# Gender dynamics in Public Policy Management in Uganda and South Africa

A comparative perspective of gender mainstreaming in policy making for the water sector

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#### **ABSTRACT**

In recent years, governments in Africa have been under increasing pressure to demonstrate their relevance as citizens demand delivery of better public services. To respond to the numerous calls for efficiency improvements in service delivery governments design and implement a number of public policies that address service delivery problems. The question of how gender dynamics is used to shape public policy management is, though, less understood and has not been subject to enough scholarly attention among policy analysts. The challenges faced by different gender categories differ and ought to be considered in public policy formulation, implementation and review. While a significant amount of scholarly work has been directed at the broad subject of gender in Africa, there remains a dearth of research on gender dynamics specifically relating to public policy management. Also, studies that take a comparative angle on the subject are not a common feature on the continent. In this article, the authors interrogate through a comparative approach the gender dynamics in the public policy management of the water sector policies in South Africa and Uganda. It addresses certain policy and management implications, aiming at bringing to the fore issues of gender as specifically applied to the subject of public policy.



# INTRODUCTION

This article provides a comparative perspective of the gender dynamics in the public policy management of the water sector policies in South Africa and Uganda. Firstly, the background, rationale and methodology are clarified. Secondly, the article explains the variables influencing public policymaking and gender to contextualise gender dynamics in public policy management. Some conceptual issues on the functioning of the public sector amidst several reform endeavors are highlighted.

The article then focuses on the main area of exploration and discusses gender mainstreaming in terms of the following comparisons: the water policy legal and institutional frameworks in Uganda and South Africa, gender mainstreaming in the Ugandan water sector and gender mainstreaming in the South African water sector. The comparative overview of both countries also explores the common challenges in the management of the water sector. The article attempts to provide a classification of gender mainstreaming in policymaking processes (Gm-PMP) based on the analysis in order to finally highlight the policy implications and to make suggestions to facilitate gender mainstreaming in both countries.

# BACKGROUND, RATIONALE AND METHODOLOGY

Good public administration is the desire of all humanity but the responses to what constitutes good public administration in Africa, remain controversial depending on the disciplinary perspective and lens one adopts (Villela 2001:7). While several experts and academics often have commented on public policies, the perspectives adopted in such commentaries differ based on the academic lens a commentator adopts. A gender expert for example would be interested primarily in how public policy management processes take into account matters of gender through the formulation, approval, implementation and review of public policies. Gender is unquestionably relevant to all policy dimensions, but it particularly presents striking importance in the water sector because of some unique challenges faced by women especially in rural communities in both South Africa and Uganda.

The choice of water sector management for this comparative perspective and the choice of the two countries of comparison need to be put in a proper context. Uganda and South Africa are two countries at different levels of economic and political development; but which strangely share historical democratisation credentials, hence offering an important tool of comparison. Uganda is 'less developed' as compared to South Africa which by all means is perceived as a developed economy and one of the continent's 'super' economic powers. Uganda supported the African National Congress (ANC)' struggle in South Africa against the Apartheid regime. Uganda remains one of the major economic hubs of South Africa as most thriving businesses in Uganda, be it in the telecommunications industry, utility sector (electricity), banking and wine industry among others, have a South African descent. Both countries are driven by the market ideology but South Africa has more of an interventionist approach to public service delivery and this includes the water sector. The strong regulatory presence of government in the South African water sector is stronger than in Uganda.

Uganda and South Africa have both undergone several public sector reforms aimed at making their public service delivery systems work better. The results of these reforms

have however been different in each of the countries with South Africa demonstrating some positive progress in service delivery at least in terms of public infrastructure and the utility sectors. Uganda though has often suffered what has been variously labelled the 'implementation policy paralysis' which largely entails failure to implement the well intentioned policies. Uganda and South Africa have both designed water sector policies intended to address the glaring disparities among citizens regarding this important resource. Both countries therefore recognise gender as a constitutional duty in the management of public affairs by all actors of the state and the water sector is not an exception.

