

18 June 2021

Marco Zanin

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Dear Marco Zinn,

We would like to do a 3-minute oral presentation on San and Khoi women in South Africa. The title of our input is: ’Now it is our time: Claiming our rights in this New South Africa.’

In addition, here follows our oral input:

**Input on South African indigenous communities for 24 June 2021**

* 16h00 to 18h00 - Part 2: “Effective participation, consultation and consent of indigenous women and girls in political and public life”

*Background and context*

As the possibility of a negotiated settlement loomed into realisation in 1990, the African National Congress Women’s League (ANC WL) witnessed the first meeting between the ruling apartheid National Party (NP) and the liberation movement, the African National Congress (ANC). There were only two women present. We realised that unless we as women mobilised ourselves into a broad coalition of Women, the new constitution would be negotiated with minimal women’s input and would subsequently lack our input and gender-sensitivity. Hence, the Women’s National Coalition was formed in 1992 which included the women from the ruling NP and other women’s formations. We emphasised an intersectional approach and preface in the *Women’s Charter for Effective Equality* (drawn up after consultations nationally) with the statement acknowledging women’s different class, race, (dis)ability, language and other jeopardies. The *Women’s Charter* and regular effective lobbying and intervention by the Women’s National Coalition, ensured that gender and comprehensive human rights were integral in the constitution. However, the issue of the ‘rainbow nation’ post 1994, made many of us reflect more seriously on the issues of identity, decolonising our history and teachings even further. It was during this time that we realised that our broadened coalition was not broad enough. We had omitted the issue that affected many of us, that of our First Nation Status and ancestry. Even our liberal constitution of which we were so proud of stated minimally issues related to the original inhabitants of Southern Africa.

The exception is in the South African Coat of Arms:

*ǃke e꞉ ǀxarra ǁke,* written in the Khoisan language of the ǀXam people. This literally means "diverse people unite". It addresses each individual effort to harness the unity between thought and action.

Furthermore, in Chapter 1 of the Founding Provisions of the Constitution (Act 108 of May 1996) clause 6 highlights the official languages: The official languages of the Republic are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu.

The only reference of indigenous First Nation languages is further on in clause 6 (5) which indicates that a South African Language Board established by national legislation must:

1. Promote and create conditions for the development and use of
2. All official languages
3. The Khoi, Nama and San languages and
4. Sign language; and

(b) promote and ensure respect for

(i) all languages commonly used by communities in South African including German, Greek, Gujarati, Hindi, Portuguese, Tamil, Telegu and Urdu and

(ii) Arabic, Hebrew, Sanskrit and other languages used for religious purposes in South Africa.

In the attempts to be inclusive the negotiators stressed the importance of European and Asian languages of settlers’, indentured labourers’ and immigrant populations’ languages spoken and used here but it does not elaborate on the indigenous languages. Hence the original languages spoken in Southern Africa have been neglected in the constitution and did not get the merit it deserves. Through violent colonial conquest in the 1600s, the languages and the land of the first inhabitants have been stolen from them. The Khoi, San and slaves from the East were not allowed to speak their languages by the Dutch colonists.

Kwesi Kwaa Prah stresses the importance and centrality of language and culture and the inter-relatedness thereof in humanity. He argues: ‘We are educated and socialized in cultures in as much as we slowly, steadily and increasingly make culture. We are creatures of cultures and to some extent are delimited in our behaviour, by the cultures in which we are formed. If culture is the main determinant of our attitudes, tastes and mores, language is the central feature of culture. It is in language that culture is transmitted, interpreted and configured. Language is also a register of culture.’[[1]](#footnote-1) By depriving the First Nation people of their languages they had been robbed of their dignity, identity, human rights, their sense of self as a people. The appropriation of the land robbed them of their livelihood and economic independence. Today, descendants of First Nations and slaves are of the poorest and most marginalised in South Africa.

Even though many have argued that the constitution provides for comprehensive rights and substantive equality, for e.g.:

‘The effect of the past could for example be seen in the South African Bill of Rights in the emphasis on substantive equality, the role assigned to dignity, the limitations on freedom of expression and the uniquely important position which socio-economic rights occupy in this document. The new South African Constitution provides arguably the most sophisticated and comprehensive system for the protection of socio-economic rights of all the constitutions in the world today.’[[2]](#footnote-2)

Many of us have argued that the noble ideals of the constitution have not been fulfilled. Poverty, unemployment, and violence against women are rife.[[3]](#footnote-3) This has led to many protests nationally. Research, grassroots activism and various publications have contributed to a visible and vibrant First Nations movement nationally. In 2015 the students’ movement demanded that they be exempted from paying fees at tertiary institutions as promised. However, they also coupled this demand amongst others with: ‘Rhodes must fall’, ‘patriarchy must fall’. They also demanded a decolonised education. The discourse on unethically obtained human remains at universities grew as well as the interrogation of African treasures at European and other global institutions increased. The University of Cape Town’s collusion and the fact that it had been built on sacred Khoi ground was questioned. This led to the university authorities and management eager to reflect on remedying this situation.

