conquerors and powerful even though they demonstrate their power to the one of the most vulnerable groups of society. Brown (2012) also supports the idea that rape is about power and that it assists men to advance their needs. Although rape is not gender exclusive, a lot of focus has been on women because of they have been mostly affect by it. Rape is carried out on the most vulnerable yet it seeks to demonstrate power. It is also important to note the number of rape cases during conflict

because it is a demonstration of how women are abused during that time apart from the risk of being killed. The countries in which there is a record on the number of women that were raped during conflict show that rape is a violent act and should be taken seriously because there is evidence that many women are raped. “During the 1994 Genocide in Rwanda, approximately 500,000 women were raped and an estimated 5000 pregnancies resulted from those rapes. During the 1999 conflict in Sierra Leone, over 50% of women experienced some form of sexual violence. In only 5 months of conflict in Bosnia in 1992, an estimated 20,000 to 50,000 women were raped” (Forti, 2005, p.07).

Agarwal (1995) differentiates between rape that occurs on the individual and the rape that occurs as a form of a political weapon. “Rape, even in an individual context, is not just a matter of sexual lust. Sometimes consciously, sometimes unconsciously, it is an affirmation of women as objects of pleasure and an underlining of the power of men” (Agarwal, 1995, p.31). Rape also seeks to emasculate the men who could not protect their women from being raped. Rape is a form of violence that can take place during war and when there is no war and there are various reasons as to why men will rape women but there is another factor which fosters violations on women that is associated with economic imbalance between men and women.

The La Strada International organization (2008) writes about countries which are part of La Strada and they are Belarus, Bosnia and Herzegovina, Bulgaria, the Czech Republic, Macedonia, Moldova, and Netherlands, Poland and Ukraine and the economic position of women in relation to men. The argument carried out by La Strada International organization (2008) is that economic independence decreases the changes of women’s vulnerability. The economic imbalance between men and women in La Strada countries was caused by the change to an open market economy which negatively affected women mostly as they had lesser opportunities than men. “Not only do women have fewer opportunities in the labour market than men; they often receive lower wages than men, as their work is not equally valued” (La Strada International, 2008, p.71). This has also led to the feminization of poverty. Women have had to carry the burden of poverty because of the lack of employment and also low wages.

Although La Strada countries have participated in the economic imbalance between men and women, they are all aware of CEDAW and its position to equal employment and they also have laws which prohibit this economic imbalance. The issue of economic independence for women is

very important because if it is not attended to or correctly implemented it will contribute further to the violation of women's human rights and also create women to depend on men who might be violent towards them. "Women's economic dependency on their husbands or male counterpart not only limits their choices and access to their socioeconomic rights but in situations of domestic violence and abuse seriously impairs the opportunity that women might have had to break free from the circle of violence and the imminent threat of HIV/AIDS infection"(Forti, 2005, p.08).

2.4 Conclusion

The above mentioned readings have illustrated that a vast amount of research has been done on women's democratic participation as well as on women's human rights in different places of the world but women are still facing challenges because of their womanhood. Laws have been established to ensure women's democratic participation and also protect them from human rights violations. The establishment of laws and human rights have advanced the empowerment of women and have given women the platform to be leaders. The establishment of laws has also been a great assistance in improving the livelihood of women even though there is still more work that needs to be done.

There is still a need to make sure that the laws and human rights information is accessible to every woman despite of their economical class and race. There also needs to be a shift with peoples' attitude towards women and that cannot be changed through legislature but it requires introspection from the people; both for men and women. Real introspection is the solution to women's exclusion from political spaces. The understanding that culture is fluid and not stagnant could be the advancement needed to stop the cultural practices that women feel that they are a violation of their human rights.

Chapter 3: Theoretical Framework

3.0 Introduction

This chapter looks into the various discourses that might encourage women to participate in democracy. One approach that will be discussed is participatory democracy and there will also be a discussion on The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women. The former encourages women to participate in democracy through electing their leaders and it gives them the opportunity to be candidates. It is through participatory democracy that women can infiltrate the spaces in which they have been excluded in. The latter encourages women's democratic participation through the notion that it is within their human rights to participate in politics. It also provides women with assurance as The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women is not just theoretical but it is something that can be implemented and it provides guidance should a woman feel that her rights are being violated. The two approaches are discussed because of their positive contribution to democracy, human rights and women.

3.1 Democracy and Participatory Democracy

For this study, it is important to create a connection between participatory democracy and democracy because they are built on the notion that it is the people that have the power. In its simplest definition; democracy means those who are in government have been elected by the majority of the people. It also promotes a system of checks and balances and equal opportunities. Lipset and Lakin (2004, p.19) describe democracy as being “an institutional arrangement in which all adult individuals have the power to vote, through free and fair competitive elections, for their chief executive and national legislature”. It is through this process that the majority get the opportunity to govern when the political party that they voted for becomes the governing party.

There are many principles of democracy but for this research, the focus will be on the principle that looks into the citizenship, human rights and the rule of law. The citizenship principle focuses on the right that citizens have to participate in decision making and be part of the democratic processes. “The basic principles of democracy are that the people have a right to a controlling influence over public decisions and decision-makers, and that they should be treated with equal respect and as of equal worth in the context of such decisions” (Beetham, 1998, p.21).

This symbolizes that democracy is for everyone and women have the right to participate in democratic processes. Democracy can thrive when the people have human rights that are enshrined in the country's Constitution and can be supported by the Universal Declaration of Human Rights (UDHR). The UDHR serves as a guideline of human rights in which countries should take into consideration when drafting their perspectives of what human rights are. The last principle is the rule of law. The rule of law "implies that no one is above the law and requires that all citizens observe the law and are held accountable if they break it. The due process of law requires that the law should be equally, fairly and consistently enforced. The rule of law ensures law and order and the protection of citizens as they enjoy their rights" (Konrad-Adenauer-Stiftung, 2011,p.06). The rule of law is a form of enforcement of human rights and women's democratic participation. Once human rights are established, they ensure that through legislature, those who feel violated can be protected. The above mentioned principles are important because they provide an overall perspective of how democracy should work.

Although democracy might seem to be the advisable manner of governing because it gives the majority the opportunity to rule and offers the rule of law in which everyone is equal and also offers human rights, it also has challenges. Beetham (1998) mentions two problems with democracy; his focus is on developing democracies. He claims firstly that countries which are in the process of establishing democracy will struggle with creating a state structure which will focus on serving the people. He also mentions that the second problem with new democracies is that they have a problem with poverty and a low numbers of economic developments. "On the one hand, this tends to be associated with a low level of cultural development and with a citizen body that may seem unsuited for, as well as unaccustomed to, the working of democratic institutions" (Beetham, 1998, p.26). The work of Beetham (1998) aims to question whether developing countries can sustain democracy.

3.1.1 Participatory Democracy

Participatory democracy seeks to minimize the broader definition of democracy and to illustrate ways in which democracy can be implemented and exercised by everyone who is a citizen of that state. It seeks to decentralize power amongst the people and not let power be situated amongst government officials and head of states. Participatory democracy becomes a solution in the political arena in which a selected few have monopolised power and have left the majority to

fend for themselves. It is “politically, the attempt to transfer power to fora in which “ordinary people” have influence usually means taking power away from those that both have it and also possess the ability to resist such changes” (Abers, 2003, p.202). It is through participatory democracy that citizens can feel that that democracy is a political system that exists and stands by its position that it is the rule of the majority.

Participatory democracy is supposed to encourage citizens to be active in politics through mobilizing, questioning and electing leaders and also to reinforce that it is their right. “Citizens have the right to public provision, the right to participate in decision-making about their collective life and to live within authority structures that make such participation possible” (Pateman, 2012,p. 15). It aims to give citizens power by giving them a platform to express who and what they want. “Participatory democracy is a process of collective decision making that combines elements from both direct and representative democracy: citizens have the power to decide on policy proposals and politicians assume the role of policy implementation” (Aragonès and Sánchez-Pagés, 2008, p.01). Participatory democracy is a mixture of direct and representative democracy because the citizens would have elected their leaders and by doing so, the leaders have been given the task of representing the citizens and assuring them that they will serve the people. “Direct democracy empowers the majority of citizens and enfeebles special interests that hold sway over state legislatures” (Cooter and Gilbert, 2010, p.688). Direct democracy embodies the sentiment of democracy that it is the power of the majority. Budge (2005) claims that representative democracy is the process in which citizens can elect people into government but if they do not serve the interests of the people then the citizens can remove them from power by voting.

Participatory democracy opens the space in which there could be co-governance between citizens and politicians as citizens would have been involved in the process of establishing policies and also are part of the decision-making. Hawkins (2012, p.32) states that participatory democracy “refers to the use of mass participation in political decision making to complement or (in the most radical versions) replace the traditional institutions of elections and lobbying associated with representative democracy”. The participatory democracy approach can be said that it seeks to legitimize the ideology of democracy because of decentralizing power amongst citizens and those who are in government. “Creating participatory democracy implies decentralization, which

is both a particular feature of democracy and a process in its own right. Indeed, it appears difficult to activate citizen participation and expand citizens' decision-making capacity without devolving powers to the level at which citizens can effectively influence issues" (Bherer, Latendresse and Patsias, 2012, p.01). The approach then becomes helpful in changing the political landscape which is masculine, to be able to incorporate women.

In the context of South Africa, there are aspects of participatory democracy that were initiated during the Apartheid era. The liberation movements wanted to use participatory democracy as the means of undoing the injustices of the Apartheid system through the Freedom Charter. "At the heart of the document is the clarion call "The People Shall Govern!" which was inspired by notions of participation and "self-government" at the lowest levels of the social structure" (Buhlungu, 2005,p.40). The African National Congress (ANC), South African Indian Congress, the South African Congress of Democrats and the Coloured People's Congress captured the idea of democracy through their Freedom Charter which entailed or promised the rule of the people and a society in which all would be equal and given the resources which would make people live a dignified life. "In the late 1960s and 1970s, ideas of participatory democracy gained further popularity within the liberation movement and found expression in experiments of democratic participation in the liberated zones created by national liberation movements in other colonized territories"(Buhlungu, 2005, p.41).

The concept of participatory democracy appeals mostly to those who are considered to be the most vulnerable people in society or those people who are powerless. It seeks to address the issues of those who have been neglected and give them the platform to address their challenges. "In a nutshell, the participatory democratic utopia is about the expansion of citizenship in a formal as well as substantive sense, and it is usually the working class and other marginalized sections of society who champion these ideas, as they stand to benefit the most in participatory dispensation "(Buhlungu, 2005, p.39). This is evident in the initial stages of creating a democratic South Africa. The establishment of the Women's National Coalition (WNC) is an illustration of participatory democracy because it was evident that men would be at the forefront in creating a democratic South Africa and they would have taken it upon themselves to create policies for women with little knowledge of the challenges that face women. Women had taken the initiative to participate in the transition and they were a symbol of what democracy

embodies. There are various ways of participating in a democratic arena which strengthen participatory democracy and this is why it is important for people to be aware of various ways of participating so that they could actively participate in matters which will later affect them. It is also important for citizens to know how government is structured because it helps them to know which platforms they can use to participate and South Africa has three spheres of government; national, provincial and local. The research will solely look into local government as the focus of this research is KwaSani Municipality.

The local government is structured according to whether an area is a municipality or district. The Local Government: Municipal Structures Act, 1998 sets out the criteria for an area to be a category A which is a metropolitan municipality, category B a local municipality or category C a district municipality. “There are 278 municipalities in South Africa, comprising eight metropolitan, 44 district and 226 local municipalities. They are focused on growing local economies and providing infrastructure and service” (www.gov.za). In areas which are non-metropolitan, there are district councils and local councils.

The functions of local government are to establish a government that is democratic and accountable. It must monitor and provide service delivery and also participate in social and economic development. It must also encourage community members and organizations to participate in local government engagements. The Municipal Systems Act 2000 in conjunction with The Local Government: Municipal Structures Act, 1998 stipulate that it is the responsibility of the municipality to establish mechanisms and procedures in which community participation can be enabled “Municipalities have to contribute to building the capacity of the local community to participate in municipal affairs and the councillors and staff to foster community participation” (www.cogta.gov.za). The municipality has to establish a good working relationship with the ward committee to ensure that information is disseminated to the community members. “In a ward committee there is the chairperson and maximum of ten people and ‘women have to be equitably represented in a ward committee” (www.cogta.gov.za). The municipality and ward committee have the responsibility of fostering community participation and conducting consultations sessions and report to the local community about the developing plans of the municipality or their community.

The committee needs to hold a minimum of four report back meetings so that the local community is well informed on the local government engagements. The participation of community members in KwaSani can be ensured through the monitoring of community meetings and perhaps having an attendance register to illustrate how many people attend the meetings. There should be set dates for community meetings so that the members know in advance and are given time to prepare.

3.1.2 Types of Participating

According to Koryakov and Sisk (2003), there are various ways of participating such as information gathering and sharing, consultation, policy formulation and decision making and joint implementation which will be further discussed in this section. These different forms of participation enable democracy to occur at the lowest level and also make democracy attainable. Information gathering and sharing will be the first form of participation that will be discussed below:

Information Gathering and Sharing: There are two ways of implementing information gathering and sharing. The first is using the top-down approach. “The top-down approach is generally the information flow from local authorities to the citizens. It can be passive, for example, opening up access to municipal archives or minutes and the records of different departments or the municipality, or it can be the active communication of information to citizens” (Koryakov and Sisk, 2003, p.25). The second approach is called bottom-up. This approach is normally practised by the citizens as they gather information about their issues and compile it in a form of report and send it to their local government. “The bottom-up model considers the role that local bureaucrats play a central role in policy delivery and its advocates believe that the implementation process is essentially a series of negotiations between all the different implementers” (Pulzl and Trieb, 2006, p.90). It is important for people to be informed and knowledgeable of how democracy is supposed to function because if they are informed then they are able to participate because they know their rights and the power they possess. “The major function of participation in the theory of participatory democracy is therefore an educative one, educative in the very widest sense, including both the psychological aspect and the gaining of practice in democratic skills and procedures” (Pateman, 1970, p.42).

Consultation: In the consultation phase, members of the local government have a public meeting with the people of that particular community to discuss matters regarding their community and propose a way forward. “The outcome of consultation can be binding or non-binding for the local authorities. In general, consultation, like information gathering and sharing, involves a learning component, but the element of decision making by those in positions of authority distinguishes this approach from the others” (Koryakov and Sisk, 2003, p.26). The consultation phase is important because that is when people who are in government have a meeting with the members of that particular community and discuss matters that concern the community and also establish a way forward. This phase is also critical because it requires a lot of negotiation between the two parties involved and also requires a lot of compromise from both parties. This phase demonstrates how democracy and specifically participatory democracy is supposed to function because there is the meeting of people who have taken initiative to work together to propose a way in which the majority will be satisfied with.

Policy Formulation and Decision Making: This phase tries to summarize what was discussed in the information gathering and sharing as well as the consultation phase and tries to document the issues that arose from the two phases into a policy. The people involved in this phase are government officials and community leaders. “In many cases citizens participate in policy-formulation and decision-making processes by means of joint committees, commissions and task forces” (Koryakov and Sisk, 2003, p.26). The documentation of what was discussed in previous meetings is important because it acts as a form of a guideline on how to achieve what was discussed. It is also important because it is binding on the parties involved to abide to what they need to do to improve and fulfil their demands. Policy formulation and having something written down is important because it acts as evidence because the community can hold the local government accountable if they do not fulfil what was discussed.

Joint Implementation: The last phase of participation is about implementation. This phase is the most important because it is through proper implementation of the policy that the matters discussed in phase one can be resolved. There are also various ways that citizens can be involved in the implementation phase. Koryakov and Sisk (2003, p.28) state:

Often municipalities find themselves in a situation of scarce resources and a vast number of community problems to be addressed. Ordinary citizens, civil society organizations (CSOs) and private businesses can be of great assistance

in taking part of the burden of multiple challenges by contributing their resources, both human and financial, to improve the lives of their communities.

Joint implementation is crucial in participatory democracy because it addresses the notion that local government is supposed to deliver the services and the community just receives. Koryakov and Sisk (2003) claim that for a policy to be effective or the decision agreed upon by the community and the local government to be effective and successful, both parties need to be involved and also help with providing resources. Government is supposed to take care of its people and provide service delivery but it must be a joint effort. The community might not be able to provide financial support but it can help in looking after the community and the services that the government would have provided.

The different phases of participation illustrate the manner in which women can participate but what is important to note about participation is that local government also needs to take the initiative to get involved as this will be more of a democratic process if the elected officials work with the people. The involvement of elected government officials and the involvement of citizens is the point in which participatory democracy thrives. The different phases of participation also illustrate that participatory democracy does not have to happen on a large scale, it just requires local government and women of that particular community to be committed in improving the living conditions of their community. It also symbolizes the reason behind the establishment of local councillors so that people do not feel that they are on the outskirts of democracy because if each community has a councillor it should be easy to conduct public meetings and gather information and try provide a solution to the problems that the community faces. Participatory democracy is about small communities feeling that they are involved in creating a democratic country. It also through participation that will women feel that they are exercising and protecting their human rights and that is the area in which the second part of this chapter focuses on.

3.2The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women

For democracy to flourish, a country needs to have human rights and it also important for people to feel that they can hold anyone accountable if someone should violate their human rights. The concept of human rights is a universal concept but since in each country or continent is different from the other, human rights may vary depending on which country you are located in. “Human

rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination.” (www.ohchr.org). The notion of human rights is to ensure that citizens are protected and live a life without prejudice or discrimination because of their gender, race and ethnicity.

Although the objectives of human rights are clear, defining human rights is complex because the concept of human rights is broad. The key thinkers behind the insights of human rights were philosophers who were trying to understand and elaborate on natural law. “Philosophers like Hobbes, Locke and Rousseau each elaborated distinct theories based on their endeavours to discover universally valid principles that would govern such natural rights and freedoms” (Lyons, 2010, p.01). Human rights can be categorized under political, social, cultural, civil and economic rights but they also have a philosophical aspect to them which contribute to the broad definition of human rights as part of natural law. “To the natural law school of thought, human rights emanate from natural law, or the laws of nature, which spring from divine will or metaphysical absolutes and confer certain rights upon individual human beings by virtue of their nature as humans” (Acheampon, 2000, p.114).

In the context of this research, human rights will be used as a guideline in advancing women’s empowerment as well as a form of protection for women because they (women) have been described as being the most vulnerable people as well as children and elderly people. The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women will then be used as a binding document because countries like South Africa have endorsed the protocol and by doing so; they have sworn to adhere to the protocol and its position on women. The protocol was established in 2003 and it was agreed upon in Mozambique. The protocol seeks to discuss and improve the position of women with regards to human rights which had been neglected by the African Charter on Human and Peoples’ Rights. “In fact, it can be said that its guiding philosophy is that the human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights, in line with Paragraph 18 of the Vienna Declaration and Programme of Action of the World Conference on Human Rights 1993” (Ebeku, 2004, p. 265).

