

# PERSPECTIVES ON PARLIAMENT

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## WHAT IS GENDER ANALYSIS?

Gender analysis “is a process that assesses the differential impact of proposed... policies, programs and legislation on women and men... it compares how and why women are affected by policy issues.”<sup>3</sup> The idea is that considerations of how women fare should not be an “add-on” to a “mainstream” policy, but rather that all policy-making should consider how women and men are affected from the very beginning.<sup>4</sup>

Gender analysis is necessary because, even if a policy does not differentiate between men and women, the outcomes for the two groups are likely to be different. They may even be harmful to women, even if that was not the intention. Gender analysis is therefore a good tool to show policy makers the importance of understanding gender relations, and use that information to create better policies.<sup>5</sup>

When women are empowered, all of society benefits. For example, employed women are able to contribute to tax revenue, educated women (and their children) are likely to have better health outcomes, and so on. Gender analysis should, therefore, feature in all policy making processes.

<sup>3</sup> Status of Women Canada, “Gender-Based Analysis: A Guide for Policy-Making,” 1996, 4.

<sup>4</sup> Status of Women Canada, 16.

<sup>5</sup> Keys, McEvoy, and Murison, 12.

## GENDER ANALYSIS AND POLICY

### *Making Every Dollar Count*



**T**he 2019/20 budget was tabled during a time when the government is trying to reduce spending wherever possible. Because government revenues are exceeded by expenditures, many ministries saw significant cuts to their budgets. As a result, making money work efficiently is more important than ever. Gender Responsive Budgeting<sup>1</sup> (GRB) is just one way that the government can ‘spend smarter’, but the process starts with gender analysis.

The justification for GRB is simple: as women are often disadvantaged by the way society is set up<sup>2</sup>, it is important to spend money in a way that takes that into account. This does not, however, mean that money should be ‘taken away’ from men. It simply means that government spending should match the needs of as many people as possible.

In Namibia, as in many other countries around the world, men and women receive different treatment due to their gender. In a variety of ways -- including but not limited to institutional access, social biases, and cultural values -- women are disadvantaged in comparison to men. To combat this gender-based inequality, it is important that laws and policies do not disadvantage women -- and in many cases, actively try and aid women.

<sup>1</sup> Nangula Shejavali and Maximilian Weylandt, “Women in the Budget: An Exploration of Namibia’s Gender Budgeting Processes,” Special Briefing Report (Institute for Public Policy Research, March 2018), <http://ippr.org.na/publication/women-in-the-budget/>

<sup>2</sup> See, for example, Ndapwa Alweendo, Rakkell Andreas and Deanna Rafla-Yuan, “Landscaping Gender Based Violence in Namibia”, Special Briefing Report (Institute for Public Policy Research, October 2018), <https://ippr.org.na/publication/landscaping-gender-based-violence-in-namibia/>

# NAMIBIAN WOMEN AND THE LAW

**One famous Namibian law -- the Affirmative Action Act of 1998 -- is a good example of a law that seeks to address gender inequality. It recognizes that women have traditionally been discriminated against in the workplace and requires businesses to report on the number of women it employs across employment categories, as well as how many women they promote and train for higher positions.**

While there are no gender specific laws in Namibia, individual party's policies can significantly influence the gender dynamics of parliament. In Namibia, SWAPO's adoption of a zebra list party saw an influx of women MPs<sup>6</sup>. However, an influx of women does not guarantee a shift in tone in all aspects of politics, or even a greater focus on gender-related issues during parliamentary debates.

## *The evolution of women's rights in Namibia*

### **The right to vote**

Women have historically been discriminated against by being excluded from the political process. In Namibia, the first elections in which everyone, including women, could exercise their right to vote took place in 1989.

