



Women in the executive: Can women's ministries make a difference?

Introduction

In December 2007, at the ANC's Polokwane Conference, a resolution was accepted to create a Ministry of Women's Affairs¹. The implication of this decision was that gender equality would receive attention at the executive (cabinet) level of government. While there have been many women in cabinet since the transition to democracy in 1994, this would be the first time that there would be a ministry tasked solely to deal with gender issues. Yet, given the comprehensive set of structures that constitute the National Gender Machinery (NGM), this decision came as a surprise to many gender activists who have been of the opinion all along that a Ministry of Women's Affairs would be either a dumping ground for women's issues or redundant.

Since 1994, South Africa has become known for its very integrated set of structures in the state. The NGM is the most comprehensive in Africa, even more so than in most Western countries. Feminist activists and scholars, together with the women's movement in the guise of the Women's National Coalition (WNC), fought hard to get the idea of a 'package' of structures accepted during the transition process.

Accepting the Beijing Platform of Action (after the 1995 UN Decade of Women Conference in Beijing), meant that the discourse and practice of gender mainstreaming became part of government strategy to include a gender analysis in all policies and legislation. The vision was

that the National Gender Policy would be the blueprint for gender mainstreaming in government, driven by the gender desks and committed femocrats.

Feminists were also of the opinion that the representation of women in government should increase so that they could support the work of the NGM. Since the first free and fair election in 1994, the percentage of women in government has been on an upward trajectory due the ANC's 30% quota up to 2004, and its acceptance of the 50% quota for the 2009 election. At the moment South Africa has a ratio of 45% women in government.

It should be evident that there is a close relationship between the structures of the NGM, gender mainstreaming and the advocacy of women in civil society. The question is whether this shift to a Women's Ministry is necessary, and also what it will entail for the process of gender mainstreaming. Furthermore, will it be integrated into the existing gender machinery or is this the beginning of the dismantling of the NGM in South Africa?

In the institutionalization of gender in the state the NGM, the policy of gender mainstreaming and the inputs by the women's movement are determining factors in how successful countries are in changing unequal gender relations. The past 15 years have shown that even if a country like South Africa has state of the art structures, there are many factors that may cause their dysfunction. Their suboptimal functioning has led to the creation of a Ministry of Women, Youth, Children and Persons with Disability. This structure cannot just be added into the existing structures without rethinking the relationship between structures, their mandates and their relationship

¹ Now called the Ministry of Women, Children, Youth and People with Disabilities

with civil society. The ministry is supported by the ANC Women's League and the Progressive Women's Movement of South Africa. Both of these organisations are closely related to the state, unlike more autonomous women's organisations.

If the Ministry is supposed to cure all the ills of the Gender Machinery it may already start with a disadvantage.

If South Africa introduces a Ministry of Women's Affairs there probably is the perception that this ministry can solve some of the intractable problems that currently exist within the NGM – that of overlapping mandates, uncertainty where oversight functions reside, a lack of autonomy to take government to task over non-compliance with the gender agenda, and a lack of implementation of gender policies and legislation (Gouws, 2006).

Indeed, if the ministry is supposed to cure all the ills of the gender machinery it may already have started at a disadvantage. It may not be able to live up to the expectations that it should be everything to everybody or that it will do all the mopping up where the other structures have failed. Furthermore, it may meet with resistance from those who were not consulted about its inception.

This article attempts an analysis of Women's Ministries (structures on the level of the executive) that are normally tasked with the implementation of policy and legislation. It does so by looking at the experience of Women's Ministries in the north, as well as in Africa. It also reflects on the more recent histories in the north of the dismantling of gender machineries as a consequence of gender mainstreaming.

The South African executive

In a parliamentary system, the executive is the cabinet with the function to implement legislation. All the ministers collectively form the cabinet and each minister heads a civil service department, for example

the minister of justice is the head of the department of justice, but the director general in the department manages the department.

The structure of the executive as set out in the constitution is hierarchical (Venter, 2000:66). The president is at the top, followed by the deputy president, ministers and deputy ministers. The ministers of defence, foreign affairs, finance, and justice are considered more powerful than the others (Venter, 2000:66), and the president may appoint ordinary members to the cabinet who have a higher informal status in cabinet than other members.