In this research, particular sections of the protocol will be used as a guideline for part of the theoretical framework. The particular sections that will be discussed can be considered as a solution because they focus on the problems that the community of KwaSani is challenged with. The sections that will be discussed are articles two, three, four, nine, thirteen, fifteen and sixteen. The articles illustrate the basic rights that people need and also if these basic rights are provided for people, it limits changes of conflict within community members.

Article Two- Elimination of Discrimination against Women: Article two emphasizes the responsibility of the state to ensure that women are protected and that all forms of discrimination are eliminated. This means that countries have to have laws and institutions that will act as a mechanism in ensuring that women's rights are not neglected and that necessary measures can be taken should a woman feel that her rights have been violated. "Specifically, the measures should ensure the principle of equality between men and women, and prohibit all forms of harmful practices which endanger the health and general well-being of women and girls" (Ebeku, 2004, p.266). This article also ensures that states will create Constitutions and laws that will prohibit all forms of discrimination against women. By doing so, this will enable women to be protected wherever they are and prevent being discriminated against because of their sex or gender. There is also a need to establish laws that will prevent cultural activities that promote gender inequalities. As stated by Musa (2006,p.19), "a culture can thus be a force for liberation or oppression. Male dominated ideologies in Africa have tended to use culture to justify oppressive gender relations".

Article Three- Right to Dignity: This article focuses on human dignity and that women should also live a dignified life. Section one of article three states that "every woman shall have the right to dignity inherent in a human being and to the recognition and protection of her human and legal rights" (www.achpr.org). Section one acknowledges that a person and in this context, is born with human rights and it is not something that can be taken away from them and it is because they are born with human rights that the state has to protect them. The protection and recognition of human rights gives a person the opportunity to live a life that is dignified and that is why human rights are important and also they are the foundation to living a dignified life. Human rights illustrate a recognition and respect for someone's life.

As it has been previously stated that human rights are about dignifying people's lives and history has illustrated that women have had to live in harsh conditions which portrayed them as objects instead of human hence it is important for the protocol to have a section that promotes a life of dignity for women. "This article therefore seeks to reform social and cultural traditions and practices and create a common civil code that upholds the dignity of women as equal partners with men in society" (Musa, 2006, p.19).

Article Four- The Rights to Life, Integrity and Security of the Person: This article focuses on violence against women. Everyone has the right to life, a life that is secured and with integrity. This means that no one has the right to harm anyone's life in any form. The state has the responsibility of protecting women from any form of harm or violence. This can be achieved through drafting laws and also institutions that provide services of security so that women can live a dignified and safe life.

Living a dignified life means that no one should be subjected to violence because of their gender and that is why Gender Based Violence (GBV) and rape is a form of violence that needs to be eliminated in any society as it targets women. Women are the most vulnerable to violence at all times because of their gender and physical structure hence it was important for the protocol to have this article. "Women are subject to violence and to threats of violence in their daily lives, physically and psychologically. Violence deprives women of their ability to achieve full equality. It threatens their freedom, safety and autonomy" (Musa, 2006, p.20). It was also important for the drafters of the protocol to ensure that there are laws that can be enforced should women feel violated through violent acts during war. This is important because it means that after the war, those who committed violent acts against women can be held accountable. GBV and rape tend to be the most violent acts perpetrated against women during times of war. "Article 4(d) of the Draft Women's Protocol has brought about a more positive and welcome approach to the issue of treating rape and sexual abuse during conflict as war crimes" (Nsibirwa, 2001, p.45).

Article Nine- Right to Participation in the Political and Decision-Making Process: The focus of this article is on women's political participation and their role in decision-making. "Women's equal right to participate in decision-making is beyond a question of democracy and good governance; it is also a necessary condition for the effective recognition of women's interests, without which the objectives of sustainable equality and development will never be achieved"

(Musa, 2006, p.21). In Africa and also globally, the political landscape has been leaning towards men and they have had political advantage over women. The promotion of women's political participation and decision-making are a demonstration of pursuing equality amongst the genders and how democracy should operate.

It also signifies that women do not need permission from men to participate but that it is their right to participate and be part of the political dialogue which will have an effect on them. This section of the protocol forces states to take action with regards to women's political participation by saying that the state will take the responsibility of creating laws that will enable women to participate, have equal representation and be at the forefront of decision-making. Article nine illustrates how democracy and human rights are intertwined. It is every women's human right to participate in all the democratic process in their country and be represented. Women's political participation is a field that needs strengthening and should be protected by establishing laws which promote women's participation.

Article Thirteen- Economic and Social Welfare Rights: This article focuses on the economic and social welfare rights of women. Men have had a leading position in all aspects of life and that is due to patriarchy and since most countries have chosen to be democratic countries they have the responsibility of undoing the injustices that have fallen upon women because of patriarchy. Men have been part of decision-making and have monopolized most sectors in society and that has made men benefit economically and politically hence it is important for a democratic country to create a balance between men and women because women are economically disadvantaged and have been treated poorly at work because of their gender. "In this regard, the protocol recommends promotion of equality of access to employment and equal remuneration for women and men, and ensures transparency in the recruitment, promotion and dismissal of women. It also combats and punishes sexual harassment in the workplace" (Musa, 2006, p.22). Gender equality is a concept that aims to undo the injustices that women have had to endure because of their gender and this is why it is important to note what forms of discriminations women are challenged with so that they can be pursued.

Article thirteen seeks to undo the injustice that has occurred to women economically. It also gives them the opportunity to explore their capabilities and owning their careers and also the spaces in which they work in. This article is important because it secures women from

exploitation or being discriminated against because of their sexuality. Section D of the protocol states that it will “guarantee women the freedom to choose their occupation, and protect them from exploitation by their employers violating and exploiting their fundamental rights as recognised and guaranteed by conventions, laws and regulations in force” (www.achpr.org).

Article Fifteen- Right to Food Security: This article looks at the right to food security. Most communities have a problem with food security. Every human being has the right to food because food is essential to living. Although food is an important factor to life, not everyone has the privilege of having it because to have food has become a privilege due to lack of employment. The reasons are that people are unemployed and do not have land to have a garden or to farm. Women carry the burden of looking after their families which has come to the cost of them staying at home and letting the husband be the one who has to fend for work. “Some of the measures recommended by the Protocol to combat this are to provide women with access to clean drinking water, sources of domestic fuel, land and the means of producing nutritious food and also adequate systems of supply and storage to ensure food security” (Musa, 2006, p.23). It was a great initiative for the drafters of the protocol to include the right to food security so that women can know that it is their right to have access to food even though they might not be employed. The issue of food is complex because it goes beyond just having the right to food security but it is also about recourses; resources such as land and water. One cannot engage in the issue of food security without looking into employment, land and water.

Article Sixteen- Right to Adequate Housing: The focus of this article is that women have the right to adequate housing. Article sixteen states that “women shall have the right to equal access to housing and to acceptable living conditions in a healthy environment. To ensure this right, states parties shall grant to women, whatever their marital status, access to adequate housing” (www.achpr.org). Previously, in African countries, people could not own property due to traditional or religious believes. “In some countries, legislation, tradition and harmful religious practices prevent women from inheriting and having control over property and so deprive them of their rights to adequate housing” (Musa, 2006, p.23). This also means the laws a country has may need to be analysed because they might promote discrimination.

The formation of this article is to give women the opportunity to own property and live an independent life. Rwanda was one of the countries in Africa which prohibited women from

owing land. “When a woman was married, she automatically gained access to her husband’s fields to cultivate for her husband, their children and herself. If, or when, her husband died, a widow remained on the husband’s land, holding it in trust for her male children” (Burnet and the Rwanda Initiative for Sustainable Development, 2003, p.187). After the genocide, this custom had to be revised so that women can have the right to own land. In Rwanda, “new laws were drafted which grant women inheritance rights and the right to own, sell, and use land, and empower local councils to settle land disputes”(Polavarapu, 2011, p.107). The establishment of such laws have helped in questioning and changing the status quo that women cannot own property because of their gender.

3.3 Conclusion

Participatory democracy in accordance with the Protocol creates a space in which women can participate in politics and also give them awareness about their human rights. The different phases of participation illustrate the different levels there are to participation and where the starting point of participation is. The different phases show that participation can occur anywhere if the people commit themselves in empowering themselves and their community. It is also important for women to understand know how democracy works and how they can implement it within their lives and community. The democratic participation of women is an illustration of them exercising their rights hence participatory democracy and the Protocol complement each other because the one reinforces the other.

The different articles found in the Protocol focus on different issues but the issues mentioned are to assist women in being empowered and also to know that they have rights so that they cannot accept any form of action being perpetrated against them because of cultural or religious beliefs. It gives them a platform to express themselves and also have legislation to provide guidance. A vast amount of work needs to be done in educating people about human rights because there are people who do not know their rights or how they can challenge those causing them harm or they might think that it is a futile task to challenge them because they feel powerless. The burden of being a woman is that socially, politically and economically one is coming from a vulnerable or powerless position so to try and challenge those who have power is a fearful task.

Chapter 4: Research Methodology

4.0 Introduction

In this chapter, the researcher presents information about the participants, the criteria used and research methods that were used to collect the data. This chapter discusses the methodology and sampling that was used for data collection and is divided into two main sections. Firstly, there will be an explanation of why the qualitative and quantitative research methodologies were adopted. In the section that focuses on sampling; there will be an analysis of the different types of sampling and a discussion on the initial planning for the research and what actually happened in terms of administering the questionnaires, facilitating focus groups, the problems that were encountered, and finally, the steps taken to overcome them.

4.1 Research Design

Every research needs to have clear aims and objectives so that the researcher does not derail from the objectives of the research and is able to produce sufficient results about the research. According to Babbie and Mouton (2001, p.74), a research design is “a plan or blueprint of how you intend conducting the research”. It is important to have a research design because it is the initial stage of the research as it is the planning phase and this phase is crucial because it illustrates how the research will be conducted. This phase also helps in formulating the research topic and refining it therefore there is no ambiguity of what the aims and objectives of the research are. De Vaus (2001, p.9) states that “the function of a research design is to ensure that the evidence obtained enables us to answer the initial question as unambiguously as possible”.

Research design is the planning phase of the research by trying to find out how feasible the study is and whether the ideas that one has are possible and the results of the research will be valid. The planning phase is essential to the research because through proper planning and conducting research, the researcher will be able to observe behaviours and attitudes of the participants of the research as well as their environment. It is through the observations that “the researcher seeks to draw coherent and plausible conclusions or inferences from her or his observation, and thus plans observation to ensure that it will fulfil the purposes of the research” (Durrheim, 1999, p. 29). It is crucial for a researcher to select appropriate research methodologies and the sample size that will ensure that they will get research results that are a representation of their participants so that the results are valid and reliable. This will also assist the researcher because

the research results will be able to provide an explanation or an insight to what was initially the research topic. As part of the research design an exploratory approach was used as a guideline for the research.

4.1.1. Exploratory Approach

The exploratory approach takes the position that the researcher has little knowledge of the participants and their community so through the research instruments (for example, questionnaires or surveys); she will explore the participants and community to address their research topic. “As the name suggests, exploratory studies seek to explore what is happening and to ask questions about it. They are particularly useful when not enough is known about a phenomenon” (Gray, 2004, p.32). An exploratory approach was chosen because this research seeks to investigate women’s democratic participation and human rights in the KwaSani Municipality. The research seeks to explore how women in KwaSani participate in democratic processes and whether they know their human rights and how they exercise their rights. This will be contextualized through conducting questionnaires and a focus group. This approach was appropriate for this research because there is scholarly work on women’s democratic participation as well as there is scholarly work on human rights but there is no scholarly work on women’s democratic participation and human rights in KwaSani Municipality. This on its own makes this research exploratory, because the researcher has to gather information that can be theoretically beneficial for the academic field as well as practically applied for the women of KwaSani Municipality.

4.2 Research Methodology and Methods

4.2.1 Methodology: Qualitative and Quantitative

For this research, both qualitative and quantitative research methodologies were chosen; hence the research findings will illustrate both qualitative and quantitative data. “Qualitative research explores attitudes, behaviour and experiences through such methods as interviews or focus groups. It attempts to get an in-depth opinion from participants” (Dawson, 2002, p.14). In this research, the qualitative research methodology will help the researcher to get to understand the participants as there will be space for dialogue between the researcher and the participants and this will precise their attitudes and feelings towards the research topic. “The qualitative researcher often goes to the site of the participant, enabling to develop a level of details about the

individual or place to be highly involved in actual experiences of the participants” (Afzal, Azeem and Bashir, 2008, p.38). This will also limit any assumptions that could be made by the researcher regarding the community and the people. Qualitative research methodology also allows the space for the researcher to interact with the participants and also get additional information about the community and participants that was not asked in the interview questions or questionnaires.

As the current study employs a mixed methodology, quantitative methodology was also used. “Quantitative research focuses on the analysis of information so as to generate quantifiable results. To attain this goal, quantitative research relies on statistics” (Gotu and Mwanje, 2001, p.02). Quantitative research is about having a set number of participants and getting a feedback from them through questionnaires. There is no interaction with the participants therefore the data received gives an overall assumption on the participants’ feelings and attitudes towards the research topic. In this research, using both qualitative and quantitative research methodologies is advantageous as this will help the researcher compare the information from qualitative and quantitative data. Thomson (2011, p.80) states:

Qualitative and quantitative methods compliment each other. Qualitative research can uncover new theories and variables. Quantitative research can test these new theories and variables. Quantitative research can highlight causal variable in theoretical models and qualitative research can provide the understanding of the detailed operationalization of the variable.

Although two different methodologies are being used, they also intersect because they both have the function of confirming whether or not the research results are credible.

4.3 Sampling Methodologies

There are two types of sampling methodologies. The first sampling methodology is a non-probability sampling methodology and the second is a probability methodology. The difference between these methodologies lies in the selection process through which the researcher chooses the participants. For this research, a non-probability sampling methodology was chosen.

4.3.1 Non- Probability Sampling

Non-probability sampling is sometimes used when the researcher does not have direct access to the participants. “Non-probability sampling designs are used when the number of elements in a

population is either unknown or cannot be identified” (Kumar, 1999, p.160). In this research, both snowball and convenience sampling was used. “Snowball refers to the process of accumulation as each located subject suggests other subjects. Because this procedure also results in samples with questionable representatives, it is used primarily for exploratory purposes” (Babbie, 2011, p.208).

Both the snowball and convenience sampling techniques complement each other because the former is applied when the researcher does not have direct access to participants and requires someone neutral to liaise between the researcher and the participants. “Convenience sampling is a type of non-probability sampling in which people are sampled simply because they are "convenient" sources of data for researchers” (Battaglia, 2008, p.149). In the context of this research, two community members were used to liaise between the researcher and the women and since the research was carried through during the day, women who were available could come and participate hence convenience sampling was used.

4.3.2 Sampling

Sampling refers to the population with whom the researcher seeks to conduct the study. “Sampling is essentially the process of selecting participants of the study from the targeted population” (Brink, 1996, p.133). In this project, there was one sample group which comprised of women from the KwaSani Municipality. The women participated in the research through answering a questionnaire and they later participated in a focus group.

4.3.3 Study Population

The study population for this research comprised of women who are above the age of eighteen and below the age of fifty. Women under the age of eighteen are considered to be minors by the law and the researcher would need their parents’ consents to participate in the research. The women were chosen on the grounds that they live in the Underberg low-cost housing community of the KwaSani Municipality. The study was open to women of all races and socio-economic classes residing in KwaSani Municipality but due to the fact that women who live in KwaSani are dominantly black African women, the research was limited to black women. The study population was supposed to consist of twenty people but more women wanted to participate; hence to facilitate inclusiveness the number increased by five to twenty-five participants. Since

the research is exploratory, twenty participants were considered to be sufficient to obtain information about the community.

4.3.4 Sampling Frame

The sampling frame will be the low-cost housing community which is part of the KwaSani Municipality.

4.4 Data Collection

For this research, the data collection occurred in two phases. The first phase consisted of administering questionnaires to the women in KwaSani. The second phase of data collection was through a focus group and there was a presentation conducted for the women. This was followed by a third phase where final feedback was to be provided.

4.4.1 Research Locations and Participants

The researcher held meetings with the participants in two locations. The first two meetings were held at the low-cost housing community in KwaSani and the last meetings were held at the Clouds of Hope orphanage which is also at KwaSani. The meetings with the women were held within their community so that there would be no issue of traveling and would be accessible. The women were initially met at the low cost housing community at the house of one of the community members and that is where the first set of questionnaires was administered. The second meeting was held at the second community member's house which the researcher had used to liaise with the participants. The second set of women was given the questionnaire. The last meeting with the women was held at the Clouds of Hope hall, which is a close by distance from the low-cost housing community. It was important to meet the participants in places where they would be comfortable and safe. The Clouds of Hope hall is located close to the low-cost housing therefore women were not entirely disturbed from their daily routines and were not inconvenienced. The meeting was held at the hall so that a presentation could be given to the women about the information that was obtained from the answered questionnaires.

4.4.2 Questionnaire Procedure

For the purposes of collecting data, the researcher administered questionnaires in the KwaSani community at the two community member's homes. Four visitations were scheduled to take

place from May 2013 to October 2013. The meetings were held during the week between 10am and 12pm.

The questionnaire consisted of three sections. The first section was on general profile and demographics, the second section looked into food security and the last section was about women's democratic participation and human rights. The first is important because it gives the researcher some insight into the identity of the participant. There were twenty-six questions which started with asking about their gender and age and about their families and home. The questions then moved to asking about their schooling and working history and their current socio-economic status. These questions were asked so that the researcher could have a background history of the women and also get an overall perspective of the kind of people that live in KwaSani and their challenges.

The second section which looked into food security is important because the community is semi-rural and this section is important to the researcher because it illustrates the daily challenges that the women from KwaSani face and also what the community might be struggling with. The food security section had twenty questions which varied starting from whether the women know what a balanced meal is, the second part of the questions looked into socio-economics and the affordability of food and the last set of questions looked at if they have access to food and whether they get any assistance and also sanitation. This section was constructed because access to food is one of the basic human rights and it was important for the researcher to see whether the women from KwaSani were being denied one of their basic rights which could be linked to one of the questions that were asked in the demographic section about their level of education and socio-economic status. The third section seeks to answer the research topic. The questions were a combination of closed and open-ended questions. "Many researchers tend to use a combination of both open and closed questions. That way, it is possible to find out how many people use a service and what they think about that service on the same form" (Dawson, 2002, p.31). The last section on human rights and women's democratic participation had twenty questions. The first set of questions asked about political participation, the second set of questions looked into if they were knowledgeable about their rights and knew where they could get information about their rights and the last set of questions looked into community involvement and the challenges that women face in their community. These questions were

asked to see how the women from KwaSani Municipality understand democratic participation and to assess their knowledge of human rights.