Arguably, a "meaningful understanding of public sector reforms in Africa can only be achieved if one captures the role of the public sector in both the developing and developed countries and how the negative consequences of its expansion led to dissatisfaction about its size and role effectiveness in the 1980s" (Dzimbiri 2008:44). Both Uganda and South Africa have had the private sector take a leading role in service delivery, including the management of the water sector. While the "public sector represented by the executive and its bureaucracy at" different levels of government "together with various statutory and parastatal bodies constitutes the key apparatus for the execution of the functions of the state" (Mhone 2003: 8), the private sector has taken center stage in public service delivery under the Public-Private Partnership (PPP) nomenclature. The work in the water sector which used to be the domain of the public sector is now either shared between the public and private sector under some partnership or such services have been entirely privatised. This is so in both Uganda and South Africa.

The focus of this contribution is to measure gender-based mainstreaming in water policies in Uganda and South Africa (countries of the SADC region) by way of a desktop analysis of comparative literature, official documents, and related editorials, to conceptualise the area of comparison. A review of the countries' gender policies has also been done to provide a theoretical underpinning for the analysis. "The measurement issues that are addressed are conceptualisation, specification of variables and indicators, and the operationalisation or implementation of those variables" (Auriacombe 2006:631). For Babbie and Mouton (2005 in Auriacombe 2006:632) conceptualisation refers to, "the process of specifying the vague and mental imagery of our concepts, sorting out the kinds of observations and measurements that will be appropriate for our research". According to Auriacombe (2006:632), "at this level, one moves from the language of concepts to specifying different variables and indicators... a variable is a descriptive or analytical attribute that can take on different or varying values under different conditions... [and]... and indicator is a measure that gives a concrete, measurable but indirect value to and otherwise unmeasurable, intangible concept". There are limitations to this article and more systematic empirical research needs to be done to test the classification of the indicators that were developed for gender mainstreaming in the public policy making process linked to the management of the water sector.

# CONCEPTUALISING VARIABLES INFLUENCING PUBLIC POLICYMAKING AND GENDER

To contextualise gender dynamics in public policy management, some conceptual issues on the functioning of the public sector amidst several reform endeavors need to be resolved. At the heart of this conceptual dilemma is citizen engagement, the public policymaking or



management process itself, the NPM concept and gender. Hughes (2003:44) extensively describes the background and the fundamental features of the NPM approach. He reports how the "1980s and 1990s saw the emergence of a new managerial approach in the public sector in response to what many regarded as inadequacies of the traditional model of public administration".

Citizen engagement which has different objectives is considered the interactive "processes of deliberation among citizens and between citizens and government officials with the purpose of contributing meaningfully to specific public policy decisions in a transparent and accountable way" (Phillips and Orsini 2002:3). Various gender groups need legitimate consideration during citizen-government engagement at all levels and in all sectors. The Organization for Economic Cooperation and Development (OECD) Report (2002:11) considers public participation (including gender) as "a sound investment strategy for better policy-making and a core element of good governance. This allows government to tap new sources of policy-relevant ideas, information and resources when making decisions and it contributes to building public trust in government, raising the quality of democracy and strengthening civic capacity". Unlike the Aristotelian participatory democracy which eliminates participation by women and slaves in decision-making, participatory democracy heavily supports their involvement at both national and sub-national levels.

A study by Michels (2011:7) reveals how citizen involvement has positive effects on democracy. One of the critical beneficiaries of scaled public participation has been the women groups in both Uganda and South Africa. The inclusion of women in public policy formulation within any sector but more so in the water sector which is the focus of this assessment can increase issue knowledge of the water sector as it affects women. The Southern African Development Community (SADC) adopted a Declaration on Gender and Development in 1997 committing to gender mainstreaming all policies and programmes at regional level. One of the most significant sectors of the SADC Plan of Action was the water sector. Similar efforts have been well documented by other declarations at an African level.

"It is not possible to define public policy in any precise way" (Hughes 2003:114). This is partly because, the term means different things to different people (Nwagboso 2012:62). The widely adopted definition by Dye (2001:1) describes public policy as basically "whatever government chooses to do or not to do". In his view, government's decision goes through a complex interactive process influenced by diverse socio-political and other environmental factors. It is within these processes where arguments regarding gender dynamics should take center stage.