### **Women and Land Ownership**

Article 95 of The Namibian Constitution acknowledges that women have historically been deprived of access and opportunities, and specifically says that the State will actively prioritise women's needs when it comes to land ownership and housing. In addition, the National Land Policy states that widows (and widowers) must maintain the land rights they held while their spouse was alive, in response to times when land disputes arose between widows and other family members.<sup>7</sup>

### **Maternity leave**

Maternity leave refers to the period of time a person takes off work before and after giving birth. Maternity leave policies are often ambiguous, because employers want to minimise loss of productivity due to leave. Employees are similarly concerned about job security as well as fully exercising their right to maternity leave. In Namibia, the Labour Act says that female employees who have worked for at least six consecutive weeks are legally entitled to a minimum of 12 weeks paid maternity leave.<sup>8</sup>

When the law does not take gender into account, it can lead to women being disadvantaged. Take for example social grants in Namibia. A 1998 study<sup>9</sup> reported that claimants had to travel long distances, which particularly hindered women, and noted that "women in particular were unable to produce the formal documents needed to register for grants."<sup>10</sup>

A look at the current requirements for disability grants reveals that women face a higher burden than men when it comes to applying. As of May 2019, the government website listing requirements to register for disability grants states that necessary documents include "if Married a Marriage Certificate (woman only)."<sup>11</sup> It is not clear what the reasoning is behind placing this additional burden on women, but it will certainly make it more difficult for disabled women to access the help they are due.

## *The Parable of the Fox and the Crane<sup>12</sup>*

The Fox invited the Crane to dinner. He served the food on a large flat dish. The Crane with her long, narrow beak could not eat. The Crane invited the Fox to dinner. She served the food in a deep vase, and so the Fox with his short, wide face could not eat.

At a glance, it seemed that both friends had an equal opportunity for nourishment, but each time one of them could not take advantage of this opportunity. In other words: gender-neutral policies are not good enough because they will often accidentally advantage one gender – often men. We need to be aware of differences to ensure fair outcomes for everyone.

<sup>6</sup> See Maximilian Weylandt & Ndeapo Wolff (2018) "Parliamentary Questions in Namibia: Asking, Answering and Accountability"

<sup>7</sup> Ministry of Land. (1998). National Land Policy. Available at <http://www.mlr.gov.na/documents/20541/634749/National+Land+Policy.pdf/5fc90cc9-0850-443f-ac6d-c17939b1278f>. p, 1.

<sup>8</sup> Republic of Namibia. (2007). Labour Act 11 of 2007. Available at <http://www.lac.org.na/laws/annoSTAT/Labour%20Act%2011%20of%202007.pdf> (Accessed on 12 January 2019). p, 33.

<sup>9</sup> Kalanidhi Subbaro, "Namibia's Social Safety Net: Issues and Options for Reform," World Bank Policy Research Working Paper 1996 (1998), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=569223](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=569223).

<sup>10</sup> Shejvali and Weylandt, "Women in the Budget: An Exploration of Namibia's Gender Budgeting Processes," Special Briefing Report (Institute for Public Policy Research, March 2018), 10, <http://ippr.org.na/publication/women-in-the-budget/>

<sup>11</sup> Government of Namibia, "Old Age and Disability Grants," accessed December 7, 2018, <http://www.gov.na/web/guest/old-age-and-disability-grant?inheritRedirect=true>

<sup>12</sup> Adapted from Keays, McEvoy, and Murison, "Learning & Information Pack: Gender Analysis," 108.

# HOW TO DO GENDER ANALYSIS

If possible, a gender analysis should include some research on the topic at hand that takes into consideration the differences between men and women’s experiences. For this purpose, it is very useful if there are any gender-disaggregated statistics on the matter. What this means in practice is that statistics are not just collected overall, but specify how men and women compare. For example, we could find out the overall unemployment rate of the country – but it might be more useful to policy makers to find out whether men and women have similar rates of unemployment.

Disaggregating by other factors, such as region or age can make data even more useful: if the data shows that there is an especially high difference in unemployment between men and women in the Khomas region, for example, we can ask why the inequality is so high in this particular area, what can be learnt from places where it is better, and how policies should change to reduce inequality.

