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Call for improved women representation in judiciary

Pimani Baloyi, 13 August 2017

More still needs to be done to ensure women representation in South Africa's judicial system. This was a resounding theme at the 13th annual conference of the South African Chapter of the International Association of Women Judges (SACIAWJ) held in Polokwane.

The three-day conference had presentations from high ranking representatives from the Justice ministry, the Constitutional court and academic institutions across the country. Gender-based violence cases and how the judiciary deals with them were also discussed. Women representation in court benches across the country dominated discussions at the conference.

Currently, the Constitutional Court has four female and six male justices. The Supreme Court of Appeal (SCA) has six female and 16 male justices. Conference organisers say events such as this are necessary in all spheres of society to ensure change for future generations.

Member of the SACIAWJ and Justice, Leona Theron says transformation is not just about numbers, but there also need to be a change in the way society portrays women. "Transformation is not just about judges being appointed in the SCA. Transformation is about transforming our entire society, our community, our workplace in order to live up to the ideals of the Constitution. We want to see more upward mobility of women in the judiciary but that is not all we want to see, we want to see transformation at a grass root level."

Deputy Chief Justice Ray Zondo called on delegates to work with the Constitutional Court to help improve women representation in the judiciary. Zondo lauded the recent appointment of Mandisa Maya as president of the Supreme Court of Appeal, saying it is a step in the right direction.

"We have among us the first woman president of the supreme court of appeal and we are grateful, we are proud of her and we say we need to intensify our efforts to raise our representation of women in the judiciary - and we are saying to you, you need to work with us, and tell us where we might be going wrong in addressing these important issues such the representation in various courts." Justice Minister Michael Masutha also said that redressing

female representation should be prioritised, adding that ridding society of gender-based stereotypes should also be viewed as important. Masutha told delegates that they should take their role as representatives of the judicial system seriously as their decisions often have far reaching consequences. “We have many challenges in our society today, many women have been victims of some or other form of exploitation, degradation as a result of ills in our society the incidents that continue to occur unabated in our society deserve serious consideration.”

Meanwhile, retired justice of the Supreme Court of India, Sujata Manohar called on organisations that advocate for women empowerment to look into establishing a database of landmark international court rulings that advance the empowerment of women. Manohar says information from the database will go a long way in setting examples for generations to come.

“Despite decades of struggle for women's right to equality, judicial processes worldwide are often shot through with awful gender stereotypes. This seriously affects women's economic empowerment, which is a key area that even control all other aspects of empowerment, we need to have a balance sheet of women's progress, what we have achieved and what we have failed to achieve.” The conference was hosted in partnership with the University of Limpopo and the University of Venda.

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