After obtaining ethical clearance from the University Research Ethics Committee and before any questionnaire was administered, participants were given an informed consent form. The consent form was read aloud by the researcher so that if any of the women did not understand something or if they had a query it could be explained to them prior to the research. It was also considered important for the women to be aware that the purpose of the research was not to cause any harm to the participants or to the community. The questionnaires and the informed consent form were written in isiZulu because the community is predominantly Zulu-speaking, so the participants would feel more comfortable in answering the questionnaires in their mother tongue. After the informed consent form was read aloud and the women were asked if they had any enquiries about the research or what was said in the consent form, the questionnaires were administered to the women with the help of two colleagues because the group of participants was too big to be handled by one person. The questionnaires were then checked, collected and the data was entered into a Microsoft Excel spread sheet for further analysis.

4.4.3 Focus Group Procedure

Subsequent to the interviews and after thematic analysis of these, another method that was used for collecting data was through a focus group. “Focus groups may be called discussion groups or group interviews. A number of people are asked to come together in a group to discuss a certain issue” (Dawson, 2002, p.29). A meeting was held at the Clouds of Hope hall and all the women who had answered the questionnaires were invited for tea and cakes and were given feedback through a PowerPoint presentation about the information that the researcher obtained from their answers. Initially twenty-five women had participated in the research but in the focus group only nine women came. The group of nine women consisted of six women who did not participate in the questionnaire but their participation was valuable. The women had attended because they had heard about the research and wanted to share their opinions of what was happening in their community.

The PowerPoint presentation was structured according to themes so that the participants could see the link from their answers in section one which was demography to the last section which

was about women's democratic participation and their human rights. The information was presented to the participants and certain questions regarding the information would be asked so that the participants could go into detail about the reasons behind the information. Conducting a focus group opens a platform for dialogue between the researcher and the participants regarding the main themes that emerge from the study. The main themes that had emerged from the focus group were pertaining to politics, violence and socio-economics had been factored into the final feedback.

4.5 Limitations to the Study

There were three limitations to the study. The first was caused by the political tensions that exist in the KwaSani community between the African National Congress (ANC) and the Democratic Alliance (DA) therefore some women did not want to participate because they were not aware that the study was not politically aligned.

Secondly, there was also the challenge of participation with the women. Initially, there were supposed to be twenty women to participate in the research but the number of participants increased by five during the administering of questionnaires. However, the number of participants decreased remarkably when it came to the focus group. The participants were given notice about the focus group visit but non-attendees did not give an explanation as to why they did not participate in the focus group. The women were given notice about the final visitation, with the intention of providing final feedback and recommendations to engage the challenges that they face in the community. There is no clear explanation as to why the women did not attend the final meeting because the community liaison representative had informed them about the meeting.

The third limitation is that the meetings between the researcher and participants were held during the week in the morning between 10am and 12pm. This meant that the views of working women would be minimal.

4.6 Ethical Issues

The research did not include women who are below the age of eighteen because according to the law, they are considered to be minors. People who are under the age of eighteen can only participate in a research under the consent of their parents or guardians.

The participants in the research were given an informed consent form which contained the title of the research and that informed participants that the research was part of the Gcwalisa Project which was led by my supervisor. Participants were also guaranteed anonymity through the use of pseudonyms and coding and also informed that the research was for academic purposes. Participants were also informed that their participation was voluntary and would not receive any remuneration in any form. After the participants were informed about the content of the informed consent, they had to sign it as a form of agreement.

4.7 Conclusion

This chapter has detailed how the researcher conducted the research so that they could obtain the information needed to answer the research topic. It was important to document this process prior to presenting the data and engaging in its analysis, which forms the focus of the next chapter.

Chapter 5: Results and Analysis

5.0 Introduction

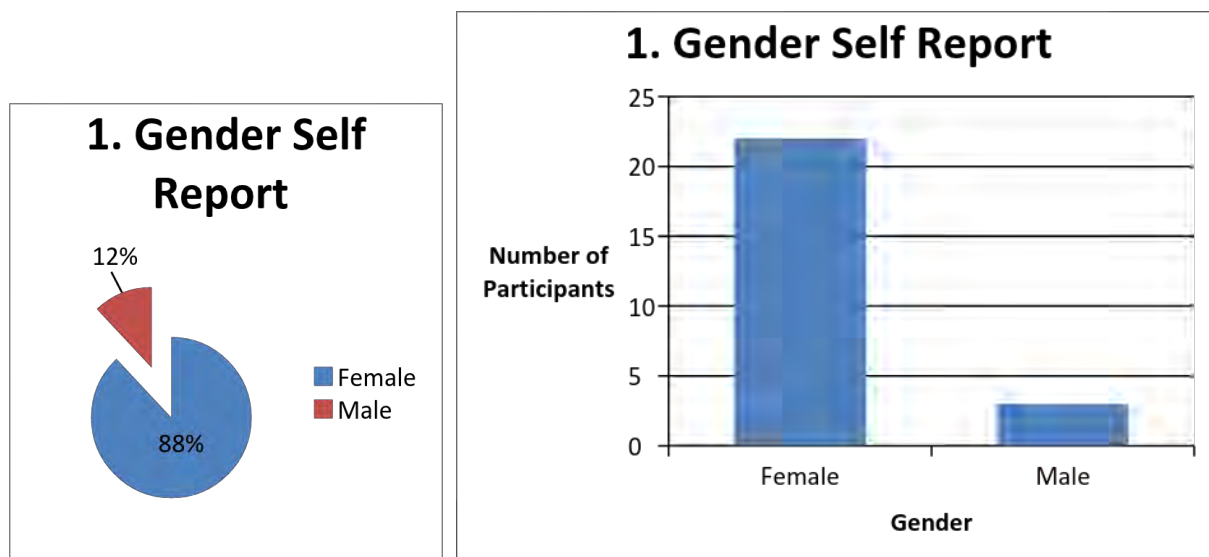
This chapter looks into the results of the research and seeks to analyse these. The results were obtained through questionnaires that the participants were given as well as through their participation in a focus group. They are divided into two sections; the first section will look into results found in the questionnaire and the second into the focus group. Twenty-five questionnaires were administered to the participants. The questionnaire consisted of closed and open-ended questions. The responses obtained from the questionnaire will be grouped according to themes and sub themes. The first theme will be the demographic details of the study population. The second theme will reflect the responses obtained from the food security section and the last theme will look into women's democratic participation and human rights. The chapter rounds off by providing recommendations and the conclusion of the study.

5.1 Questionnaire Results

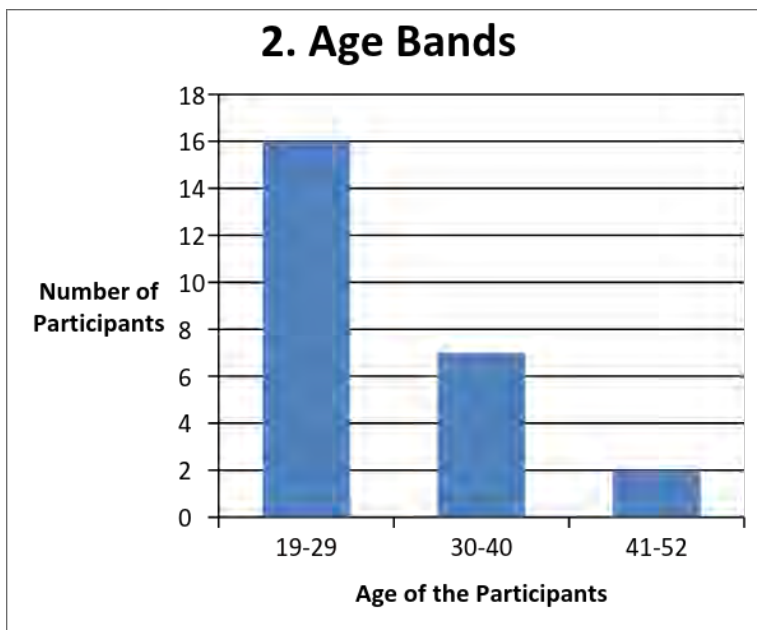
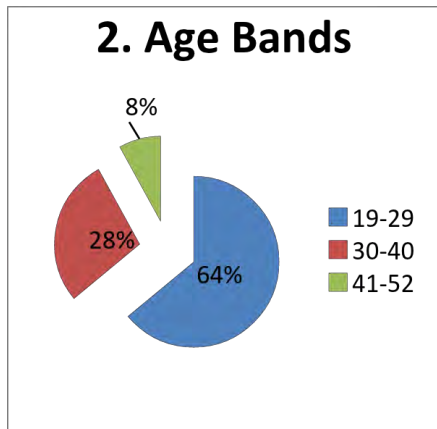
5.1.1 Theme A: Demographic details of the study population: Details of the females that participated.

Background Information:

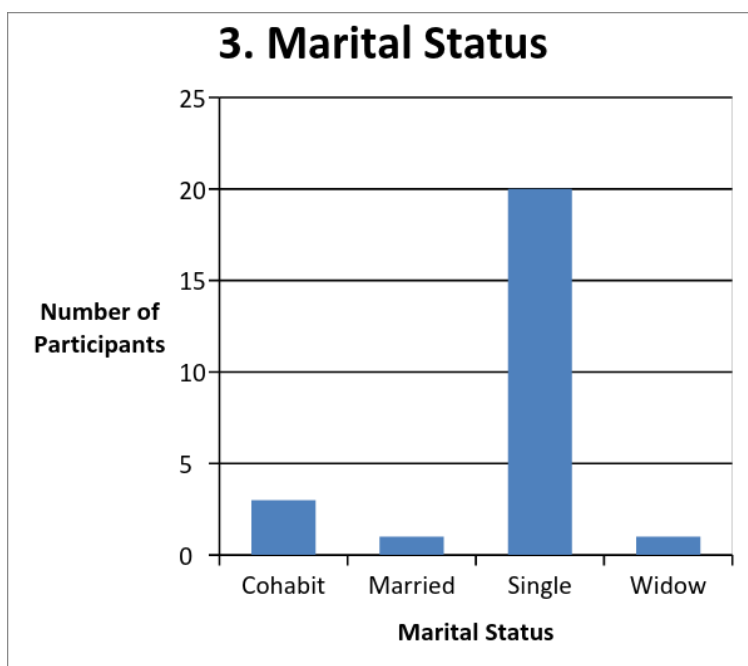
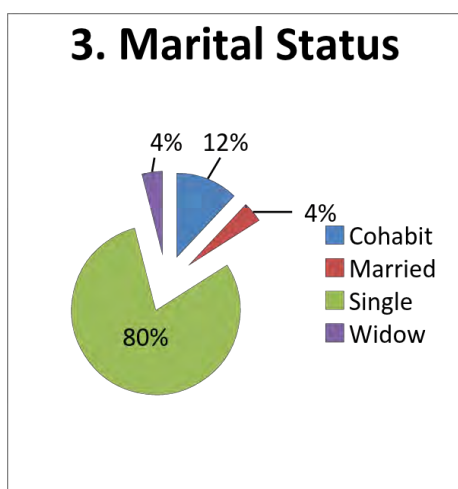
Table One-Gender Self Report



The research's study population is women but three of the women identified themselves as being men. There is no explanation as to why the three women identified themselves as being men.



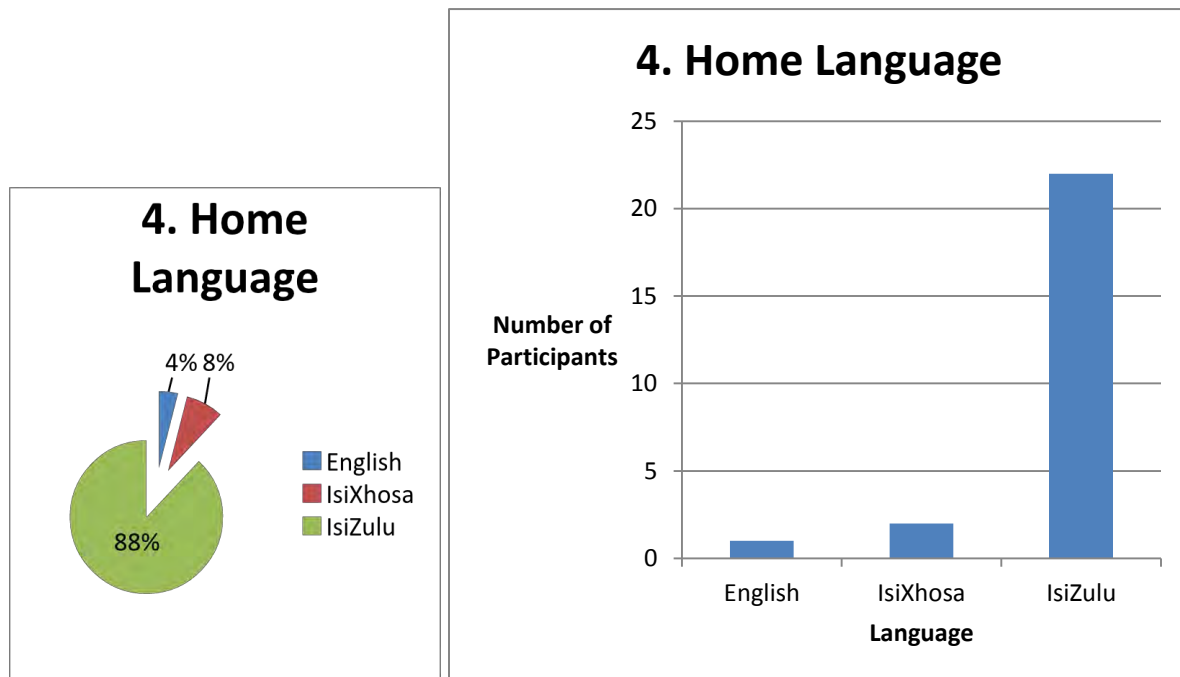
A large number of the participants came from the age group of 19-29. A possible reason for this majority could be that a vast amount of the youth are unemployed or are not going to school. People who are at the age of 19-25 should be in university, looking for employment or are employed.



80% of the women identified as being single although they might have partners but according to the law, one is considered to be single if they are not married. 12% of the participants have a

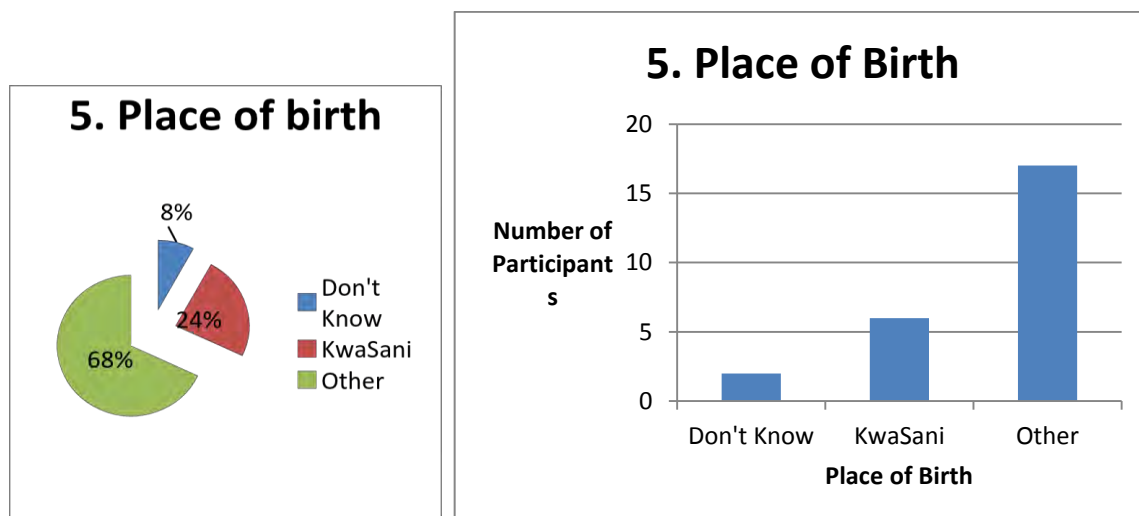
partner with whom they live with whilst 4% of the women are widowed and 4% married.

Language Spoken



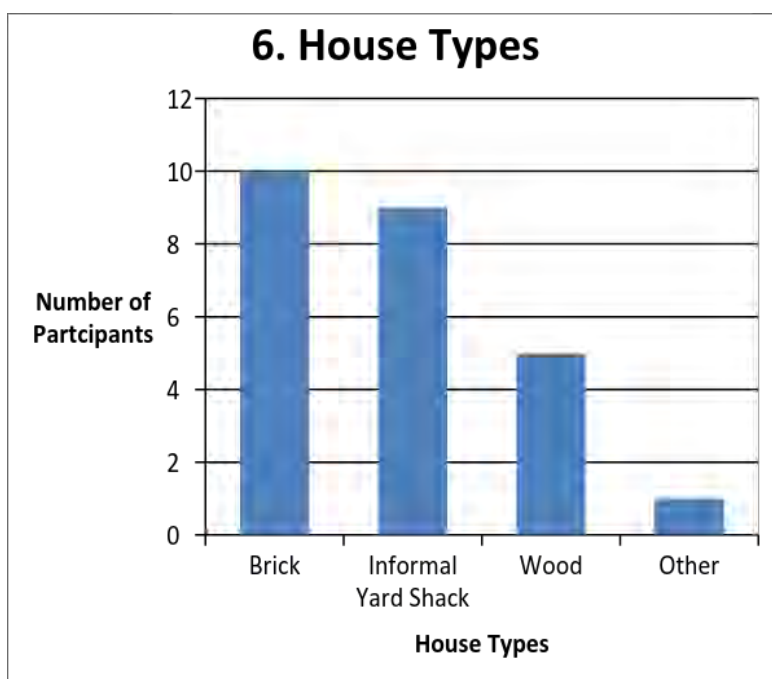
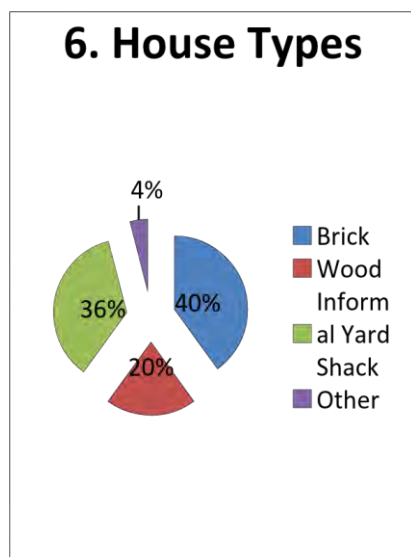
One can see that most of the women's home language is isiZulu followed by isiXhosa. Only 4% of the women reported English is their home language.