In countries that lack a gender consciousness, women are not generally appointed to these ministries, but that is not the case in South Africa. Even before the 2009 election women cabinet ministers were appointed to what are considered to be male portfolios, such as justice and foreign affairs. Currently the minister of defence is a woman.

While there have been large numbers of women heading cabinet positions (in Mbeki's second cabinet women formed 40% of the ministers and deputy ministers and currently there are 14 female ministers in the Zuma cabinet), the position of a Ministry of Women's Affairs should be viewed in the light of the hierarchy of cabinet positions. As will be made clear below, Ministries of Women's Affairs are rarely considered important enough to receive much support in the way of resources. State feminism will also be discussed in order to indicate the importance of gender structures for the creation of gender equality.

State feminism

State feminism is a concept used to indicate the role that women with gender consciousness and commitment to gender equality can play in the state. In this regard women in legislatures and executives can play an important part in the contribution to the gender agenda. Women in the state who are committed to changing conditions of inequality for other women are called 'femocrats'.

In the past two decades, mechanisms to get women into government, such as quotas to enhance women's representation, structures dedicated to legislative oversight and monitoring, as well as policy formation and implementation, have been included in the debate about state feminism.

These structures or agencies that were set up to improve the status of women incorporated women's demands and opened access to decision-making arenas.

State feminism is an overarching term for work carried out by special units which are charged with promoting women's rights, including offices, commissions, agencies, ministries, committees, secretaries or advisers for the status of women (Kantola & Outshoorn, 2007:3). Where state feminism is successful there is feminist pressure from above (government) and from below (women's movements) that lead to women friendly policies.

When these institutional mechanisms include advisory units they give advice to government units, while policy monitoring units have the mandate to review projects. Certain units have implementation responsibilities and commissions usually have investigative powers.

Feminists are divided about women's involvement with the state. Some believe that it is important for women to engage the state through state feminism while others believe it is better to steer clear of the state in order not to become co-opted by the state. But with women's entry into the state the analyses of the state by feminists have become more sophisticated (Gouws, 2005).

The relative levels of success of state structures can be related to the relationship between state structures and women's organisations or movements in civil society. Where women's movements keep the women in the state accountable there seem to be much higher levels of commitment by the state to implement women-friendly policies and legislation.

Women's movements have tended to be more successful where women's policy agencies have debates that are gendered and that reinforce the goals of the women's movement.

Where state structures or women's policy agencies have been marginal or merely symbolic their successes have been limited. State structures also show limited success if they are not located on levels where authority and power are exercised, for example, at the level of a director general in a state department (Kantola & Outshoorn, 2007:7).

Gender machineries are complex and may adapt to fit changing political contexts. In this regard two criteria are important to assess whether gender machineries are successful:

1. State capacity – the extent to which women's policy machinery influences feminist policy and
2. State–society relations – the extent to which policy machineries develop opportunities for society-based actors (such as feminists and women's advocacy groups) to access the policy process (Stetson & Mazur,

1995:14). The most successful machineries are those that have high influence and high access (Stetson & Mazur, 1995:274).

In the case of South Africa both access and influence have been moderate.

Gender mainstreaming

Gender mainstreaming is an attempt to integrate gender concerns in all legislation and policy in order to change gender blind legislation and policy into gender aware/sensitive policies.

Rai (in Kantola & Outshoorn, 2007:14) explains this approach as follows:

[It is] the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy of making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres, so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.

Policy agencies are the institutional mechanisms through which gender mainstreaming occurs (Kantola & Outshoorn, 2007:15) and gender mainstreaming is viewed as a tool for achieving gender equality. In some situations gender mainstreaming is well developed with the provision of gender-monitoring, checklists, guidelines, inter-ministerial committees, gender awareness training and the integration of gender into national plans (Goetz in Kantola & Outshoorn, 2007:15).

Walby (2005:455) argues that we have to distinguish between three different models of gender equality, as follows:

1. Equality based on sameness;
2. Consideration of the differences between men and women; and
3. Gender mainstreaming or transformation.