In Namibia, we do not have the wealth of statistical information on a wide range of issues that wealthier countries can rely on. However, there are some data sources of decent quality, and they usually report their statistics for men and women separately.

## Reading Analysis

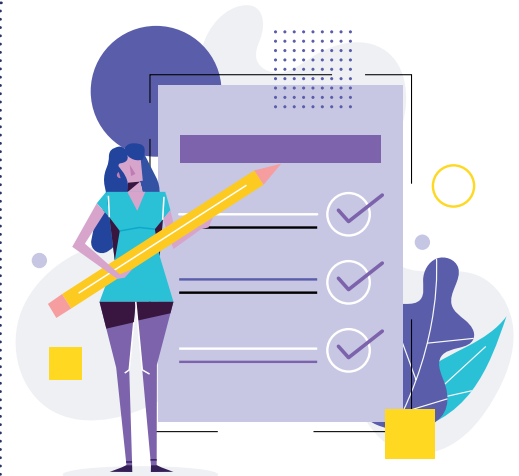
Basic gender analysis can be as simple as reading through a law or policy document in an active, focused way, keeping gendered issues in mind as one goes along. A simple way of beginning this process is to search a document for terms that relate to women’s issues, such as “gender”, “woman/women”, “sex”, “men” and so on. This can be easily done with an electronic version of the document and could already give a first indication of whether the document explicitly deals with gender. If you do find these terms, you can then look closely at those sections where the terms occur.

Note that we also included the term “men” in our list above. This is because gender analysis is often incomplete if it focuses only on women. After all, the ultimate goal of gender analysis is to reduce inequality between women and men. Women’s problems are not independent of men – often their issues are very closely related to how men are treated. For example until 1996, husbands in Namibia restricted several of their wives’ rights, including their ability to register property, act as company directors, execute estates, and more. As a result, men gained an advantage because of women being disadvantaged.

While reading, it is also a good idea to keep in mind how the document relates to its policy context. In the case of laws, has Namibia signed and ratified international treaties that are concerned with the improvement of women’s status.<sup>13</sup> Are there other Namibian policies or laws, especially on gender, that could affect the implementation of a new/amended law or policy? Is the law/policy in line with Namibia’s National Gender Policy? If the document you are analyzing does not explicitly mention these other frameworks and policies, does it at least fall in line with them – or does it contradict other policies or international commitments already in place?<sup>14</sup>

<sup>13</sup> A list of international and national legal instruments relating to Namibia can be found in the National Gender Policy.

<sup>14</sup> Keays, McEvoy, and Murison, “Learning & Information Pack: Gender Analysis,” 18.



## Gender-Disaggregated Data for Namibia

**The National Household Income and Expenditure Survey.** This is conducted every 5 years and is the basis for calculations of Namibia’s poverty rate. This survey provides a wealth of information, including households’ main source of income and their spending patterns.

**The Labour Force Survey.** This is used to calculate the unemployment rate, and gives information on whether people are looking for work, the sector in which they are employed, their levels of employment, and more.

**Afrobarometer.** The Afrobarometer is a survey on public opinion that is carried out every few years. Afrobarometer is one of the few indicators of what Namibians think on a wide range of topics including politics, economics – and gender issues. All responses can be broken down by gender to see whether women and men differ in their approach on a given matter.

**The census.** Every 10 years, the National Statistics Agency goes around the country to try and count every single Namibian. In doing so they record a variety of characteristics for every person: demographic information such as their age, education and gender, but also what sort of housing they live in, their economic activity.