Residence



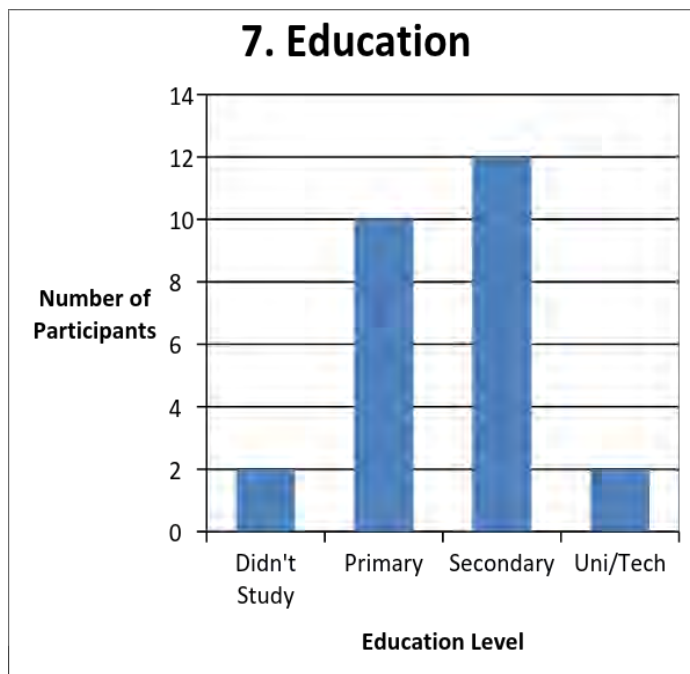
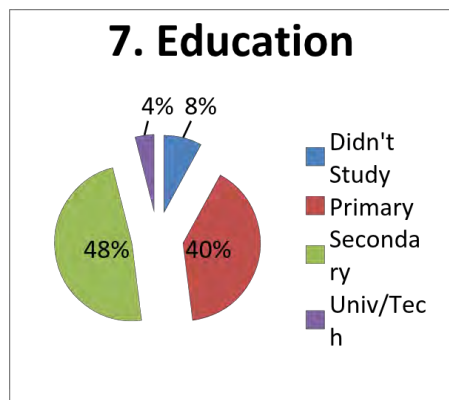
The results above reveal that the majority of the women were not born in KwaSani and that only 24% were born in KwaSani. 8% of the women do not know where they were born. This means

that the women who were not born in KwaSani might have moved there for employment or for relationships, or their families might have moved to KwaSani.

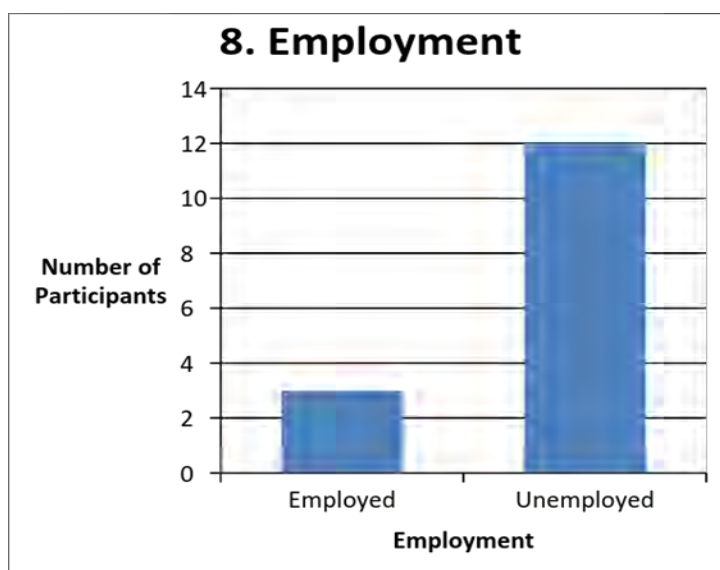
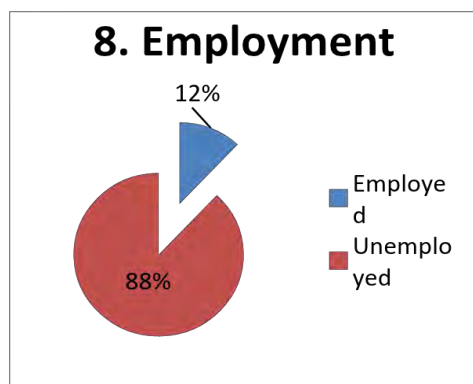


40% of women live in brick houses and that the majority of them live in wood, informal yard shacks or other structures. It is stipulated in section 26(1) of the South African Constitution that “everyone has the right to have access to adequate housing. The government must take reasonable steps within its available resources to provide people with housing and access to land” (www.paralegaladvice.org.za). This means that the citizens of South Africa should have access to adequate housing hence post-Apartheid there was the Reconstruction and Development Programme (RDP) which intended to address the lack of housing amongst other issues. This illustrates that the majority of the women at KwaSani are being prohibited from enjoying their rights which are addressed in the Constitution and in the The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women. Article sixteen of the protocol states that women have a right to access adequate housing. This means that those who are living in informal yard shacks and wood houses should get assistance from government so that they can have adequate houses.

Education and Economic Status



The above results illustrate the education level of the participants and 8% of women do not have formal education. 40% of the women only did not continue to study after primary. 48% of the women have a secondary education whilst only 4% of the women have a university or technical education. In the literature review, it was emphasized the importance of education especially for women because it helps in their development.



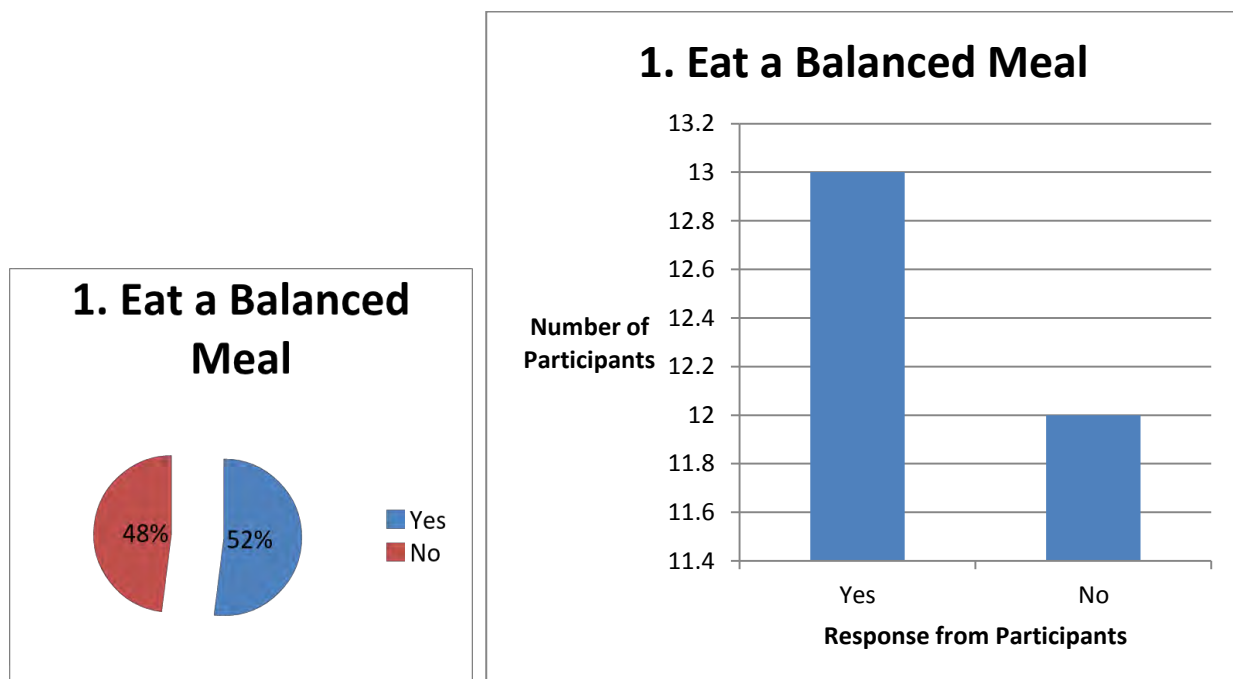
12% of the women said they are employed whilst 88% of them are not employed. Education and employment are intertwined because there is the belief that if one is educated then the person has

more opportunities of being employed. Chart 7 demonstrated poor education levels and this could be the reason why the majority of women are unemployed.

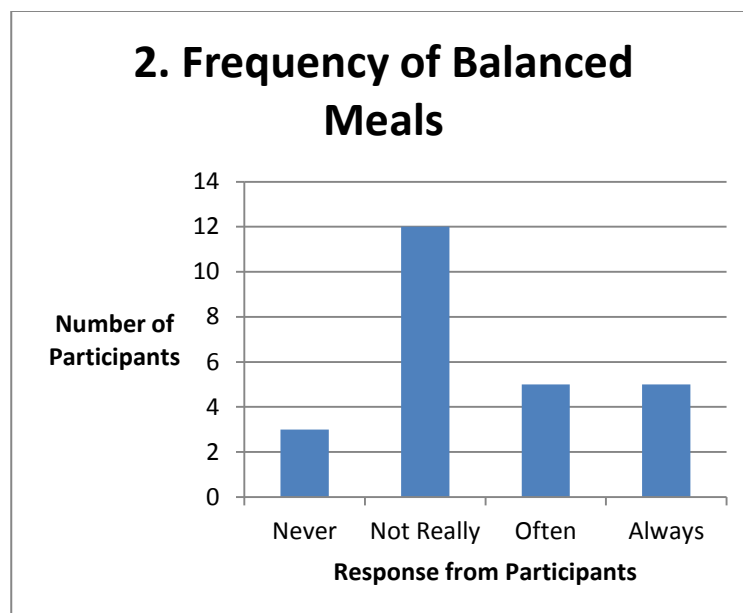
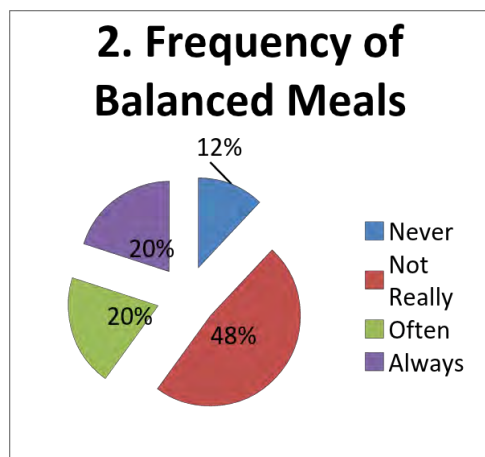
5.1.2 Theme B: Food Security

This section probes for information and awareness on food security. It also looks into women's accessibility to food, e.g. if they can afford to buy food and whether they get assistance and living conditions.

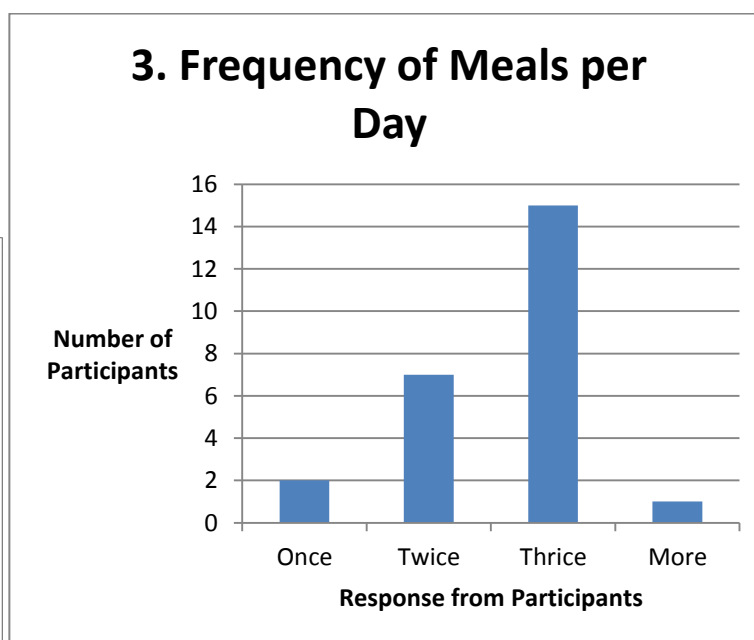
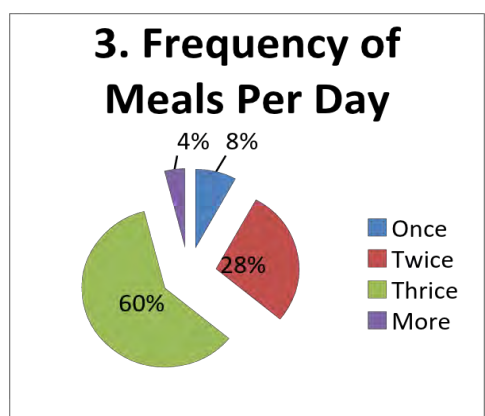
Dietary Information



In the context of this research, a balanced meal means that the women have access to and eat a meal that consists of the all the food groups so that they have a balanced diet. 52% of the women claimed that they eat a balanced meal.

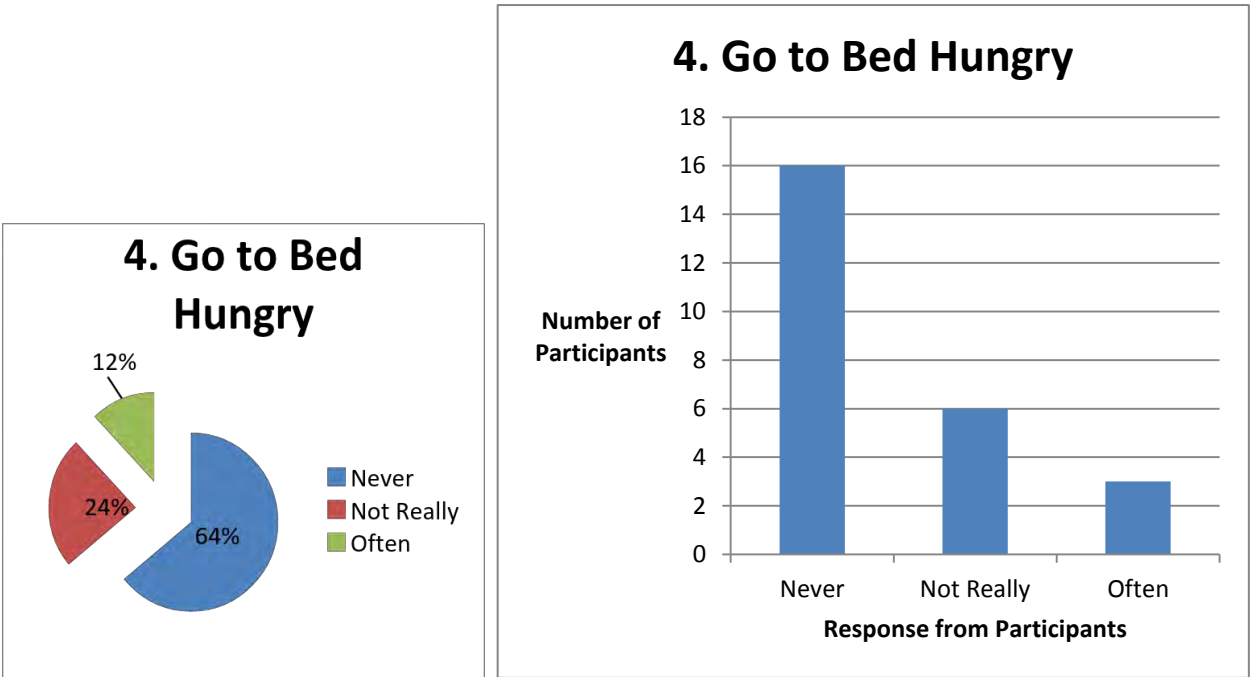


Although the participants claimed that they know what a balanced meal is, 12% of the women said that they never eat a balanced meal and 48% of the women said they do not really eat a balanced meal. This shows that 60% of the women are not eating a balanced meal. 20% of the women said they often eat a balanced meal and 20% of them said they always eat a balanced meal.



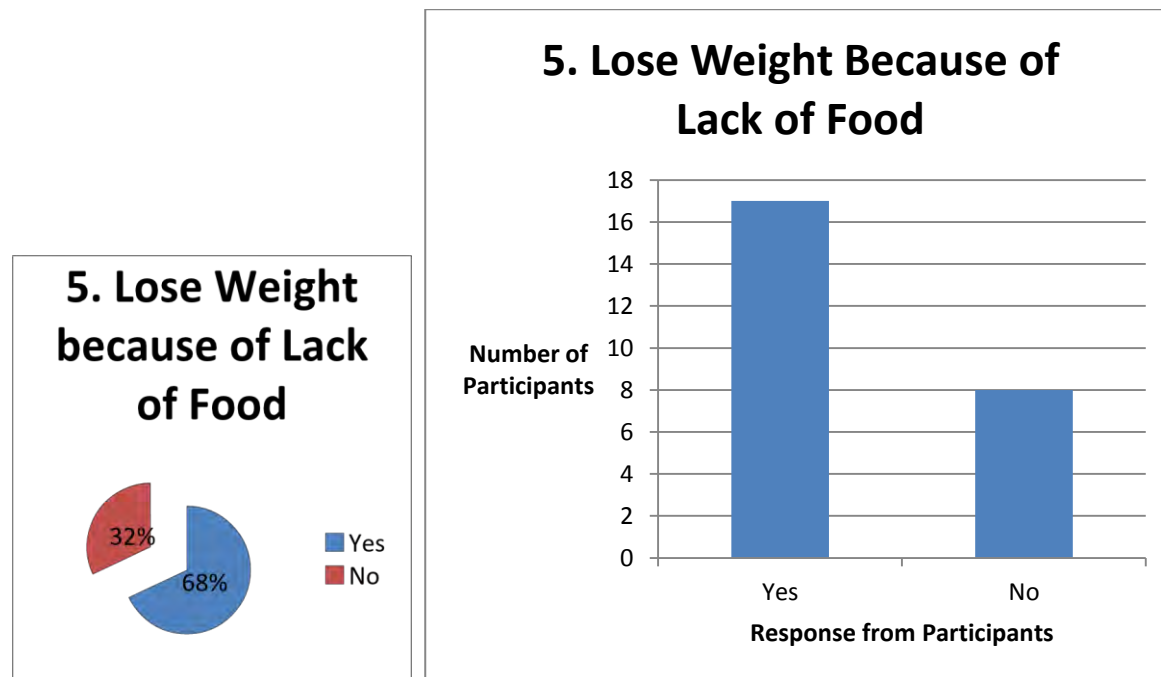
8% of the women eat once a day and 28% of them eat twice a day. 60% of the women eat three times a day as required and only 4% of them eat more than three times a day. These results show

that although there are some financial strains demonstrated on chart 8 of the demographic section, a majority of women are eating adequately.