The first is described by Rees (in Walby, 2005:455) as 'tinkering with gender equality', the second is

'tailoring situations to fit the needs of women', while transformation leads to a new set of standards and new institutional cultures that are sensitive to the needs of men and women.

But not every gender conscious person supports gender mainstreaming. What is viewed by some as progress is reason for concern for others. Some feminist scholars argue that gender mainstreaming depoliticizes gender activism and turns concerns for gender equality into a technocratic process (Gouws, 2005).

Other problems with gender mainstreaming entail the lack of expertise among civil servants on gender issues, as well as a limited commitment to gender equality, meagre or no funding and delays to proper implementation (Outshoorn & Kantola, 2007:277). Outshoorn and Kantola argue that the blessings of mainstreaming are mixed – they can strengthen gender machineries but they also raise serious questions about the coordination of gender equality policies in the absence of clearly defined responsibility.

The impact of gender mainstreaming on gender structures over time

In many countries, especially in the north, governments are revisiting 'femocracies' as well as the policy of gender mainstreaming due to a lack of substantive performance or measurable success by these structures and the gender mainstreaming policy.

Research has shown that reliance on gender mainstreaming as a process where gender concerns are supposed to be included in all legislation and policy has the unintended consequence of the dismantling of state structures tasked with promoting gender equality. This is the case in Australia, Austria, Germany and the Netherlands (Outshoorn & Kantola, 2007:277). As Sawyer (2007:29) puts it about Australia:

Governing for the mainstream, the new international language of gender mainstreaming promoted by the Beijing Platform for Action was seized upon to legitimate the dismantling of units with expertise promoting equal opportunity for women.

The main assumption of gender mainstreaming is that everybody takes responsibility for including equality concerns in policy and legislation and as a consequence

separate structures are not needed anymore. It can become an excuse to dismantle well established gender structures in the state (Kantola & Outshoorn, 2007:16).

Gender mainstreaming has had uneven success in different countries where it has been implemented because of the demands it makes on institutional cultures. Resistance to change is always a characteristic of institutional cultures and therefore if gender mainstreaming requires transformation those implementing it first have to overcome resistance. Secondly, it is nearly impossible to work through only one structure because multiple points of implementation are necessary to make gender mainstreaming a success.

There are some lessons to be learnt from the experiences of other ministries, both in the north, Australia and other African countries, as South Africa is not exempt from some of the same conditions they experienced that lead to serious challenges.

Examples of women's ministries in the north and Australia

Experiences of ministries of women's affairs in the north and Australia have shown that ministries are dependent on the political administration in power. Because political leaders in power appoint their cabinets all ministers are dependent on the good will of political leaders and the extent to which they are in favour of having a Ministry of Women's Affairs or not. Where governments use ministries on a symbolic level to develop weak women's rights policies with limited implementation, ministries are not very successful.

In France the Ministry of Women's Rights was institutionalized by the Socialist government from 1981–86. The ministry was, however, politicized and marginalized and had limited success in promoting women's rights (Mazur, 2007:103).

The French case clearly shows that the Left and the Right downgraded ministries to administrative offices or lower-level offices and only upgraded offices when there was a feminist outcry (Mazur, 2007:107).

In the case of France the gender machinery maintains a presence because it is well institutionalized on all levels of government, even though on the whole it is quite marginalized within the governing system. The ministries did not necessarily start new initiatives (this was left to the other gender structures) but made the policy implementation more efficient and made sure that gender mainstreaming was implemented (Mazur,

2007:114–115). This case also shows that having more than one institutionalized structure is important.

In the case of Australia there has been a well integrated NGM consisting of a women's coordinating agency of government linked to a network of departmental women's units responsible for monitoring policy. To assist the machinery a minister assisting the prime minister on the status of women was appointed. She played an important role in cabinet and cabinet committees (Sawer, 1999:91).

Her placement in the prime minister's office was important because Australian feminists did not want a single ministry for fear that it may become a 'waste-paper basket' for women's problems, leading to gender blind policies in the rest of the government (Sawer, 1999:92). Feminists foresaw a situation that a ministry would lack policy clout and would not be able to access crucial cabinet submissions. In 1993 a 20 year review was done and the opinion on a single ministry was still the same – that a lone ministry could easily be marginalized in the Australian context and that being in the office of the prime minister led to better access to cabinet information (Sawer, 1999:92).