Policy management signifies the process of policy initiation, formulation, implementation, evaluation and review (Hague and Harrop 2010:371). Shafritz, Rusell and Borick (2011:46) regard the process of policymaking as involving agenda setting, policy decision or non-decision making, the implementation of a new programme or change in an old public programme and finally criticism from citizens and formal programme evaluations. Whatever approach to understanding policy management is adopted, it needs to be clear that the divisions of these different stages of the policy process are more analytical than chronological, meaning that in the real world, they often overlap. It is also the thesis statement of the article that gender issues have to be mainstreamed at each of the policy management stages.

At the height of the New Public Management (NPM) gospel during the 1980s, the state started rolling back in both Uganda and South Africa like other "developed and developing

countries and the emphasis shifted from the state and the public sector to the private sector" (Dzimbiri 2008:45). Significant reforms including Structural Adjustment Programmes, plus a wide range of political, economic and administrative reforms were undertaken and these largely aimed at minimising the direct role of government in service delivery in favour of the private sector. Economic reforms emphasised the need for liberalisation of the economy by minimising controls, denationalisation and privatisation while accompanying political reforms, including democratisation and decentralisation with improved public participation and accountability. The role of gender itself received more attention by all actors in government as a strategy for increasing the political space of marginalised groups to fit into the framework of 'public participation' advanced by good governance advocates. There were also management-oriented reforms under the slogan of adopting private sector led management techniques into the running of the government apparatus. The emergence of all these created a unique policy management environment with more focus on gender mainstreaming.

"NPM is a label used to describe a management culture that emphasised the centrality of the citizen or customer, as well as accountability for results" (Hood 1991 in Dzimbiri 2009:52). NPM brought the paradigm shift from traditional public administration to new public management, hence moving the state towards market-based public sector management. Powell and De Vries (2011:99) regard NPM as an approach to administration in government that utilises market principles to improve performance and effectiveness in the delivery of government services.

Gender mainstreaming involves "taking account of gender equity concerns in all policy, programme, administrative and financial activities, and in organizational procedures, thereby contributing to a profound organizational transformation" (Morna Undated:6). As Gudhlanga, Chirimuuta and Bhukuvhani (2012:4537) point out gender is the "fairness of treatment for women and men, according to their respective needs". Similarly, Okonkwo (2013:5580) considers gender to refer "to giving men and women equal access to economic, educational and political opportunities". Within the context of policymaking, men and women have to be given fair treatment from the initiation of any policy, through its approval, implementation, monitoring, evaluation and review.

# GENDER MAINSTREAMING IN THE MANAGEMENT OF THE WATER SECTOR: A COMPARATIVE APPROACH

The Universal Declaration of Human Rights (1948); the Convention on the Political Rights of Women (1952); and the Convention for the Elimination of All Forms of Discrimination against Women (1979) have opened opportunities for gender-based discussions at global level. These "conventions have established a strong paradigm that women are more than capable of handling specific delegated responsibilities". In the context of this article "this responsibility is limited to the water sector, with the rationale that women are the main consumers and the foremost stakeholders of water and water resources" (Vyas-Doorgapersad 2013:6). Women require equal participation, representation and inclusion in the policymaking process for effective water resource management. Policy reflections also support the fact that a gender-inclusive outlook to water resource management is vital for accomplishing most post-development Goals (a way forward to achieve the Millennium Development Goals),



Table 1: Water policy legal and institutional frameworks in Uganda and South Africa

Uganda	South Africa	
The 1995 Constitution of Uganda	The Constitution of the Republic of South Africa,1996	
The National Water Policy (NWP) (1999)	The National Water Act 36 of 1998	
The Uganda Gender Policy (UGP) (2007)	DWS Gender Policy     National Implementation Strategy and Action Plan 2006-2010 for Mainstreaming Gender into the Water Services Sector	
The Water Act (1995)	The Water Services Act 108 of 1997	
Environmental Act (1995)	Water Research Act 34 of 1971	
The National Environment Management Policy (1994)	The Free Basic Water Policy, 2000	
Local Government Act (1997)	<ul><li>Municipal Systems Act 32 of 2000</li><li>Municipal Finance Management Act 56 of 2003</li></ul>	
Land Act (1998)	Water conservation and demand management National Strategy Framework, 1999	
Environmental Health Policy (2005)	The development of a sanitation policy and practice in South Africa, 2002	
The Strategic Sector Investment Plan (SIP) 2009	Policy on financial assistance to resource poor irrigation farmers, 2007	

"including not only those related to health, but also to poverty and hunger eradication, education, women's empowerment, environmental sustainability and global partnership for development" (Eid 2009:8).