### *Some of the International Agreements Promoting Gender Equality:<sup>15</sup>*

- SADC Declaration on Gender and Development
- The Beijing Declaration and Platform for Action (BPFA)
- The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1997)
- The Millennium Development Goals (MDGs) (200) • The Convention on the Rights of the Child (1990)
- The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003)
- The Universal Declaration on Human Rights (UDHR)

<sup>15</sup> Ministry of Gender Equality and Child Welfare, (2010). "National Gender Policy (2010-2020)" (Government of Namibia, March 2010), 11. Available at [http://www.africanchildforum.org/clr/policy%20per%20country/namibia/namibia\\_gender\\_2010-2020\\_en.pdf](http://www.africanchildforum.org/clr/policy%20per%20country/namibia/namibia_gender_2010-2020_en.pdf).

# GENDER RESPONSIVE BUDGETING

**While assessing the budget on a macroeconomic scale is crucial, there are many other ways to read the budget. Using a gender lens can also be a valuable gender analysis tool, as it focuses on future action/policy. Using GRB means ensuring the money collected and spent by the government is used in a way that works toward gender equality. This process goes further than the more simple types of analysis explored above. GRB is a powerful tool, both for members of the public and government. It essentially allows policy makers to put their commitment to gender equality into action.**

However, it is important to challenge the misconception that GRB is about creating special or separate budgets just for women. Achieving gender equality benefits all members of society, as women are better able to access opportunities and contribute to economic growth, and societal values evolves to be more inclusive and human rights focused.

While various government officials and bodies have publicly acknowledged the importance of GRB, this is not always captured in policy and planning. The Ministry of Gender Equality and Child Welfare (MGE CW), for example, received the eighth highest vote in the budget, with just under N\$1.3 billion or approximately 2.2 percent. Of that, under their 'Gender Equality and Research' objective, GRB is projected to receive N\$202 000<sup>16</sup> in the 2019/20 financial year, an amount that must cover several administrative processes, skills development, and so on. This is the only explicit mention of GRB in the budget.

<sup>16</sup> P. 195



## Gender Responsive Budgeting in practice



# WAYS FORWARD

It is clear that Namibia is constrained both by a fiscal crunch, and by a lack of gender-responsive policy. There are, of course, policies and projects already in place to address gender inequality.

However, there are several resources which would enable the government to begin implementing a sense of gender awareness into their policies. Again, the issue is not prioritising one specific group over another, but rather ensuring that what is spent meets as many social needs as possible. Below are some suggested practical interventions.

Practical Intervention	Description
Disaggregated Data	Making sex disaggregated data the norm for all government research.
Gender Sensitisation	Training all government officials (especially those involved in the budget process) in basic gender analysis.
Include Gender Impact in Proposed Budgets	Requiring all budgets to explain how the proposed activities will contribute to gender equity.
Gender Sensitive Public Expenditure Tracking	Making sure that all monitoring and evaluation also measures the success of the proposed activities.

A good way to implement GRB might be to select some pilot ministries to focus on and, in close collaboration with the Ministry of Finance, build capacity so that government officials are able to implement GRB techniques. After that, projects would be designed that take into account the gender landscape.

Two simplified examples would be designing projects to increase sports participation in schools, and a programme to make contraceptives more accessible to young women. The first programme could be designed in a way that requires all teams to include boys and girls more equally. The second programme could be designed in a way that takes into account some of the factors leading to teenage pregnancy. Their information campaign could then take into account the stigma attached, and highlight the right young people (especially women) have to anonymously access contraception.





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## ABOUT DEMOCRACY REPORT

Democracy Report is a project of the IPPR which analyses and disseminates information relating to the legislative agenda of Namibia's Parliament. The project aims to promote public participation in debates concerning the work of Parliament by publishing regular analyses of legislation and other issues before the National Assembly and the National Council. Democracy Report is funded by the Embassy of Finland.

## ABOUT THE IPPR

The Institute for Public Policy Research (IPPR) is a not-for-profit organisation with a mission to deliver independent, analytical, critical yet constructive research on social, political and economic issues that affect development in Namibia. The IPPR was established in the belief that development is best promoted through free and critical debate informed by quality research.



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