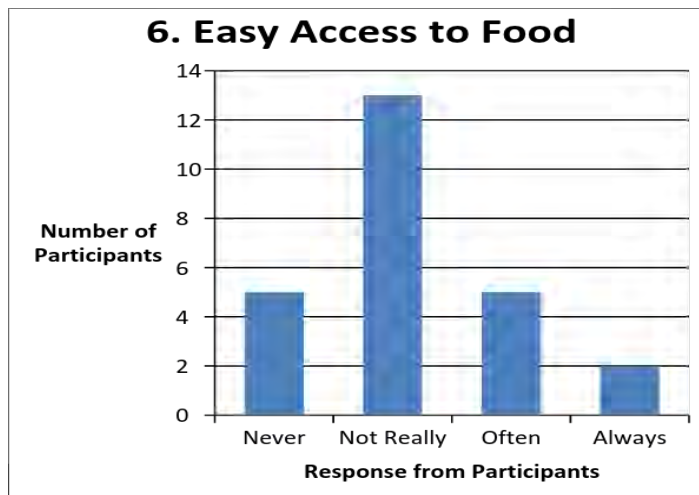
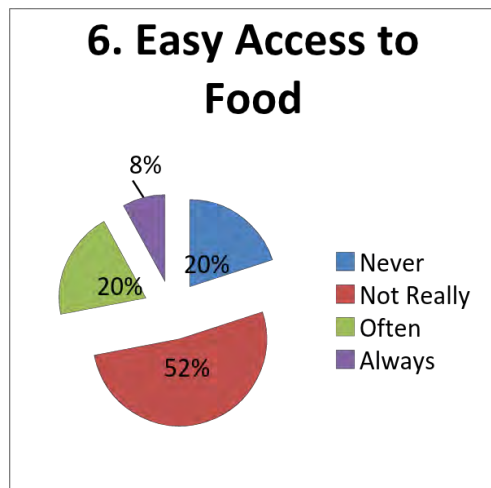


64% of the women said they never go to bed hungry and 24% of them said they do not really go to bed hungry. 12% of the women said that they often go to bed hungry. The positive results obtained from the women about their eating pattern illustrate that even though the majority of women said that they are unemployed they have a consistent eating pattern. The positive results are in accordance with article fifteen of The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women which looks into food security. The article states that everyone has the right to food because food is essential for living.

Accessibility of Food

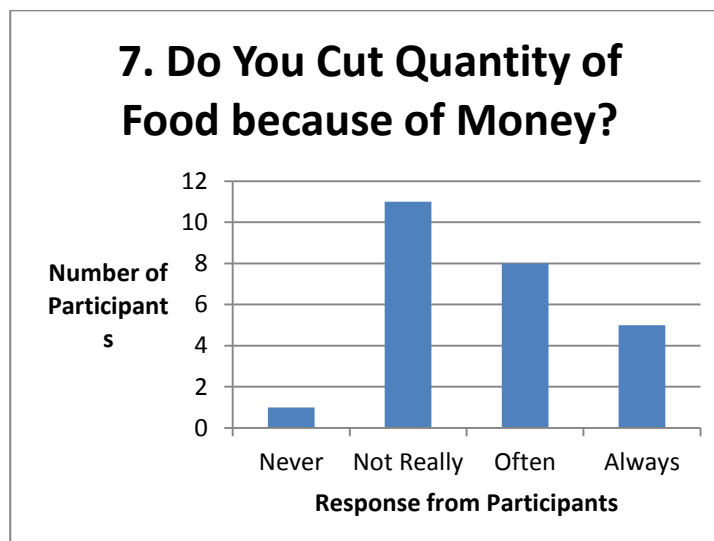
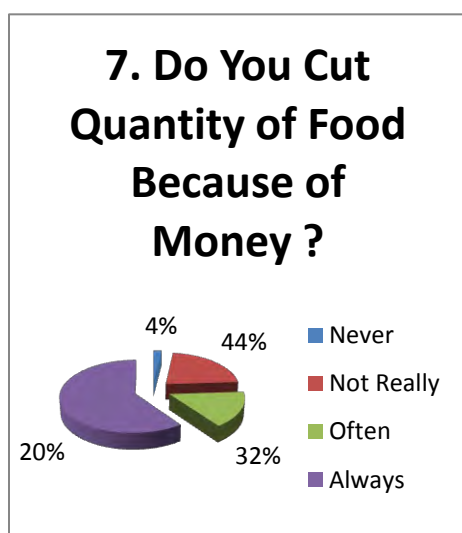


The above results are a contradiction of chart 3 and 4 because in those charts, the results showed that a majority of women eat regularly and do not go to bed hungry. In chart 5, 68% said that they have lost weight because of lack of food. The explanation could be that although they eat regularly and never go to bed hungry, they might not be eating an adequate amount of food. Another factor that needs to be put into consideration is the economic status of the women. The above results showed that they do have access to food but maybe the reason they lose weight may be the limitation of access they have to food because of affordability. This could also make them stressed because they have dependents, which could lead them to lose weight due to a lack of food at home.

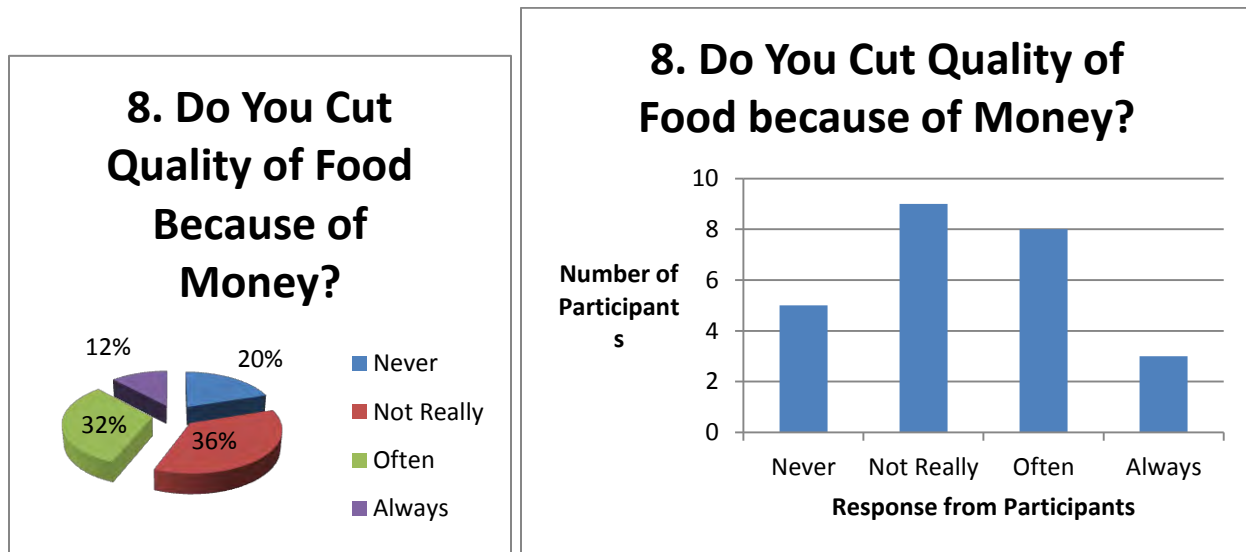


52% of the women indicated that they do not really have easy access to food and 8% reported that they always have easy access to food. The above results illustrate that the majority of the participants are struggling to get food. In this community, there is an issue of accessibility of food even though the women have stipulated that they eat and do not go to bed hungry. The contradiction of the results stems from the women's financial status. They might be eating everyday but buying the food is where their struggle lies. The contradiction of the results is normal because in some cases, family members will make means to ensure that their families are eating every day.

Economics of Food

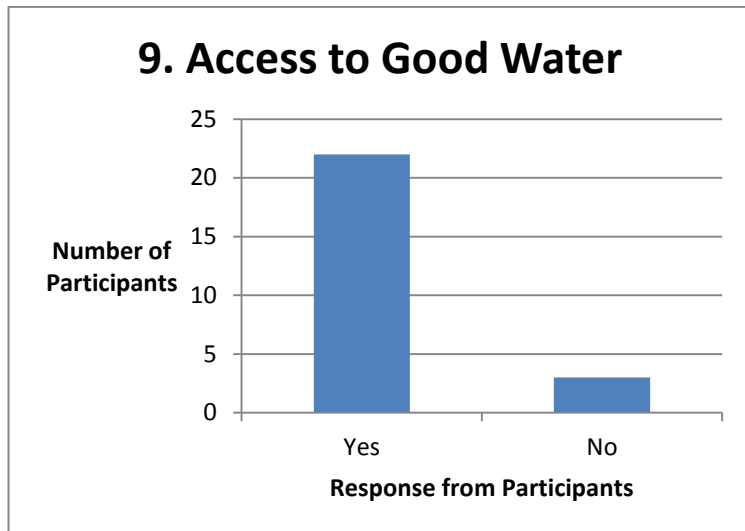
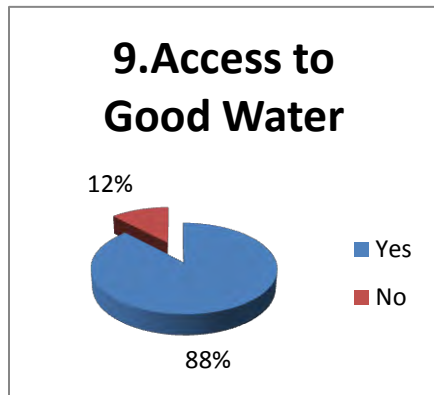


The above results illustrate that the majority of women have to cut the quantity of their food because of money. 32% of the women reported that they cut the quantity of food because of money and 20% said they always cut the quantity of food because of money. It would appear that the majority of women have a financial strain. This supports the argument made above that it is the financial strain which creates some limitation even though the participants have claimed that they eat thrice and eat a balanced meal.

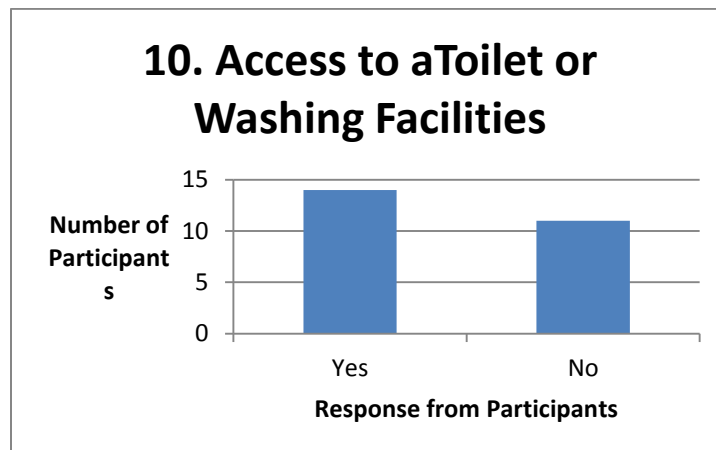
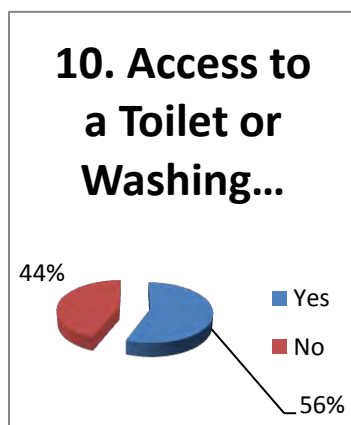


20% of the women said that they do not cut the quality of food because of money. 36% reported that they do not really cut the quality of food because of money. This means that the majority of women do not cut the quality of their food because of financial strains. Although the majority of women have stated that they do not cut the quality of their food, there is no information which shows what kind of brand of food they are buying because they might be buying the least expensive food so there is no need for them to cut the quality.

Sanitation



88% of the women claimed that they have good access to water and 12% said they do not. Chart 6 in the demographics section showed that the majority of the participants were staying in houses that were shacks or houses made out of wood. With this information in mind, one would have thought they had a challenge with accessing good water.



56% of the women stated that they have access to toilets and washing facilities and 44% stated that they do not.

Assistance

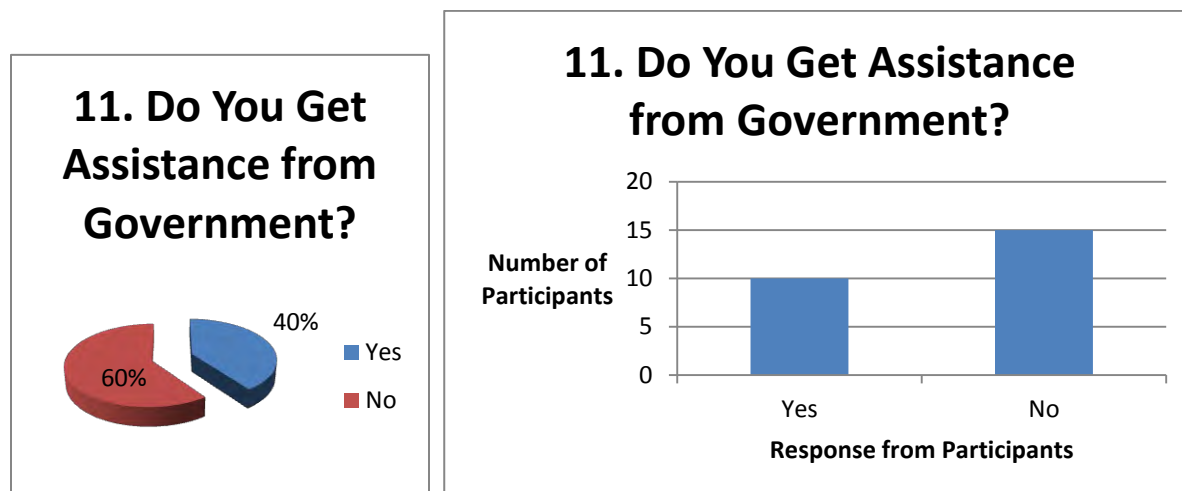
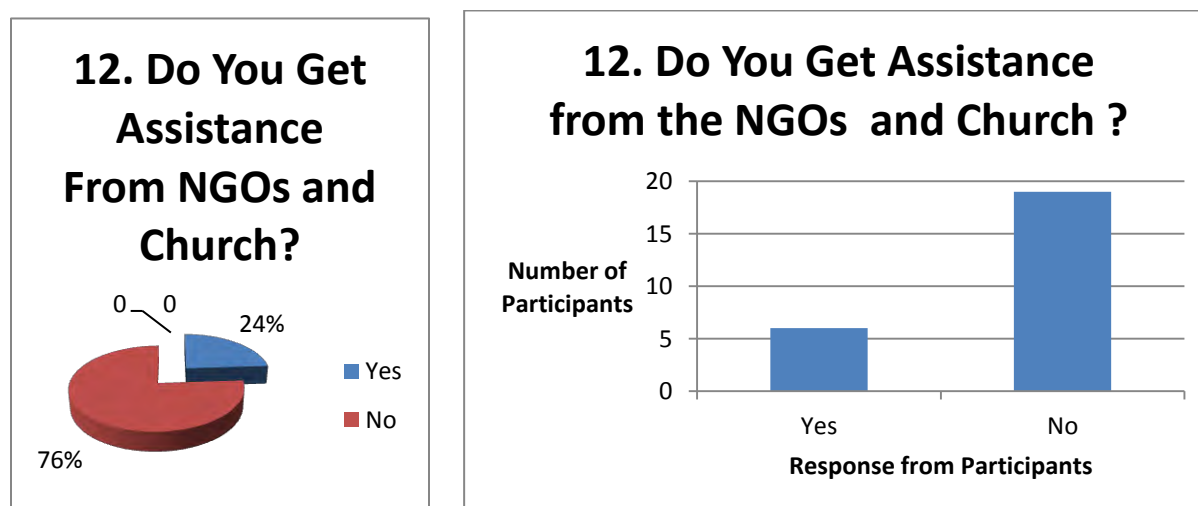


Chart 11 shows that the majority of the women do not get assistance from the government. This is in relation to them bringing food parcels or help in establishing something like a feeding scheme so that there could be a decrease in the struggle that women have when it comes to buying food. Only 40% of the participants receive assistance from government, which is concerning since government has the responsibility of ensuring that all citizens of South Africa have their basic needs and human rights catered for. The results illustrate that government needs to be more attentive to the people it claims it is representing.



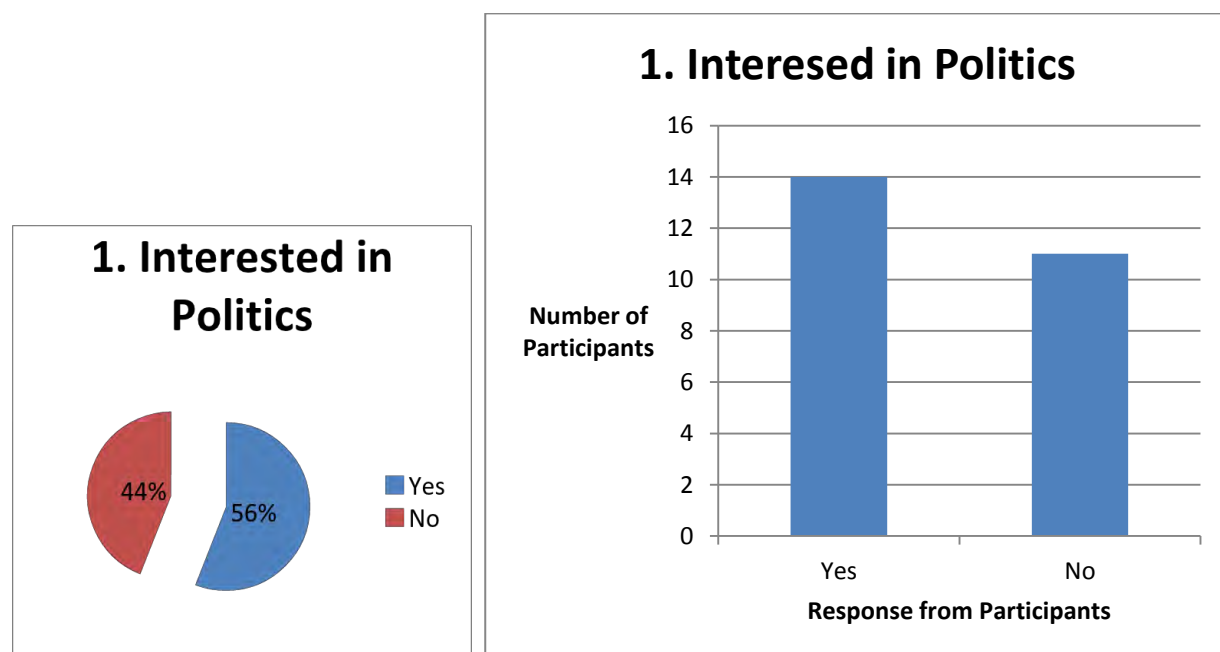
24% of the women reported that they receive assistance from the church or NGOs. 76% of the women said that they do not receive any assistance. This confirms that the majority of the

women are left to fend for themselves. This also means that the role of the church has also diminished. The church's role in society should not be limited to only preaching but should be extended to empowering the society and build society morale. The church used to pride itself in providing basic necessities for a community in which it is based and used to provide educational, health and food service through a community garden. The results above show that the church and NGOs have become less involved in building up communities and providing services that are beyond their duty.