"Water resource management is incomplete without a gender perspective" (Swiss Agency for Development and Cooperation 2012:4). The implementation of these conventions is studied in Ugandan and South African scenarios assessing the role of gender in the management of the water sector. To effectively incorporate gender in water sector policy management, a legal and institutional regime is fundamental. Below is a comparative illustration of these regimes in Uganda and South Africa.

Broadly, Table 1 suggests that both countries have an elaborate legal regime through which gender dynamics in water policy management can be anchored. Both countries' gender policies are derived from the supreme laws of the countries and efforts have been made to adopt specific gender targeted legislation. The differences may lie in the implementation challenges but significant legal groundwork for inculcating a culture of gender in policy management processes in the water sector is demonstrably robust. Some of the outstanding features of the gender dynamics debate in the water sector are described below:

# Gender mainstreaming in the Ugandan water sector

The "Constitution of the Republic of Uganda, as the country's overall legal framework, provides for gender balance and fair representation of marginalised groups; accords equal citizenship rights, freedom from discrimination and affirmative action in favour of women;

recognises the role of women in society and articulates specific rights for women including outlawing customs, traditions and practices that undermine the welfare, dignity and interests of women" (Gender Policy 2007). Article 21 of the Constitution of the Republic of Uganda, 1995, states "all persons are equal before the law... a person shall not be discriminated against ...". Article 321 of the Constitution of 1995 provides for affirmative action and states "the state shall take affirmative action in favour of groups marginalised on the basis of gender".

The National Water Policy (NWP), 1999, which "provides the overall policy framework for the water sector, recognises the importance of gender and states that women's involvement in design, construction, operation and maintenance of improved water supply and sanitation facilities should be supported through training" (Uganda Bureau of Statistics 2012). One of its regulatory philosophy states: "Institutional reforms promoting an integrated approach, including changes in procedures, attitudes and behaviour and the full participation of women at all levels in sector institutions and in institution making" (Uganda Bureau of Statistics 2012:9). The policy provides for participation of women by specifying that women and men should have an equal opportunity to participate fully in all aspects of public water management. The policy also emphasises that under the Community Based Maintenance System, a Water Users Committee (WUC) should have at least 50% women representatives (Uganda Bureau of Statistics 2012).

The Uganda Gender Policy (UGP) (2007) "aims at establishing a clear framework for identification, implementation and coordination of interventions designed to achieve gender equality and women's empowerment in Uganda. The policy requires sector ministries to translate the UGP into sector-specific strategies". The Ministry of Water and Environment (MWE) translated the National Gender Policy (1997) into the Water Sector Gender Strategy (WSGS), (2010-2015), and the Ministry of Gender, Labour and Social Development (MGLSD) has also "supported the MWE in policy development, development of sector guidelines and staff capacity building at the centre and in district local governments. In addition, the social sector reforms resulted in the appointment of District Gender Officers to support local governments in mainstreaming gender. This provides an opportunity for the District and Urban Water Offices to access this technical gender expertise during project and programme implementation" (refer to Uganda Bureau of Statistics 2012). The Strategic Sector Investment Plan (SIP) (2009) and various implementation guidelines advocate for gender in water and sanitation programmes and projects, in line with the National Water Policy (1999). Uganda has a comprehensive legal and water policy framework. The Constitution of the Republic of Uganda of 1995 provided the supreme legal framework for the sector. In this Constitution, government recognises the important role of water in the development of Uganda. The country has the National Water Policy (1999) which recognises water as a social and economic good, the Water Act (1995) which describes the rational management and use of the waters of Uganda, the Environmental Act (1995) regulating sustainable environmental management as well as the other relevant regulations and policy frameworks.