Given that Australia has a very integrated set of structures in the state it proved useful for policy interventions across the board and naturalized feminist policy perspectives at the heart of government. More recently the focus on gender mainstreaming has contributed to the elimination of feminist influence and gender analysis in government. Gender structures disappeared and the Office of the Status of Women was shifted to a lower level (Sawer, 2007:29–30). Discursive shifts coupled with neo-liberal economic policies led to what Sawer (2007:39) calls the 'fall of the Australian femocrat'.

The Australian case also shows the importance of an integrated set of structures that works on many levels in government as well as the importance of pressure inside and outside the government for successful gender policy creation and implementation.

In an analysis of the UK between 1992 and 1997, Liz Roe (1999) points out that with constant cabinet reshuffling the Women's Ministry kept losing power, and that it was also influenced by a changeover of power between Labour and Conservative governments. The Conservative government regarded a Ministry for Women as both unimportant and unnecessary as indicated by the infrequent meeting of structures and the limited power that the ministry had over resources. By 1997 the Women's Ministry was unpaid and held by women

ministers with very large workloads in their principal areas (Roe, 1999:106).

The case of the UK shows the instability of a ministry where there is a regular turnover of power between parties that may accord different levels of importance to a Ministry of Women's Affairs.

This ministry was excluded from key economic policy discussions in other areas where a gender analysis is crucial such as poverty reduction.

Women's ministries in Africa

The history of women's ministries in Africa is closely tied to nation building and cooptation by the government in support of the status quo. Constant restructuring of these ministries to fit the government's agenda becomes clear from the examples of Uganda and Ghana below.

The gender machinery in Uganda was institutionalized through a separate structure – the Ministry of Gender and Community Development. This ministry was responsible for initiating and coordinating gender responsive development across economic development sectors. Goetz (1998:254) argues, however, that it had a limited capacity to do its work because it was small and underfunded.

Goetz also argues that this ministry was excluded from key economic policy discussions in other areas, such as poverty reduction, where a gender analysis is crucial. This became clear because of Uganda's gender blind national planning document as well as the Rehabilitation and Development Plan (1993–96). Gender was not integrated into the planning assumptions regarding labour patterns, or the impact of higher prices for basic commodities on domestic consumption budgets (Goetz, 1998:254).

The ministry managed to maintain informal links with women legislators through conferences at district and national level in the late 1990s. While the ministry did not manage to have an impact on economic policy it did manage to have some influence on what would

be considered gender issues, such as violence against women, war and AIDS orphans, and raising consciousness about rights through civic education.

Mama (2000:9) points out that when other portfolios were added to the ministry, such as Youth, Sports and Culture and Community Development, its marginalisation increased because none of these issues were central in the power structure of Uganda's government. Many different restructurings of the Women's Ministry have led to its paralysis and marginalisation (Wangusa, 2000:23). It started out as the Ministry for Women in Development in the Office of the President, then it became the Ministry for Women in Development, Culture and Youth in 1991, Gender and Community Development in 1995 and then the Ministry of Gender Labour and Social Development. Finally it was reduced to a Department of Women.

Mama (2000:1) argues that gender structures in Africa were created as a process of nation building in the face of limited removal of obstacles to women's participation. The goal was to give ruling parties a way to mobilise women's support for the status quo. To her it is important that the social and political conditions under which state structures are created are scrutinised. Gender policies of the 1960s and 1970s were not created to address gender inequality but to mobilise women's support for government.

She also argues that the relationship between the national machineries and the rest of the state is a major factor in its ineffectiveness. To her the concept of having a ministry was a misnomer because ministries of women's affairs are not given the necessary respect – instead they are patronised and regarded with contempt and amusement by male colleagues. Staff who are ignorant of and indifferent to gender issues further contribute to the marginalisation of ministries of women's affairs.

In the absence of strong women's movements outside the state, gender structures, including ministries, become even more marginalized and 'ghettoized', as not only is there a lack of power inside the state but there is an absence of links to centres of strength outside the state.