5.2 Theme C: Women's Democratic Participation and Human Rights

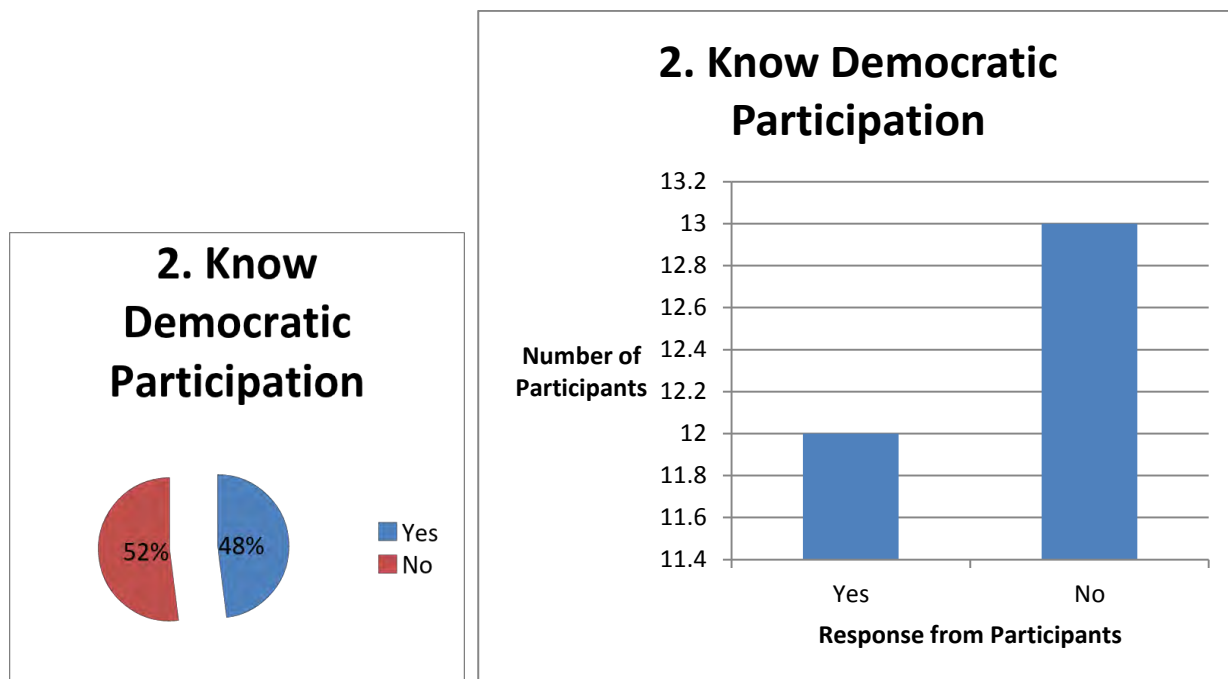
The third section of the questionnaire looks into the core of this research which is about investigating women's democratic participation and human rights whilst the other two sections provide background information about the participants in relation to the general Gcwalisa project. The two previous sections are useful because they contribute in giving a holistic perspective of the KwaSani community which could also influence women's democratic participation and their human rights. In this section, the responses from the questionnaire will be grouped according to sub-themes. The first sub-theme is democratic participation and the second sub- theme is human rights.

5.2.1 Women and Democratic Participation: Women's Participation in KwaSani



The first questions of the questionnaire were about finding out women's political position in the KwaSani Municipality and whether they had an interest in politics or not. There is a perception that people who are from semi-rural areas have little interest in participating in politics because they have things that they may prioritize such as getting employment or they might be disinterested in politics. In KwaSani, 56% of the women said that they are interested in politics. The conditions which the women are faced with, such as lack of employment, food security and assistance from government are prevalent issues within their community and should motivate them to be interested in politics.

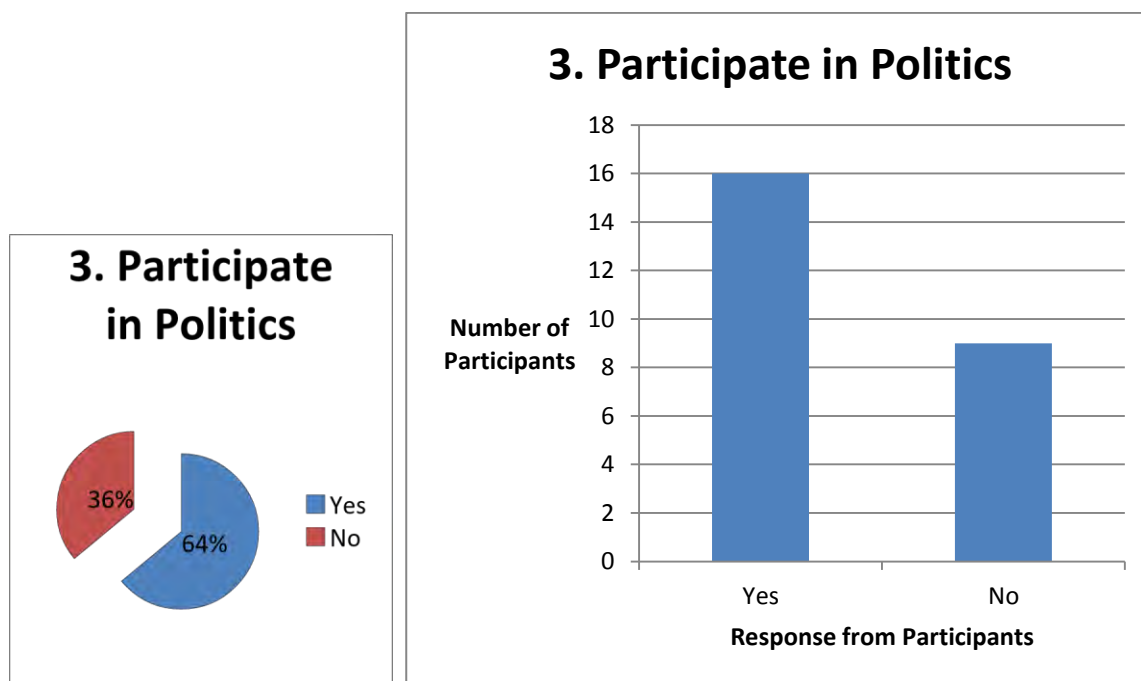
It is to their advantage for them to be interested in politics so that they can know their rights and also be able to challenge their leaders if they are not delivering their services. It is also important for women to have an interest in politics because the political arena is not gender neutral even though the South African government has created a gender commission institution and laws that empower women but men are still dominating.



Women in KwaSani were asked if they know what democratic participation is and whether they participate in politics. 52% of the women said they do not know what democratic participation is and 48% said they do. This shows that the women have a limited knowledge of democracy and how it functions and this is a disadvantage because that means their participation is limited. In

the context of this research, democratic participation meant how do the women in KwaSani mobilize as women or just as members of the community and challenge the problems of their community and also what kind of issues would probe them to mobilize and participate in politics. If women were to be actively involved in their community it would also give them the advantage of knowing the terminology of politics.

It is of major concern that the women do not know what democratic participation is because when one is aware of the political structure and how it operates then they are able to challenge or support it. It is important for people to be politically conscious so that they know their rights and can challenge those governing them by using the correct terminology and procedures. Women in KwaSani need to know what democratic participation is so that they are able to change the current situation in the KwaSani Municipality.



In the literature review explored in chapter two, Cock and Bernstein (2001), Goetz (2003) and Meer (2005) discuss how women can mobilize and participate in politics. The focus was on women who participate in political structures and that gender quotas were introduced to promote the inclusion of women in political space. Although KwaSani is a residential place it can be viewed as political structure because it has a councillor. 64% of the women said they participate

in politics whilst 36% said they do not. It was also evident from the interaction with the participants that although KwaSani is semi-rural, the community does not hold traditional views on the role of women as they were not opposed to being led by women. Their participation is hindered by the lack of knowledge and visible spaces within their community which they can use to participate. The community of KwaSani is not given an alternative manner of engaging in politics apart from communicating with their councillor and the political contestations created strenuous relationship between the community and councillor therefore they feel they have no other outlet to express their concerns.

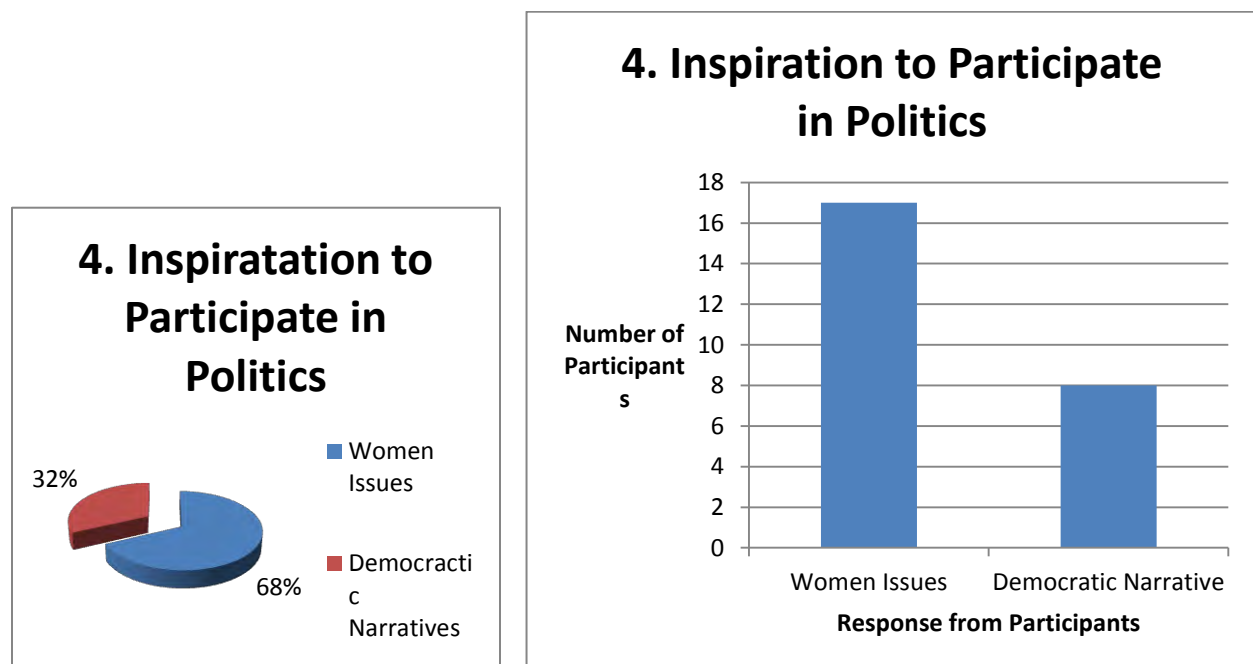
The women who participated in the research complained that they did not have a platform to participate because of the political contestations going on within their community. According to the women, it seems the only visible space for participation is at their community meetings but their participation in the meeting depends on which political party they support. The political contestations in their community sets the precedence of who can participate and who cannot and they stated that the councillor determines who participates and they should be in the same political party as the councillor and opposition party members are not given opportunity to express their views during the community meetings.

In chapter three, various phases of participating such as information gathering and sharing, consultation, policy formulation and decision making and joint implementation were discussed so that they could provide a guideline as to how the women in KwaSani can participate. The different phases of participation discussed would allow women to be able to participate in their community because they would firstly need to be informed about their rights and democratic procedures. Secondly, conduct a meeting where their issues are discussed and this meeting would include their local government and community members. This would then lead to the final stage of a joint implementation whereby the women and the government officials' work together to address the issues raised and the scale of participation would have to be equal for both women and government officials. This process would also give women the opportunity of understanding how democracy works. The above mentioned stages provide a guideline of participating and require that the relevant stakeholders to have a good working relationship.

The local government structure with its functions was also discussed in chapter 3 and how community participation is encouraged. In KwaSani, there is a lack of communication between

local government leaders and community members. The liaison between local government and the community is the councillor. There should be a task team or structure which regularly monitors the actions of the councillor to ensure that community members are participating and not discriminated against because of their political party. This task team or structure would also assist the community in building a working relationship with local government leaders and also provide an alternative way of participating apart from community meetings.

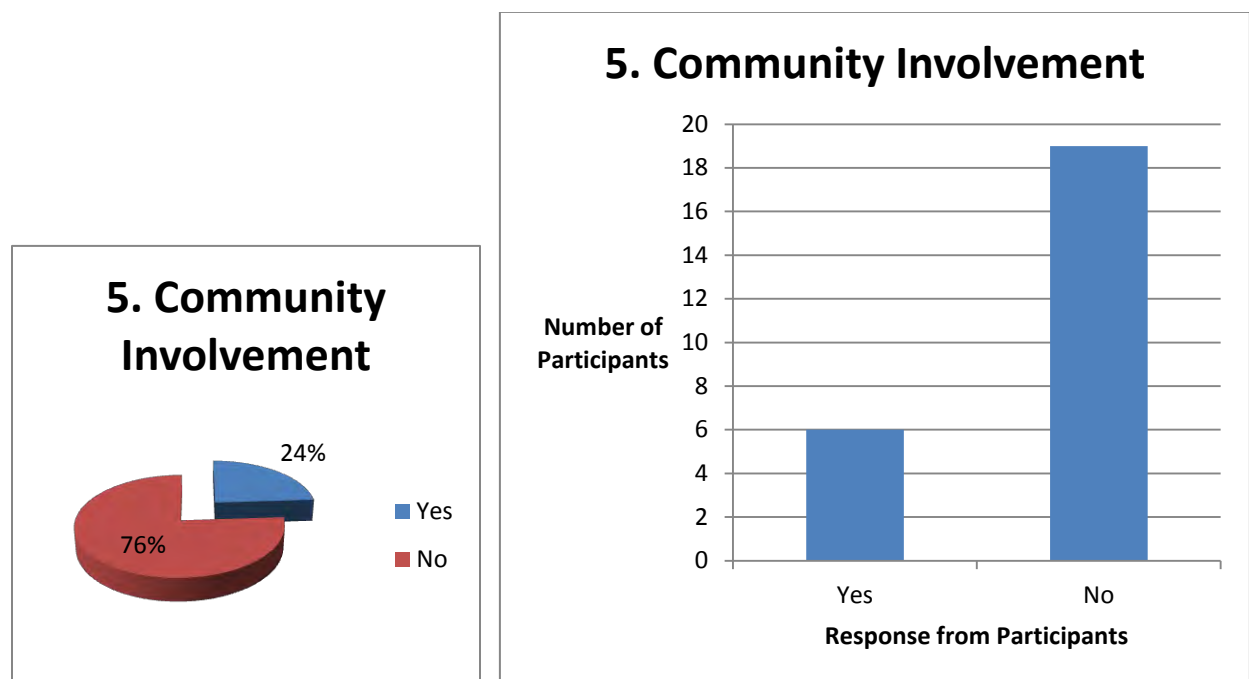
Democratic Narratives or Feminist Discourse



68% of the women said what would inspire them to participate in politics would be issues related to women whilst 32% of the women said they would be inspired to participate in politics as citizens and look at the holistic challenges of people. This demonstrates the battle that exists when it comes to political struggles. In the context of South Africa, there was the assumption that the liberation of people would also guarantee a victory over some of the challenges that women had. This assumption is discussed in chapter two in relation to the formation of the WNC. The quest for women's emancipation is important but as discussed in chapter two, it has been a slow process since decision-making institutions are male dominant and the hierarchal structures of such institutions need to be changed. Women issues and the pursuit of democracy have shown in

the literature review to have been at loggerheads whilst they should be viewed as being intertwined.

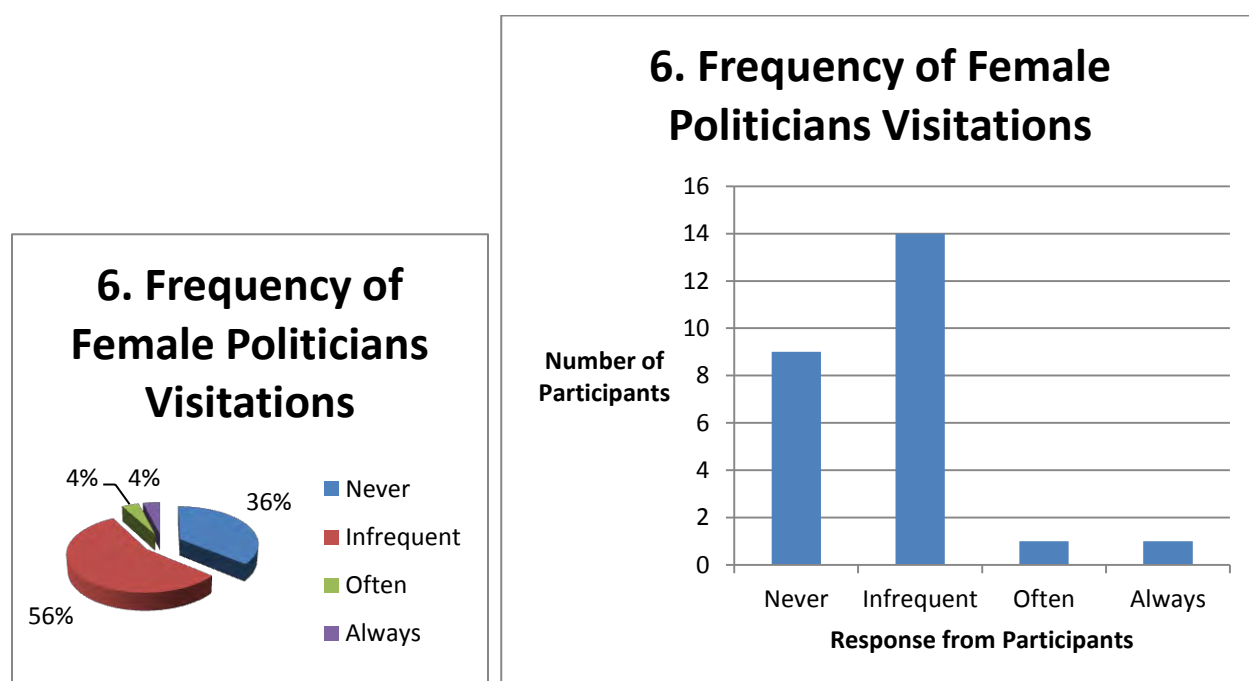
The women of KwaSani are also faced with the challenge of choosing which battle they should fight. The emancipation of women and the community should be considered of equal importance. This also shows that the women are aware about the struggles of women and that there is still more work to be done to empower women. The responses from the women illustrate that there is a need for democracy and empowerment for women in KwaSani because this would allow them to grow within their community.



Although there was a positive response to women having an interest in participating in politics; 76% of the women responded that they were not involved in their community. It is important to note that politics cannot be separated from community participation. Politics is about community development on a larger scale and that it is important for those women who gave a positive response in participating in politics to understand that it starts with developing your own community through questioning and challenging the injustices of the community. Another factor to consider into why the women said they are not involved in their community is because of the political contestations that exist in the community which seem to exclude them from participating in the community.

Women can only participate and receive support from the community depending on which political party one belongs to. The political contestation also means that community members cannot trust each other because they could be doing things for political influence. In such a situation, members of the community are forced to remain neutral to avoid discrimination or conflict and this makes them less involved. If the women want to participate in politics but at the same time, a majority of them are not involved in their community illustrates that they feel that their community is in a hopeless position taking in the political contestations into consideration. The political contestations occurring in the community have hindered women's engagement within their community and this affects how they see political participation and their relations with government representatives.