In Uganda, "women and girls are the major water collectors, users and managers in homes. They are also the major promoters of household and community sanitation activities. They therefore bear the impact of inadequate, deficient or inappropriate water and sanitation services. Men however still dominate the arena of planning and decision making regarding water and sanitation development and women's views are often under-represented, implying that women's practical and strategic needs are not addressed (Water Sector Gender Strategy 2010–2015). The Water Sector Gender Strategy (WSGS 2003- 2008) (hereby referred to as



WSGS I) served as the first strategic framework for implementing Uganda's National Gender Strategy within the mandate of the Ministry of Water and Environment (MWE)" (MWE 2015). The implementation challenges of the WSGS I, identified during the review process, resulted into the second Water and Sanitation Gender Strategy (2010–2015). However the challenges still prevalent include the following, among others:

- The pre-policymaking phase: Inclusiveness of gender perspective in water policies.
- The policymaking phase: Advancing capacity building of water sector stakeholders.
- **The post-policymaking phase:** Promoting opportunities for both men and women for participating in water resource management.

# Gender mainstreaming in the South African water sector

Since "South Africa's transition to a liberal democracy, its government's efforts to advance gender equality have been held up as a beacon of good practice across the world. However, the reality of women's experience in South Africa, ..., have been much more complex and casts doubt on the country's celebrated gender achievements" (Gasela 2007 in Govender and Vyas-Doorgapersad 2013:108). This scenario is visible in the water sector in South Africa. In theory, at the national level, the Ministry of Water and Sanitation (MWS), previously known as Department of Water Affairs and Forestry (DWAF) and the Department of Water and Sanitation (DWS) at the provincial level are responsible for water related legislation, institutional structures and processes.

The water sector is regulated by the White Paper on National Water Policy for South Africa, 1997, the Water Services Act 108 of 1997, the National Water Act 36 of 1998, the Free Basic Water Policy, 2000 and the White Paper on Basic Household Sanitation, 2001. The DWS has incorporated gender dimensions in the policy processes that are witnessed in the documents such as the Gender Policy, 1996, and the National Implementation Strategy and Action Plan 2006–2010 for Mainstreaming Gender into the Water Services Sector<sup>2</sup>. The review of gender inclusiveness in these documents construes the following:

- The pre-policymaking phase: Gender-based "public participation in the National Water Act (NWA), South Africa has yet to implement a comprehensive and functional approach to public engagement at the level of Water Management Areas. Part of the problem is that actual requirements are not explicitly articulated anywhere. This has led to the situation where public participatory processes are poorly conceptualised, misdirected and often perceived as confusing by stakeholders" (Du Toit and Pollard 2008:1).
- The policymaking phase: Keeping gender on the agenda is a struggle for many officials and gender practitioners who find themselves managing events rather than a transformation process (DWAF Undated: 10).
- The post-policymaking phase: Gender is generally absent from the job descriptions and performance agreements of senior managers although there has been progress in including gender in the job descriptions of those responsible for gender (DWAF Undated: 12).

The comparative overview of both countries explores the common challenges in the management of the water sector. These challenges entail that: the water related legislation

requires public participation to discuss a diverse range (gender-based delegation of tasks, participation and involvement) of water related activities. The policy-making processes in the past did not (and still do not in most instances) "include the participation of previously disadvantaged groups in the management of the water resources" (Karodia and Weston Undated: 18).

In order to ascertain whether the legislative frameworks in South Africa and Uganda incorporate gender equity and inclusiveness, it needs to be determined whether there are any gender-based criteria in the utilisation of water. The response to this concern Rust (2007:136) argues that regarding, "the role of the gender officials ...the specific traits and qualifications required in a gender focal point are not discussed; the very important aspect of strategic access for the gender focal point is not mentioned; and the responsibilities of the gender focal point are not detailed" (Rust 2007:136). Another concern raised is to determine whether there is a gender-disaggregated data-base available to identify the need for gender mainstreaming the water sector. In this regard Rust (2007:136) stated that in terms of a "Gender mainstreaming policy and approach...there is no interrogation of the gender mainstreaming approach per se, and no reference to the necessary recognition and respect for difference to facilitate gender equality" one cannot make these conclusions in the absence of proof of this (Rust 2007:136). It can therefore be deduced that there are policies, legislation and strategic frameworks in place stating gender in their content. Nonetheless, these documents lack the involvement, representation, and participation of gender at various policymaking stages (DWAF regulations in Vyas-Doorgapersad 2013). Lack of opportunities and capacity-building initiatives (Seetal 2005 and the Office on the Status of Women documents 2003 for more information) aggravate this situation hence gender mainstreaming is least visible in the water-related policies and programmes.