In 2000, President Kufuor of Ghana created a Ministry of Women's and Children's Affairs (MOWAC) even though the women's organisations wanted gender to be mainstreamed in all departments (Fallon, 2008:101). The budget for MOWAC never reached 1% of the national budget and the actual budget for resources

For Ministries of Women's Affairs in Africa to be successful they need to be more autonomous, better resourced and they need to interact with women's movements. As long as they are not taken seriously gender equality is not taken seriously.

was reduced, leading to a lack of money for projects and an exodus of staff (Madsen, 2009:81)².

The tasks set aside for the ministry were the overseeing and maintenance of policies and programmes, the implementation of specific projects, and the coordination, facilitation and implementation of programmes – a list of tasks that was clearly unmanageable. Since gender mainstreaming was supposed to take place on the ministerial level, one of the consequences was that there was limited involvement with the Ghanaian Women's Movement and gender mainstreaming became viewed as being top down (Madsen, 2009:136). MOWAC did, however, formulate a gender policy and strategies for implementation but had difficulty with implementation, evaluation and monitoring.

For Ministries of Women's Affairs in Africa to be successful they need to be far more autonomous and they need to develop a level of interaction with women's movements outside the state. As long as they are under-resourced and not taken seriously, gender equality is not taken seriously either.

Another question is whether women's equality gets its fair share of attention as long as it is linked to inequalities of other identities.

² A draft of the dissertation was used. The page numbers may change.

Lumping other 'issues' onto women's ministries

The recognition of other forms of discrimination has led to suggestions to reform equality institutions to include different forms of discrimination (Outshoorn & Kantola, 2007:279). This has led to a trepidation that a focus on women will disappear when race, ethnicity, gender and religion are also included. The question is whether equality tools needed by diverse, disadvantaged groups are sufficiently similar to institutional cultures and spaces.

As can be viewed from the examples of Uganda and Ghana above, the name changes of the ministries had implications for resources as well as discourses around gender and development. The history of the NGM in South Africa, however, is very different from gender machineries in other African countries.

The history of gender machinery in South Africa

Women's inclusion during the negotiation process was deemed non-negotiable, as was made very clear by the insistence of women on the creation of the Gender Action Group (GAC), because of women's marginalisation during the first phase of the negotiation process. The GAC inserted women's interests into the negotiation process.

Discussions on gender machinery for South Africa began even before the liberation movements were unbanned. In 1992 a workshop held in Durban by the Institute for a Democratic South Africa (IDASA) and the University of Natal's Gender Research Group in Durban discussed the ways in which gender would be institutionalized in the democratic government (INSTRAW, 2000:178).

The 1985 Nairobi Platform of Action put a lot of emphasis on the establishment of national gender machineries and South Africa opted for machineries in- and outside the state in order to create multiple sites of activism for women, and to put mechanisms in place that would be accountable to women's organisations.

Agreement was reached that the national machinery should consist of structures on different levels of government (national, regional and local), as well as be in the legislature, in an independent statutory body (the Commission on Gender Equality that was written into the Constitution) and in civil society. Consensus was reached that gender mainstreaming would be the policy tool through which gender equality would be established,

as mainstreaming was viewed as a strategy to integrate gender into all government policy (INSTRAW, 2000:179).

Different nodes in the machinery were to exercise pressure at different points in time. A proposal by the Gender Research Project Group at the Centre for Applied Legal Studies, which was circulated widely during 1995–96, guided government's action on the establishment of a gender machinery. The South African gender machinery included an Office of the Status of Women, a Gender Caucus in Parliament, a Women's Empowerment Unit in Parliament, and Gender Focal Units (gender desks) in every state department and duplicated on provincial level. The Joint Monitoring Committee (JMC) on the Quality of Life and the Status of Women and the autonomous Commission on Gender Equality were established (Watson, 2009).

What has, however, never been included in the suggestions for a NGM was a Ministry for Women's Affairs. The objection to a Ministry of Women's Affairs was related to the limited success that these ministries achieve. Very often they become the dumping ground for all issues dealing with women and gender equality while the rest of the state does not have to take gender equality into consideration. Women's issues therefore become marginalized with limited policy impact.