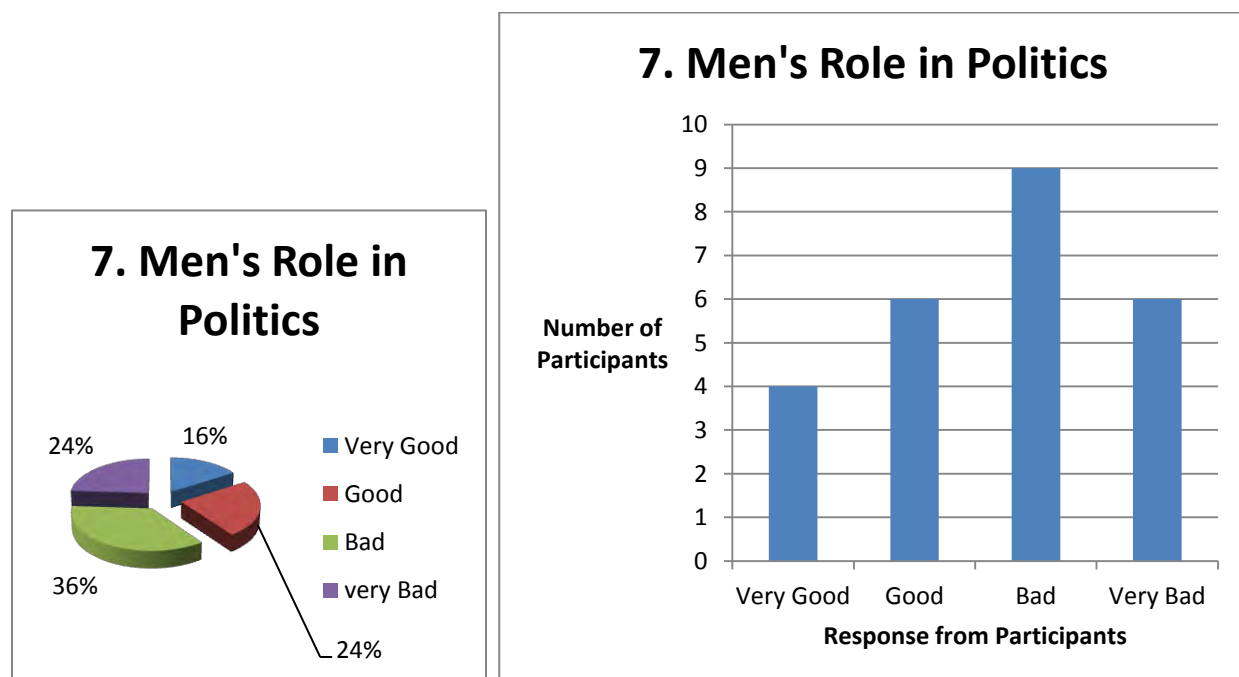
Relationship between Government Officials and Women of KwaSani



36% of the women stated that the female politicians never visit. 56% of the women said that the female politicians' visitations were infrequent. 4% said that they often visit whilst the other 4% said they always visit. It is evident from the results that female politicians are not consistent in their visitations. This means that female politicians are not consistent in consulting with the women which could lead to misrepresentation of women in KwaSani. The lack of engagement between female parliamentarians and the women in KwaSani also illustrates a fragmented

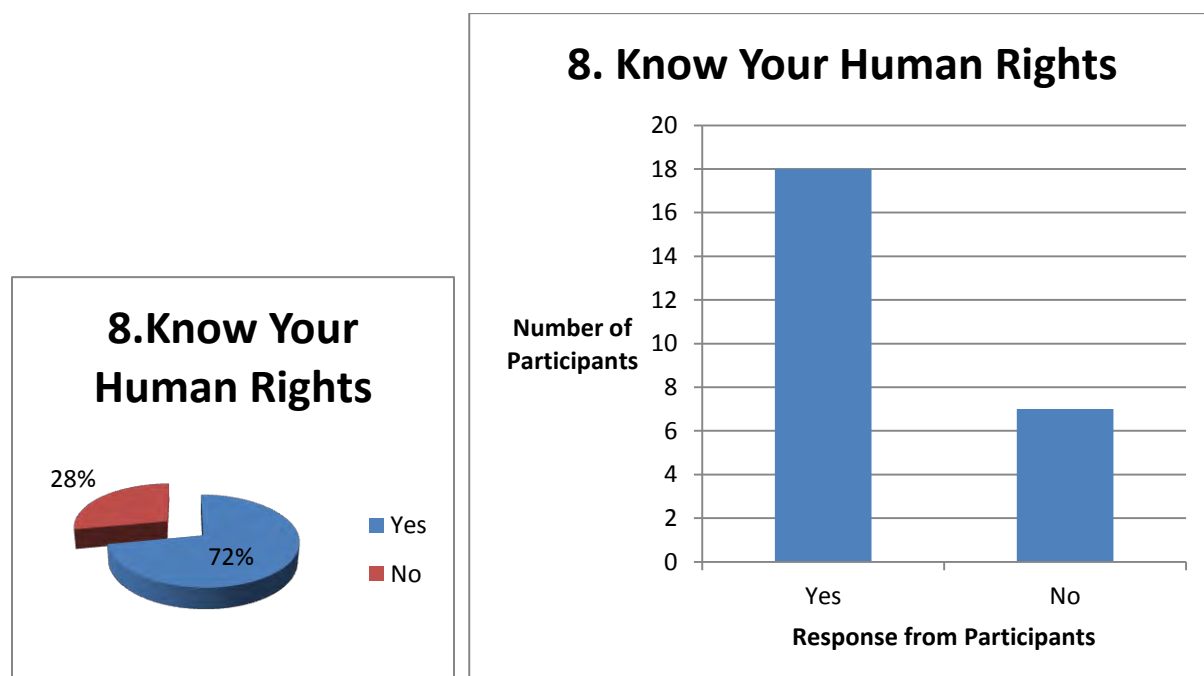
relationship between local government and the women in KwaSani. Their working relationship is strained because of how the local councillor treats them which affects how they interact with representatives of local government. It is also important to acknowledge that female politicians are in a better position socially, politically and economically compared to women from KwaSani which leads to the question of representation. In chapter 2, Mtintso (2003) claims that women are not a homogenous group therefore it is important for female politicians to engage the women from KwaSani to avoid assumptions and give the women the opportunity to participate.

When the women were asked what prevents their participation some said it was because they do not have a representative which means that although female politicians do come to engage with them there is no relationship between them and the women. This could be caused by the positions in which the women from KwaSani are in and the position that female politicians are in. They also feel that there are no platforms which they can express themselves and this is caused by the lack of political awareness. There is also a sense of vulnerability because they do not feel protected and this is important. One cannot freely express themselves in an environment which they deem not to be safe. This means that the women are faced with a lot of predicaments and a lot of problems are brewing



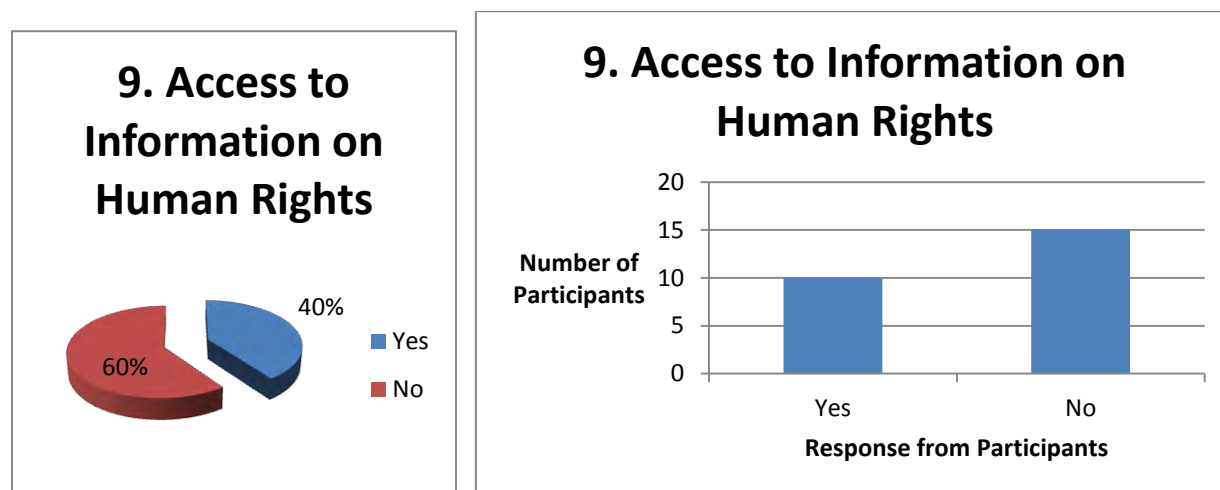
16% of the women think that men's role in politics is very good whilst 24% think men's role in politics is good. 36% think their role is bad and 24% think it is very bad. The discontentment of both female and male politicians shows that the problem does not lie in the gender of the politicians but with their lack of ability to deliver what they promised. The political challenges that are in KwaSani illustrate that their human rights are also not protected and nor are they encouraged to pursue them because if they were being encouraged to pursue them, then, they would know that it is their human rights to have local government representatives that actually represent them and that they do not have to belong to any political party to get service delivery. Although the participants are faced with a lot of challenges, they feel that women need to work together, be educated about their rights and being employed would help them with better participation.

5.2.2 Human Rights



72% of the women claimed that they know their rights and 28% said they do not know their rights. This means that a majority of the participants are informed about their rights. This is also demonstrates that people can know about their rights but still live in communities where their rights are being violated. It is not sufficient to know your rights but do not have visible and operational structures which can help you address matters of violations. Women in KwaSani

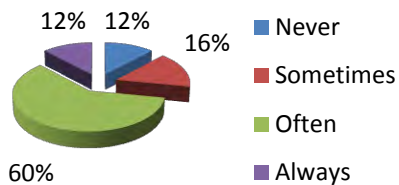
need to be made aware of the local government structures and their functions and also be informed on their rights so that their knowledge is broadened outside the borders of their community.



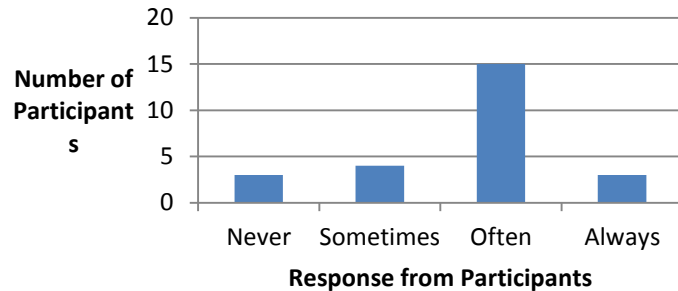
60% of the women reported that they do not have access to information about their rights whilst 40% reported they have access to information. The lack of access to information about their rights has affected the participants tremendously because it has prevented them from challenging their leaders. In graph 8, most of the participants claimed that they know their rights but there is also a lack of venues where they could assess information on their rights because such venues would provide detailed information on their rights and also ways in which they could use the information to their advantage.

In the case of the KwaSani community, the people are caught in between the political parties' battles and they are left to fend for themselves with little or no assistance from the government, so the first people violating the human rights of the people of KwaSani is the government and its representatives by not providing service delivery for the people. The participants were of the view that for them to get service delivery they had to vote for a particular political party. They were also not aware that it is their right to get service delivery regardless of the political party that they voted for or belong to. The lack of information has fostered an environment in which they can be abused and not be able to report the abuse.

10. Information on Human Rights Helpful

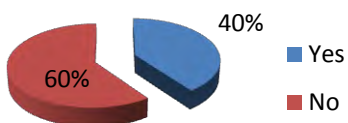


10. Information on Human Rights Helpful

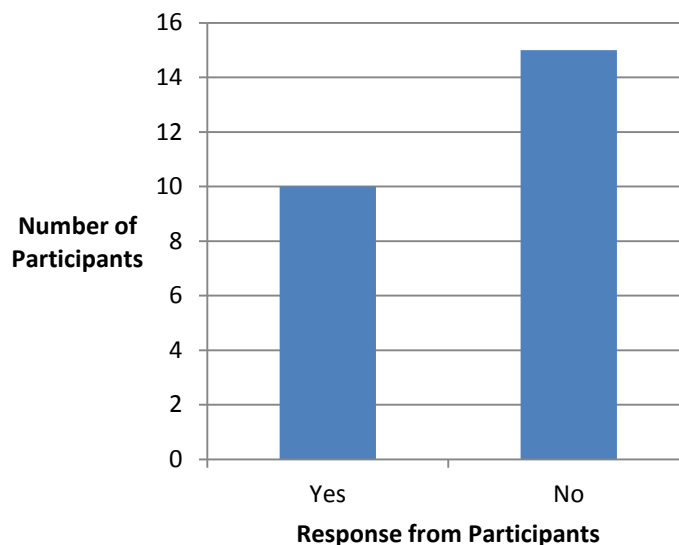


The majority of women seem to think that being informed about your human rights is helpful. 12% said that it is never helpful whilst 16% said that it is sometimes helpful to know your rights. The women who claimed that it is not helpful to know your rights might be coming from a position of powerlessness because if one looks at the conditions in KwaSani, it is possible for one to think that whether one is informed or not, it will not make a difference.

11. Rights Violated



11. Rights Violated



40% of the women said that their rights have been abused whilst 60% said their rights have not been abused. The situation in KwaSani is complex because the women say that they know what their rights are but they also do not have accessible information about their rights. If the women

know what their rights are, why are they still living in a condition which violates their human rights and human dignity? The answer might lie in the fact that there are different types of rights; there are political, cultural and social rights. The types of rights that are emphasized mostly are one the ones that focus on the individual such as the right not to be abused in any way or to be discriminated against because of gender, race or ethnicity but political rights are hardly emphasized upon because government knows that it is a threat to them. Women need to be informed about their political rights as well so that they are not abused by political parties and do not have to be manipulated by being told that they will not get service delivery if they do not vote for a particular political party.

5.3 Focus Group

The focus group began with a presentation from the researcher. The presentation was about the information that the researcher had obtained from the women's answers in the questionnaire. The purpose of the presentation was to initiate conversation with the women so that the researcher would have a better understanding of the women and community.

5.3.1 Women's Feedback

There were some new women in the focus group who had not participated in the questionnaire phase and they were encouraged to participate in the focus group.

5.3.2 Political Tension

Chapter two and three look at different ways in which women can participate. Chapter two looked into how women who are part of political structures such as parliament or in political parties participate in those structures. Cock and Bernstein (2001) looked into women's mobilization and how important it is for women to mobilize themselves in pursuit of being included and to participate in political structures. Goetz (2003) discussed the role of the quota system and how it may increase the number of female parliamentarians does not equate to them having a substantive participation. Chapter three, which is the theoretical framework, discussed participatory democracy and the different ways in which women can participate. This was done so that women's democratic participation in KwaSani can be contextualized.

The women in KwaSani are in a complex position because they are not part of a political structure as parliament but that does not mean that they cannot find ways of participating. Finding ways of participating within their community will demonstrate that political participation is not only limited to political structures. Another factor to put into consideration is that the women think that their participation is limited to their community meeting and there are no other means of participating. The community meetings held by the councillor are the only platform in which women can discuss matters but even those are not tolerated if they oppose the councillor's views. Most of this information was revealed through the focus group discussion.

In the focus group discussion, the women were asked what would make them want to leave KwaSani and the answers that they gave were motivated by the political and economic tension that exists at KwaSani. The political tension exists because of the rivalry between the ANC and the DA. One of the women mentioned that if someone is wearing a t-shirt from a particular political party they might get harassed. Another woman claimed that she feels excluded from the community because of her grandparents' decision to support a certain political party. The political frustrations that the women are challenged with have made them feel oppressed because they cannot publicly illustrate which political party they support; if they do that then they will not get some services which there are supposed to get regardless of their political affiliation.

Political intolerance in KwaSani is a matter that needs to be attended to because it has gone to the extent that it deprives certain community members the right to vote. The procedure that was used to vote for their local leaders was unconstitutional because only known members of a certain political party were allowed inside the voting marquee. This illustrates that the political rivalry and intolerance limits women's democratic participation because if they are not in a political party that the majority of people support then their participation is limited. The political intolerance that the women have mentioned illustrates that women from opposing parties cannot exercise their right of participating in their community.

Everyone has the right to democratically participate in the country in which they are a citizen and what is happening in the community of KwaSani is a violation of the women's human right to democratically participate in their community. KwaSani also illustrates that participation depends on which political party one supports. The information provided by the women shows that most of their troubles are politically associated and that is the root of their political

exclusion. The political intolerance and exclusion has prevented the participants from enjoying the fruits of democracy which include freedom of speech and the right to choose any political party without fear and live a life without intimidation. Section 15 of the Constitution states that everyone has the right to freedom of speech. Section 19 states that “everyone has the right and is free to make political choices, such as the right to join any political party” (www.paralegaladvice.org.za). KwaSani and the political challenges that they have, show that political struggles are not only for government officials but that ordinary people in their communities can also have them. This then leads to the point that it is not enough for people to know that they are free and that everyone is equal but they must feel that they are free and that everyone is equal. This is why everyone must be able to participate in their community because democracy is built through equal participation of people. All that has been mentioned above are acts of discrimination and in South Africa no one should be discriminated against because of their gender, ethnicity, race and political affiliations. The situation at KwaSani has made it difficult for women to participate.

5.3.3 Human Rights

Socio-Economic Status and Food Security

In chapter three, Ebeku (2004), Musa (2006) and Nsibirwa (2001) discuss different articles of The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women and how those articles seek to improve the lives of women. Article thirteen speaks about economic and social welfare Rights and article fifteen talks of the right to food security and one of the challenges that women are faced with is food security and lack of assistance from the government, NGO and the church.

One of the major challenges that the women are faced with is the lack of employment opportunities. 88% of the women reported that they are unemployed and they fall under the low economic status category. This high percentage of unemployed women is alarming because the majority of women who participated in the research are labelled as being youth because in South Africa, one is considered to be youth from the age of fourteen to thirty-five. “The national Youth Policy defines youth as any persons between the ages of 14 and 35 years. This is a very broad definition of youth. It is a definition that embraces varied categories of the youth, which have

been exposed to different socio-political and historical experiences” (www.sarpn.org). 64% of the women are under the 19-29 age group and 24% are under the 30-45 age group. The results illustrate that most of the youth are unemployed and according to article thirteen promotes economic independence of women which means that the government needs to create job opportunities that the women can benefit from.

The women claimed that people from outside their community are brought in to work in places where the people from KwaSani should be getting first preference. They made an example of a company that was looking for cleaners but people from Khilimoni were chosen. There was also a problem of corruption. People had to bribe to get jobs and they had noticed that particular family members were getting jobs from bribing. The lack of employment has many aspects to it because apart from outside people being brought in as well corruption issues, there is also a gender imbalance aspect to it. The participants mentioned that men have a better chance of being employed because they can provide hard labour. There are laws in South Africa which prohibit employment based on gender. The contracting companies should employ people on the basis of their experience and qualifications and not assume that women cannot do hard labour. The protocol also speaks about discrimination and how women should not be discriminated against because of their gender.