On the surface, it seems that most movements of First nations / Chiefs, High Commissioners are men in South Africa, reflected in a very male-biased Traditional Leadership Act. Dialogues are anecdotally known to be patriarchal and sexist.

The formation of the Aboriginal/Xarra Restorative Justice Forum (thereafter /Xarra) was formed at the Centre for African Studies at the University of Cape Town (UCT) in 2018 through the discussion of gender-based violence, patriarchy, colonialism, the long-term impacts of Apartheid and economic and political inequality. It emerged out of consultative meetings of UCT with representatives of various First Nation groups regarding the renaming of the main graduation hall (previously Jamieson Hall) after the iconic First Nation woman, Sara Baartman, who suffered the brutal fate of colonial violence in Europe. With advocacy by /Xarra the university instituted free Khoekhoegowab foundational language lessons for communities in 2019 and in 2020 (online).

A/Xarra is the first of its kind in higher education in South Africa and has the following aims and objectives established through intense workshops and dialogues at the monthly meetings held at CAS during 2018 and 2019.

The following 8 shared values underpin the agreed terms of reference as established through intense workshops and dialogues at meetings and since 2020 online meetings and vibrant electronic communications.

These are:

1. Restorative Justice (no further harm in a dialogical relationship of practice)
2. Anti-racism and Non-racialism
3. Anti-xenophobia
4. Anti-Homophobia
5. Gender Equality and Anti-patriarchy
6. Respectful dialogues and deep listening within the African philosophical framework
7. Anti-Gender based and sexual Violence
8. Anti-War and promotion of peace

This area of work will be based on the case study of the/Xarra with the university in a reflective journey on participation of women and girls from 2018 – 2021 with regards to 5 key areas:

* Effective participation – how do we increase the participation of women in /Xarra considering it is covid times?
* Development of community co-designed ethical frameworks for consent and participation in research processes on indigenous women as intergenerational marginalized knowledge holders
* Understanding the challenges in participation in political and public life – again consultation
* Recognition of prior learning to enable more effective participation in higher education through writing skills and research development programmes, and legal training in indigenous knowledge ethics. Aspects of indigenous knowledge promote a deeply respectful relationship with the environment and healing through plants and these will be included in the training programmes. The curriculum will also include Foundational Khoekhoegowab lessons. This training will create effective opportunities for participation in public life that impacts on policy and implementation, by creating pathways into higher education.
* Identifying the possibilities to impact on policy outside of organized political party activities and campaigns in a South Africa where there are none or minimal political parties that take First Nations issues seriously. Does one establish a political party? Do we use various professions as examples of public life? Teachers, lawyers, civic movements?
* Exploring relationships, networks and working alliances with institutions of faith and relevant NGOs in order to further enhance women’s political and public participation.

*Proposed Outputs over 3 years:*

A reflective praxis research project of the last 3 years

A participatory action research project over the next 3 years

Increased participation and capacitation of 4 women and 4 girls aged (between 15 and 18 years ) - data provision, laptops, mobile phones

12 x Skills training workshops for 4 x women and 4 x girls (4 per year)

Language Training programme in Khoekhoegowab

Development of a co-designed ethical framework for research

Development of a co-designed San and Khoi indigenous women scholars’ university curriculum and fellowship graduate programme

Mentorship training programme for public life participation South African Governance structures, Constitutional Law, Municipal Governance Structures Acts, processes entails formulating Bills and subsequently Laws, Gender sensitive budgeting, etc.)

Production of a co-designed public life participation and mentorship toolkit for dissemination

A published report

Through this reflective practice of a model of its only kind in South Africa, we hope to make a contribution on strengthening the role and impact of women and girls in political and public life.

We trust that this is in order and look forward to hearing from you.

Greetings,

Course Coordinators:

Gertrude Fester, Honorary Professor, Centre for African Studies (Former Member of South African National Parliament, National Commissioner of Gender Equality, worked with African Union and Southern African Development Community on Gender Protocols and conventions.)

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Dr June Bam (signed)

Interim Director of the San and Khoi Centre / Senior Research Officer and Senior Lecturer

1. ‘Challenges to the Promotion of Indigenous Languages in South Africa’ by Kwesi Kwaa Prah The Center for Advanced Studies of African Society, Cape Town. Review Commissioned by the Foundation for Human Rights in South Africa. October – November 2006 [http://www.casas.co.za/fileassets/newscast/misc/file/204\_cv\_challenges%20to%2](http://www.casas.co.za/fileassets/newscast/misc/file/204_cv_challenges%20to%252) accessed 16 June 2021 [↑](#footnote-ref-1)
2. ‘Introduction to socio-economic rights in the South African Constitution’ Christoff Heyns and Danie Brand,

   Centre for Human Rights, University of Pretoria http://www.saflii.org/za/journals/LDD/1998/9.pdf

   (accessed 17 June 2021) [↑](#footnote-ref-2)
3. Fester, Gertrude 2015. *South African Women's Apartheid and Post-Apartheid Struggles: 1980-2014*, Scholars' Press, Saarbrucken. [↑](#footnote-ref-3)