Yet, this does not mean that a Women's Ministry was not discussed. During 1994 Brigitte Mabandla (1994:24) made the following remark: 'Determining an ideal governmental structure or structures for women's involvement in decision-making is a challenge facing women today' and she posed the question 'What options are open to South African women in the context of the current transitional process?' She argued that a proposal for a package (of structures) approach resulted from a critique of a women's ministry. She explained it as follows:

It is argued that women's ministries are often 'ghettoized', as they are often conceptualised as essentially welfare structures, incorporating concerns of children and disabled persons. Further, that the existence of such a ministry discourages the integration of gender into broader national policies because women's concerns are relegated to the Ministry of Women's Affairs (Mabandla, 1994:25).

Yet, despite the critique Mabandla argued that it would be wise to consider the merits of a ministry. She argued that a ministry is an important executive structure that has the power to make decisions and to implement such decisions. This advantage, she argued, should be combined with gender focal points in other ministries. She also advocated the role of the ministry as initiating and making appropriate legislation and to do law reform, especially with regards to socioeconomic rights.

The idea of a package of structures was, however, the one accepted by gender activists and women in government.

A women's ministry for South Africa

The acceptance of the resolution taken at the Polokwane Conference of 2007 has introduced a Ministry of Women's Affairs into the South African gender machinery. Given the previous scepticism about a women's ministry, this decision initiated by the ANC Women's League took women's organisations by surprise. Not only would it be a Ministry of Women's Affairs but a Ministry of Women, Children, Youth and People with Disabilities, further creating fears that the gender focus will be lost but also that issues dealing with children, youth and the disabled will be dumped in this ministry.

Since there has been no discussion on where this ministry will fit into the NGM, feminist activists and scholars fear that the creation of this ministry will lead to the dismantling of the NGM. Fears are not unfounded since the JMC has already been replaced by a Portfolio Committee on Women, Youth, Children and Persons with Disability in parliament and with a Select Committee on Women, Children and Disability in the National Council of Provinces. It is, however, fair to argue that the JMC has been quite dysfunctional. (Gouws, 2006).³

The Portfolio and Select Committees have shown a commitment to deal with their new task by asking for presentations from stakeholders in civil society to inform its members of the major issues in the different sectors.

The main question is what the mandate of the ministry should be and how it should fit into the other structures of the NGM. The relationship of the ministry with, for example, the Commission on Gender Equality (CGE) and the Gender Focal Points in different departments is unclear. Furthermore, research has shown that two of

Research has shown that two of the main contributing factors to the dysfunctionality of the gender machinery are overlapping mandates and unclear oversight functions. The mandate of the Ministry should therefore be clarified.

the main contributing factors to the dysfunction of the gender machinery in general are overlapping mandates and unclear oversight functions. The mandate of the Ministry for Women, Children, Youth and People with Disabilities should therefore be clarified.

Another question is whether the ministry would have an implementation function like other ministries which are responsible for implementing legislation made by parliament, or if the ministry would also have a policy-making and policy-coordinating role.

The normal ministerial responsibilities are the following:

- Informatory – to inform parliament of the work of the specific department;
- Explanatory – to explain policies and policy actions;
- Amendatory – to make changes to policies that are deemed unworkable; and
- Resignatory – that a minister will resign if he/she is deemed incompetent (Venter, 2000:69).

These functions are merely cursory and explain little of the involvement of ministries in making policy and implementing legislation which could be viewed as the most important work of a ministry. But given the acceptance of gender mainstreaming as a policy it may be the case that the minister of the Ministry for Women, Children, Youth and Persons with Disability may want

³ For criticism of other gender structures, e.g. the Commission on Gender Equality, see *The Report of the ad hoc Committee on Review of Chapter 9 and Associated Institutions*. <http://www.pmg.org.za/node/14142>

different departments to be involved in implementation of gender sensitive policies.

In this case the ministry may want to have a strong role in developing legislation and policy, as well as doing policy coordination. If implementation is left to the different departments it would mean that gender mainstreaming as a policy could still be maintained and implemented. But this would put the focus on overseeing and monitoring.

The minister would be hard pressed not to oversee, because he/she needs to be aware of how policies are implemented and to what degree the implementation is successful. If the ministry accepts an oversight function it needs to clarify its mandate with that of the Commission on Gender Equality, which also has an oversight and monitoring function.