Article two of the protocol talks about the elimination of discrimination against women. The women of KwaSani were discriminated against when people from Khilimoni were chosen over them and they were given no explanation as to why they were not chosen. They are also being discriminated against when men are chosen over them because it is assumed that they can't do hard labour. Section 9 of the South African Constitution stipulates that “neither the state nor any person can unfairly discriminate against someone, either directly or indirectly” (www.paralegaladvice.org.za). The high percentage of unemployment contributes to the women's lack of accessibility to food.

Although most of the women are not employed; most of them receive a government grant which helps them to survive. The women reported that they use it to buy food. They also said that having a boyfriend that stays with you is also helpful in terms of getting food because the boyfriend will play the role of the provider. The lack of employment which has led women to struggle to access food has made them to be dependent on their boyfriends because he is playing

the role of the provider. It is important for women to be independent so that they can be self-reliant and be able to provide for themselves. In the literature review, La Strada International (2008) states that economic independence gives women less opportunities to be vulnerable because some women stay with their boyfriends even though they are abusive because they are financially dependent on them. Their economic status has also limited them from where they can buy their groceries.

The women claimed that they buy their groceries at the local container because it is cheaper than going to buy your groceries at the local supermarket. The local container provided food at a cheaper price but the local leadership of the community had a problem with this which led the people to mobilize against the decision of the local community leadership. The local leadership should have consulted with the community members because the local container was providing them with food at a cheaper price. It was to the advantage of the women because majority of them are unemployed so access to food is a challenge. The problem in KwaSani is not food scarcity but financial restrictions which limit them from affording to buy food because they are unemployed.

The women also mentioned how some of them had lost weight because they are unemployed and cannot afford to buy food and whenever they have food, they have to first feed their children before they feed themselves. They also cannot afford to pay school fees for their children who are still in crèche. The crèche fees are R100. This illustrates that the women are struggling to survive because R100 is a small amount to pay for fees.

The parents' ability to afford schools is to some extent infringing their children's right to education. Section 29 of the Constitution states that "everyone has the right to a basic education, including adult basic education" (www.paralegaladvice.org.za). The results also illustrated that women had poor school levels because only 40% have primary school education whilst 48% have high school education and 4% have university education. The poor levels of education are concerning considering that the majority of participants are categorized as youth.

Violence

Violence is a phenomenon that exists in almost every society but in KwaSani it has manifested itself through rape and crime. The women claimed that there is a particular path that they use

when they are going to buy groceries and that is where women tend to get raped. There is also the problem of crime. The women said that the reason there is crime in their community is because they are unemployed and have to steal so that they are able to survive. The participants said that it is both women and men who steal and that sometimes they will steal clothes which have been left to dry and go and sell them. The community of KwaSani is riddled with a lot of challenges apart from crime and rape. The community decided upon a forum to oversee disputes such as fighting but it does not deal with matters such as rape. One leader of the forum was removed because he visited a particular leader who is associated with a certain political party. This illustrates that the political rivalry prevents participants from participating in their community even though their participation might help the community to strive.

The community of KwaSani has a safety and negligence problem because the participants mentioned how they send their children to the local crèche but the children are not cared for. The crèche owner sends the children to the local shop even though there are mentally challenged men who are walking around the community. The first mentally challenged man stays with his mother who is an alcoholic and he goes around attacking children. The other man attacked one of the ladies during the focus group session. He had gone to her house and demanded food. Women said the causes of these men to be mentally challenged are because of unemployment, dagga, and HIV. The women reported that they are scared of the men in the community because most are unemployed and have resorted to crime and being abusive. Structural violence is also a phenomenon that is occurring in KwaSani because the women's rights are being violated systematically. The fact that their local government has not addressed the issues of women from KwaSani shows that those who are in power have changed the political system to work for them and have ignored what the protocol states about violence against women.

Article four of the protocol focuses on the rights to life, integrity and security of the person. The aim of this article is to address any harm caused on women. "This article recognizes the right of every woman to her bodily integrity and security both in public & her private life. States Parties shall enact and enforce laws to prohibit all forms of Violence against Women (VAW) in private or public" (www.eassi.org). The information that the women gave shows that rape is one of the violent acts that occur in their community. The women did not elaborate on the reasons on why rape is occurring in their community because in the literature review, Copelon (1995) and Brown

(2012) claim that rape is a symbol of male domination and seeks to demonstrate power. In the focus group discussion, the women did say that the men felt powerless because they are unemployed and that made them to be abusive toward women. One can infer that their unemployment has resorted to men wanting to demonstrate their power through abusive actions and this could possibly be the reasons behind the rape attacks

KwaSani is a semi-rural area and one of the aims of this research was to investigate whether there are any cultural customs being practiced which cause harm on the women's bodies. The women did not express any cultural practices that violate their human rights. It seems as if the only violent acts that they are concerned about are rape and crime. Rape and crime affect women's lives because it shows that they are not safe and their right to life is being compromised. This also affects article three which talks about dignity. "This article recognizes the right of every woman to be treated with dignity, her right to develop her personality and protection from exploitation and degradation" (www.eassi.org). It is evident from the information expressed by the women that life in KwaSani is a threat to their dignity because of how their participation is limited, economic restraints and the violence that occurs in the community.

Chapter 6- Conclusion and Recommendations

6.0 Introduction

This chapter aims to summarize all the information gathered from the previous chapters, to provide some conclusions and also propose recommendations to the problems that arose from the research. The main focus of the research was to explore women's democratic participation and human rights in KwaSani Municipality. The main themes that are discussed are democratic participation, human rights and the relationship between the community members. The themes provide a synopsis on the information obtained from the research.

6.1 Democratic Participation

It is evident from the information that political participation and democracy are not flourishing in KwaSani. In chapter three, it was discussed that democratic participation entails equal participation of those involved in the community and that it encourages people to mobilize, question what their leaders about their decisions as it will also affect them. The lack of knowledge about other means of participation apart from community meetings in KwaSani is hindering women's participation. This is why in chapter three; there were different phases of participation that were discussed so that participation is extended to people who are not members of parliament.

The first phase of participation is information gathering and sharing. This phase is crucial for the women because it highlights that they need to mobilize amongst themselves and discuss their challenges as well as any information that they know which could advance their fight. The above information has illustrated that one of the disadvantages of the women is their lack of information on democracy and participation and that has created a platform for their democratic rights to be abused. In table 2, of the democratic participation, 52% of the women claimed that they do not know what democratic participation and 48% said they do. The 48% of women who are knowledgeable about democratic participation have the responsibility of informing those who do not know so they can mobilize and everyone will know what the procedure is and also ensure that they create an impact. In this phase, they draft all the challenges that they face so that they can compile it into a report. By so doing, they will be avoiding the top-down approach where

those in local government address people without knowing their concerns. This will also put them at an advantage when it comes to the consulting phase.

56% of the women claimed that female politicians' visits were infrequent. This illustrates that the discussions between women of KwaSani and female politicians rarely occur. This creates a problem because in KwaSani, they can only discuss matters during the community meeting which is led by the councillor who only supports arguments which support her views. The consultation phase is important because the women in KwaSani would have the opportunity to engage politicians and also create responsibility for the politicians to ensure that their demands are met. The report that they would have compiled would allow the discussions between the two groups to have direction. The lack of interaction between politicians and women of KwaSani illustrates that a top-down approach is being used.

In chapter three, the top-down approach was described as being the disseminating of information from local government officials to the citizens. According to Koryakov and Sisk (2003) the disseminating of information can be passive or active. In the case of KwaSani it can be said that it is passive. It is passive because of the infrequent visitations therefore there is no active communication between the two groups. The top-down approach is also dangerous because the politician's understanding of the women's struggles is from a position of assumption or their struggles are standardized. Mtintso (2003) claims that women should not be categorized as a homogenous group. Female politicians should not group women from KwaSani as being similar to them because, they are in a better position economically, socially and politically compared to the women of KwaSani. This highlights how important it is for the consultation phase to occur so that there is better representation for the women of KwaSani. Female politicians have a certain privilege that the women of KwaSani do not have so it is important for them to have frequent visitations so that the struggles of women in KwaSani are addressed. There need to be a bottom-up approach during the discussions between women and female politicians because that is how the women will be able to participate and the female politicians would have to inform them about procedures that will be taken to address the issues. This is the only way representation can occur and joint decision can be reached. The lack of visitations has affected the other two phases of participation.

The remaining phases of participation are policy formulation and decision making and joint implementation. These phases can only occur if the two phases have occurred and in the case of KwaSani, the above phases have not occurred because the information that the women have provided shows that they have not been able to mobilize amongst each other because of political party affiliations which have divided the community. There is also limited interaction between female politicians which then affects the consulting phase which requires both groups of women. The women in KwaSani need to be informed about local government and its function which could assist in neutralizing the power that the councillor has and this would be another way of participating.

In the literature view; Francis (2009) and Goetz (2003) discuss the quota system as a means of promoting women enrolment and participation in parliament and according to Act 1998, in a community such as KwaSani, the ward committee must comprise of women representatives. The ward councillor in KwaSani is a woman who has centralized her power and limited women's participation in the community by marginalizing those who have opposing views. The results reported that 76% of the women are not involved in the community. It was also interesting that 64% of the women said they are members of political parties, women organizations and NGOs yet they were still not involved in their community. This illustrates that the women's organizations, political parties and NGOs have not disseminated information to the women on how to participate and empower them with knowledge. Although there are political contestations and lack of community participation, the women did illustrate an interest in politics.

68% said what would inspire their political participation are women related issues and 32% said that it was democratic narratives. This shows that women are interested in politics and they know what they would like to pursue but the political rivalry has created a community which is driven by a few and certain individuals are marginalized. One can infer from the information provided by the women that political discourse is not encouraged and that participation is determined by the councillor. This is evident by the manner in which the councillor treats the community members. Although women's political participation has been hindered, male domination does not seem to be a factor.

In the literature review, Young (1997) claimed that male domination is one of the means which hinder women's participation and the fact that KwaSani is a semi-rural area, there was the

perception that their participation would be hindered by the traditional views of what the role of the woman is. The councillor of KwaSani is a woman and 56% of the women reported that women have the potential of being leaders so that demonstrates that the women do not feel prohibited by their gender to participate and that the community is also open to being led by a woman. 60% did report that they were not impressed with the role of men in politics. The fact that KwaSani has a female councillor shows that the community is open to being led by women but the community also has challenges of unemployment and this could also be a reason as to why they do not participate because they would rather focus on getting jobs. There is also the issue of the political contestation going on within the community which the respondents spoke about. They claimed that the one needs to hold similar views as the councillor and be in the same political party as the councillor in order for one to participate. During the discussion, it was also evident that the participants have limited information about their rights and this also affects how they approach the issue of participation because they do not know how to approach the matter and this is why 76% of the participants are not involved in their community. During the focus group discussion, the participants felt that their personal situations of being unemployed, lack of delivery services and political contestations left them in a powerless position and that there is nothing that they can do. The women expressed that they are not impressed with their leadership but they did not express how male domination has hindered their participation but other factors have hindered it.

It is evident from the information reported by the women that democratic participation is a privilege only for a few and this is supported by how women in the focus group said that only people from a specific party were allowed inside the marquee to vote. They also claimed that there is no platform to challenge the leaders because they will be perceived as disrespectful. They made an example of someone who wrote a letter complaining about what was happening in the community and their letter was dismissed as being disrespectful. The information provided by the women also shows that women in different communities need to be educated about their participation so that they know that participation goes beyond being a member of a political party, women's organization or NGO. Participation means being involved in the development of your community.

6.2 Human Rights

Relations between Community Members

The relations between the community members are strained because there is a division between those who have access to resources and those that don't. The people who have access to resources have shown an abusive attitude towards the people who they consider to be below them. The participants made an example of how they are treated by their landlords. The landlords evict the tenants if they do not pay. Sometimes they find their clothes outside because they have not been able to pay rent. They pay R150 for a head in each house and sometimes they also have to pay rent for their babies. The participants claimed that the treatment they receive from their landlords makes them feel sad and frustrated which has led them want to sometimes hit their landlords. The results showed that 60% of the women do not live in brick houses and that they either live in houses made of wood, informal yard shacks or other. This goes against article sixteen which looks into the right to adequate housing. "This article upholds women's right to housing and to acceptable living conditions in a healthy environment. To ensure this right, the state shall grant to women, irrespective of their marital status access to adequate housing" (www.eassi.org). This article gives the state the responsibility of granting women adequate houses. Section 26 of South Africa's Constitution further states that "no one can be evicted from their home or have their home demolished, unless a court has heard the person's case and decided that he or she must leave. In this case the court must give a court order" (www.paralegaladvice.org.za). The lack of information that the women have about their human rights has created an environment in which they can't demand their right to adequate housing or even challenge their landlords.

Apart from the strenuous relationship that participants have with landlords, they also have a problem with some of their leaders. The landlords work with the councillor, because if the councillor notices that one of the community members is questioning the status quo than the councillor will tell the landlord to evict the tenant or they will lose their house. They also claimed that their leaders have shown favouritism which meant that some people of the community will not benefit from service delivery and nor can they participate in the community meetings. One of the women revealed that they do not have toilets and that they have to use the railway as the toilet and that a particular party had promised them toilets if they voted for it.

When it comes to service delivery, there should be no favouritism. The leaders have shown that they abuse the power that they have.

The problem is also not limited to the people that have power and those who do not. The people who can be regarded as having no power also have problems amongst themselves. The problems arise from issues of mistrust because everyone is seeking to empower themselves and that has led relationships not to flourish.

It was also evident from the focus group discussions that the women were not fully informed about their rights hence certain things were happening in their community without being constitutionally challenged. The women were under the assumption that for one to get service delivery they have to vote for a particular party. The women were not aware that getting service delivery is part of their human rights and is not influenced by which political party they voted for. The women said that they would appreciate it if someone could come and inform them about their rights because they do not have a platform to express themselves even in the meetings called by their leaders. They are viewed as being disrespectful and their names are taken off from the list of people who should get houses. They said they can't be united as women because they will be threatened to be taken back to the rural areas. An educational session about their rights would help them in challenging the exclusion and threats that they receive.

6.3 Summary

The results have illustrated that government needs to more practical when it comes to implementing its policies. Section one of this chapter shows that the women are coming from a poor background, that they are also continuing this cycle and that there needs to be an intervention by creating programmes that can uplift the community to be self-sufficient. The socio-economic status of the women has been a challenge because they have had to make sacrifices and it also limited their choices in what they can eat, school and live. It is because of these limitations that it seems that the women are not seeing any growth in themselves and in their community. The lack of government's contribution to the development of the community is the reason why the women are not as involved in politics and lack information on human rights. The government and organizations such as NGOs and the church have failed to create community morale which could lead to a positive influence in the community and limit the form

of injustices that occur such as lack of service delivery, violence and the political tensions that created a violation of participant's human rights.

6.4 Recommendations

The purpose of this study was not entirely to serve academic aspirations but also to provide solutions which would empower the participants. The solutions that are brought forward are not imposed on the participants as they have the right to decline or accept the solutions. During the process of the collecting data, there was an organized feedback session between the researcher and the participants. The feedback session was structured around giving the women a practical solution. Unfortunately, the women never arrived for the final feedback. The women were given prior notice about the final feedback and might have chosen not to participate because of our association with the community liaison who is associated with a certain political party or they might have just opted not to attend. The recommendations will be grouped according to themes.

6.4.1 Community Choir

One of the solutions was that women could start a choir which could help them have a source of income as they would sing when there is an event in the community as well as outside of the community. The establishment of a choir has the potential of creating better relations amongst the women and of forming a sisterhood.

6.4.2 Democratic Participation

There is also a need to have different committees in the community which can look into different aspects of the community to create community participation and also limit the power that the political parties have. The committees would have to be politically neutral because it is the political contestation that exists in KwaSani that has hindered its developments. The leaders of these committees would have to be democratically elected and women would be encouraged to join these structures.

It is important for democracy to be practiced in every aspect of life and in small communities because communities have democratically elected leaders through their councillors. This means that each community has a mandate to ensure that democracy flourishes in their community and is practiced. Democracy in KwaSani will prevail when local government officials work together

with the people of KwaSani and also encourage women's participation. Women's democratic participation in KwaSani is hindered by the political contestation that is occurring in the community and how their leaders are abusing their power to exclude members of opposing parties. The fact that KwaSani is semi-rural and might hold traditional views on the role of women has not affected women's democratic participation.

6.4.3 Education

The committees would also act as a source of education because the women in KwaSani need to be educated about their rights so that they are not mistreated by their local government leaders. This would require that government would provide knowledge to the people who would be part of these committees and they will conduct community meetings to share information with the community members. This form of knowledge would ensure better democratic participation and also encourage women and the other community members to learn about their rights. This would allow them to challenge the lack of service delivery and also other forms of human right violations.

It would also be of great assistance if local government would open a school which would concentrate on teaching women skills so that they have more opportunities of getting employed or starting their own businesses. There should also be a night school so that those who did not complete their studies will have an opportunity to complete them. As it was discussed in the literature review that there must be emphasis on educating women as this has potential of giving women economic independence which is mentioned in article thirteen of The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women.

6.4.4 Prevention of Violence and Crime

A neighbourhood watch also needs to be created so that perpetrators of violent acts can be taken to a police station and charged. The neighbourhood watch would have to work with the police so that they (neighbourhood watch) would not have to take the law onto their own hands which would further perpetrate the violence. It is also important to note that the violence that occurs in KwaSani is mostly rape and robbery and the women did not mention cultural violations such as ukuthwala.

6.5 Conclusion

Women's democratic participation and human rights in KwaSani Municipality can be fulfilled if there is an overall development of the community. There must be great emphasis on building community relations so that the community members would be able to equally participate in the empowerment of their community. Educational programmes about democracy and how it functions as well human rights would have to be created so that women would have the courage to defend themselves from the abuse of democracy and violation of their rights. The educational programmes would give them knowledge on how to engage democratic participation and also to ensure that they are able to fight for their rights.

Government has to take responsibility for the people of South Africa because what is happening in KwaSani calls for a greater dialogue on the relevance of democracy and human rights in the lives of ordinary people. There is need to have institutions or organizations in small communities which act as a system of check and balance so that there is monitoring of how people participate in their communities and also the infringing of their rights. KwaSani is an example of structural and physical violence. The structural violence is being implemented by those who are in power because they are misusing their power to exclude and infringe the rights of those they deem to be their opposition. The physical violence occurs through the crime, corruption and rape that women have experienced. The conditions of KwaSani illustrate that the women are not safe in their community and when community members cannot trust each other they are likely to fall out. The political tensions that exist in the community are characteristics of a community that could easily be at war with each other hence there is a need for an intervention. The intervention would have to make democracy and human rights a reality of the women of KwaSani and not just be theoretical. The women would also have to be given an equal opportunity to address the change that they want to see in KwaSani and also be located at the forefront of implementing that change. This would be an example of democratic participation and also women would be advocates of their human rights.

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