# POLICY IMPLICATIONS AND SUGGESTIONS

The authors have examined the water sector policy in the two countries and based on the analysis, a classification of gender mainstreaming in policymaking processes (Gm-PMP) actions are proposed. This Gm-PMP suggests that gender must be considered at all levels of the policy process. This inclusion of gender must also transcend the levels of organisational hierarchy but should have its foundations in the departments/sections of the organisations.

Through the proposed, Gm-PMP, the classification proposes policy suggestions in terms of its implementation processes. It is also imperative to conduct a needs analysis to identify gender-based disaggregated data. Therefore, this classification may assist public policy makers to identify gender-based needs and responsibilities linked to management of the water sector. The organisational arrangements need to align performance management, monitoring and evaluation processes in an integrated manner linking individual, departmental and institutional goals to the performance agreements. These performance agreements need to incorporate gender mainstreaming and gender equality to achieve water based strategic objectives. Integrated performance management also needs to incorporate the relevant knowledge, skills and competence-related opportunities related to the management of the water sector equally to male and female officials. Impact surveys need to be conducted to obtain gender-based participation in water resource management.



Diagram 1: Gender mainstreaming in Policy-Making Processes (Gm-PMP)

INSTITUTIONAL LEVEL		
INCORPORATE	ESTABLISH	INVOLVE
Gender mainstreaming in policy-based decision making processes and structures. Ensuring that gender is mainstreamed at different levels of programming. Mobilisation and coordination of resources to promote gender, family and children's rights.	Gender mainstreaming, equality, family and child welfare policies and programmes in terms of design/formulation, implementation, monitoring and evaluation. Coordination of the above policies, processes and programmes. Accountability mechanisms through scrutinising reports from different institutions and divisions implementing policies and programmes. Gender audit Gender disaggregated data collections system.	Gender-based participation during pre-and post-policy sessions/decision making processes.
DEPARTMENTAL LEVEL		
FORMULATE	ORGANISE AND OVERSEE	CONSULT
Gender mainstreaming strategies for departmental mandate(s).     Formulate and implement gender responsive budgeting and procurement processes.	<ul> <li>Gender awareness workshops, sessions, meetings.</li> <li>Oversee and facilitate gender policy implementation at all levels of the organisation.</li> <li>Institutional gender capacity building.</li> </ul>	Community members and civil society organisations for gender-based needs, roles and representation levels.
INDIVIDUAL LEVEL		
IMPLEMENT	MONITOR	FACILITATE
Gender mainstreaming in individual programmes.	The incorporation of gender equality goals.	Gender-based participation sessions for individual programmes.     Women's empowerment to participate in governmental activities.     Individual capacity building to carry out their own activities.

# **CONCLUDING REMARKS**

Gender is an important socio-economic variable that needs a special place in the policy management process within African democracies. Public policymaking is a political process which balances interests of different interest groups in society. Women constitute one of the significant political groups in both Uganda and South Africa and have a voice worth considering in public policy management. The fact that women face different problems than men during the

formulation of policies and are affected differently by various policies during implementation due to historically known disparities among the two social groups (men and women), demands a renewed approach in the inclusion of gender in matters of public policymaking in all sectors. Gender issues have to receive a nod from policymakers from initiation of policies, through formulation, implementation, evaluation and finally the review. This will however need gender champions in policymaking and these can be both men and women.

In democratic or authoritarian regimes, policymaking is inevitable and it serves as a guide to the exercise of power by those that steer the affairs of the state (Nwagboso 2012:59–60). Policies affect different groups differently but most importantly they affect all citizens. During their formulation policies must be anchored in a clear framework of inclusiveness, therefore, gender variables demand sound considerations. Public policies ought to deviate from what has notably characterised the African continent where public policies have been formulated and implemented "with the help of international organisations such as the International Monetary Fund and the World Bank" (Imurana, Haruna and Kofi 2014:196); which often excluded local realities and dynamics. A water policy that disregards the role of women is destined to fail.

# **NOTES**

- 1 Prof Benon C Basheka is a Research Associate at the Centre for Public Management and Governance at the University of Johannesburg, South Africa.
- 2 For more information about gender issues contained in the DWAF regulations in the South African context refer to Vyas-Doorgapersad (2013).

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