In a briefing of the Parliamentary Research Unit to the Select Committee it was suggested that the Select Committee should have a strong oversight function and monitoring role of key legislation and policies (Parliamentary Monitoring Group (PMG), 7 August 2009). This means that the overlap with the mandate of the Portfolio and Select Committees should also be clarified. The clarification of the mandates are very important

This list of functions resembles the functions of the Ghanaian Ministry (MOWAC) and we have seen that in the Ghanaian case the mandate was too broad and unmanageable. Moreover the list is silent on the two important functions of policy implementation and oversight.

and pressing since it may defuse the urge on part of government to dismantle important structures of the NGM (as was the case in some developed countries).

In a brief by the Office of the Status of Women the following functions were suggested (Watson, 2009:14):

- ❑ Facilitating, coordinating and implementing strategic programmes;
- ❑ Acting as a custodian of gender equality legislation and policy;
- ❑ Playing a meaningful role in all government planning communications;
- ❑ Initiating sector specific policies and legislation;
- ❑ Monitoring and evaluation of government performance;
- ❑ Implementation of international commitments and protocols; and
- ❑ Funding of civil society projects on the empowerment of women.

This list of functions resembles the functions of the Ghanaian MOWAC and we have seen that in the Ghanaian case the mandate was too broad and unmanageable. Moreover the list is silent on the two important functions of *policy implementation* and *oversight*.

The brief is also silent on how the relationships with other remaining structures in the NGM will be structured. Some of the current views are that three or four sub-units should be formed, each dealing with equality of a specific identity such as the Unit for Women, the Unit for Children, the Unit for Youth and the Unit for the Disabled. This would entail that the minister would have to play a coordinating role (coordinating policies and programmes).

Taking into consideration important aspects of the analysis above it is clear that women's ministries only succeed when they are taken seriously, when they are well resourced and when the head of the government gives them the necessary power to do their work. It is also clear that the ministry needs to be integrated into other structures from which it can draw support and get advice to be successful.

It is therefore important that the ministry should have *vertical* links (access) and *horizontal* links (influence) within government, but also with civil society. The vertical links need to be established with the president and the presidency⁴ and gender sensitive ministers at the top and with the Women's Movement in civil society at the

⁴ While the Office of the Status of Women was located in the presidency it did not use this position to make gains for women.

bottom. The horizontal linkages need to be established with the Portfolio and Select Committees, the gender desks in government and the Commission on Gender Equality. The ministry will only be successful if it can influence important governmental structures and officers on gender issues, and if it provides the necessary access for civil society.

Conclusion

It is disconcerting that the new ministry has no budget to function until 2010 because it can easily be interpreted that the ministry is not taken seriously. The ministry needs to be well resourced both in terms of a budget as well as staff. The ministry will need staff who are specialists in gender analysis and the creation of interventions for gender related problems, as well as gender budgeting.

The minister will have to develop a set of criteria on how to deal with a lack of implementation by other departments because so far the biggest obstacle to gender equality has not been a lack of gender sensitive legislation but its implementation. Many laws fail in their implementation. There is also a lack of institutional memory because staff members of gender structures keep changing. Security of tenure of people working in gender structures should be considered very important.

Minister Noluthando Mayende-Sibiya is showing her commitment to gender equality by making public statements on gender issues.⁵ One of the reasons why the Commission on Gender Equality is often criticised is because of its lack of public visibility and its lack of communicating its commitment to gender equality to the public. The minister will have to be *seen* to take gender issues seriously and to make a difference.

⁵ When an article appeared on the front page of the *Sunday Times* on the abuse of Mavivi Mayaki-Mansini by her husband the Minister made a public statement that the government does not condone gender based violence.

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GAP

Policy brief
#2

GAP is a non-profit, independent organisation based in the Western Cape, where it originated as a grassroots initiative. It strives to transform gender relations in South Africa by organising civil society and petitioning political structures and decision makers for a gender just society in which women are empowered to gain social, economic and political equality. To achieve this, GAP conducts research, training and advocacy to inform, build capacity, mobilise and network relevant stakeholders.

