

A Gendered Analysis of Policy Developments in South Africa: Towards a Re-evaluation of Substantive Gender Equality

Summary

South Africa continues to be plagued by high levels of inequality, with gender inequality remaining a significant determinant of poverty. The purpose of this policy brief is to conduct an historical analysis of policy developments in South Africa, from the Reconstruction and Development Programme of the 1990s to the current National Development Plan and its Medium-Term Strategic Framework to assess their sensitivity to questions of gender and gender equality and inequality. It notes that the policies systematically fail to address the structural causes of gender inequality from a gender-awareness perspective. In response, we set out the case for elevating the importance of substantive gender equality – as a constitutionally grounded human right – in the implementation of South Africa's current development policy. In particular, we highlight the need for a new point

of departure in the way women are described and analysed in policy. We argue that there is an urgent need for the discontinuation of the practice of projecting women as a “vulnerable group”, and instead for women to be understood as a socially disadvantaged heterogeneous group which must be empowered through the creation of multiple and diverse opportunities. In addition, we recommend that service delivery policies should aim to utilise the knowledge and skills of women, and empower them through the entire supply chain. And lastly, we recommend that opportunities for female-owned businesses, and women in decision-making positions, must be articulated and fostered as a national priority.

Gender as a key determinant of poverty and inequality

It is a well-known fact that, 23 years into democracy, South Africa remains one of the most unequal societies on

earth. Worse still, income inequality, measured by the Gini coefficient and the Lorenz curve, appears to be widening rather than narrowing.¹ Within groups, inequality appears to be rising, with factors such as geographic location, access to finance and level of education coalescing, on the one hand, to provide enhanced opportunity for already privileged groups, and, on the other, both maintaining and deepening the challenges experienced by the vast majority of previously disadvantaged groups.² Perhaps unsurprisingly, a 2012 World Bank study on inequality in South Africa found that gender continues to be a significant determining factor in accessing life opportunities that diminish rather than expand the gap between rich and poor.³

Women and girls continue to face multiple forms of marginalisation at macro- and micro-levels, with the result that poverty among South Africa's female population is stubbornly and consistently more prevalent than among the male population.⁴ Despite some successes in advancing the social and economic position of women and girls in South Africa, our historical analysis of national development policies illustrates that structural barriers to equality have not been sufficiently overcome.

Against this background, this policy brief outlines the development of South Africa's macroeconomic policies, demonstrating a historical policy trajectory, concluding with the National Development Plan (NDP), which has struggled to achieve the full rights of women. We argue instead for a re-evaluation of the centrality of substantive gender equality as a key determinant of policy implementation.

A brief genealogy of South Africa's macroeconomic policies

Introduced in 1994, the Reconstruction and Development Programme (RDP)

was democratic South Africa's first "integrated, coherent socioeconomic policy".⁵ It was designed from what was purported to be an inclusive, people driven process, purposed towards nation-building. The RDP saw relative success in the area of social security that included free health care programmes for pregnant women and children. It also paid some specific attention to the problem of gender-based violence (GBV): the policy "must aim to promote mental health and increase the quality, quantity and accessibility of mental health support and counselling services, particularly for those affected by domestic or other violence, by rape or by child abuse".⁶ In addition, the policy included a "focus on the reconstruction of family and community life by prioritising and responding to the needs of families with no income, women and children who have been victims of domestic and other forms of violence, young offenders and all those affected by substance abuse".⁷

However, notwithstanding these important provisions, the RDP contained few explicit gender emphases. While it drew attention to specific gender challenges such as GBV and reproductive health, it failed to acknowledge their systemic determinants, including economic vulnerability and the role of traditional structures. Moreover, at the level of implementation, the RDP did not provide for factors that would enhance gender-related outcomes, such as the capacitation of officials on gender-specific measures, or recognition of the multiple demands of motherhood and the socioeconomic needs associated with family responsibility.

In 1996, the RDP was replaced by the Growth, Employment and Redistribution (GEAR) programme.⁸ GEAR was focused on generating economic transformation in South Africa through "a competitive outward-orientated economy" to

ensure "a climate for continued investor confidence". Its policy directives included promoting privatisation and exchange control liberalisation, and restructuring – or downsizing – the public sector.

GEAR was critiqued at the time as "an economic system modelled on the neoliberal policy prescriptions of the international financial institutions"⁹ and was commonly referred to as a home-grown structural adjustment programme. In short, the policy was demonstrative of a shift in the role of the state from promoting and protecting human rights to promoting and protecting the free market and foreign investment. Yet, of concern, economic policies of this kind tended to marginalise women in the non-recognition of women's unpaid contribution to the economy and the lack of protection for those in informal and insecure employment, positions in which women are disproportionately found (for example, as domestic workers). Perhaps more troublingly, GEAR made no reference to "gender" and did not address any issues relating to the status of women in South Africa's economy. In these terms, GEAR could be described as being broadly gender-blind. As an added note, fourteen of GEAR's technical team of fifteen drafters were men.

Despite the objectives of GEAR, unemployment notably increased between 1996 and 2001, with the most arduous effects felt by women in poverty.¹⁰ Indeed, according to Ferguson: "in this climate, access to pensions and grants has often proved to be the only thing keeping poor households and communities on their feet, as the pension-receiving grandmother has replaced the wage-earning man as the economic centre of gravity in many poor households".¹¹

In 2013 the NDP Vision 2030 was published, with the goal of eliminating poverty and inequality, especially among the youth and women.¹² Despite this objective, gender equality and violence against women was not listed in the nine key challenges identified by the NDP. Moreover, there was again no recognition of women's unpaid contribution to the economy (such as child care, domestic work, care for the sick and elderly). According to Amanda Gouws, there was a critical lack of women and gender in the NDP, with the one brief reference (on p. 43) characterising women as a homogenous and vulnerable group. For Gouws, the failure of the NDP to recognise the diversity of women and cater to women's practical needs, had the effect of limiting opportunities for the redistribution of resources and economic growth equitably.¹³

In 2014, the Medium-Term Strategic Framework (MTSF) was published as an implementation policy for the NDP.¹⁴ Its two major areas of focus were "radical economic transformation" and "improving service delivery", the former to be realised through – amongst others – an assessment of "unnecessary regulatory burdens" which block business development. The MTSF further detailed 14 priority areas, none of which related or were targeted towards addressing the structural challenges of gender inequality through economic growth. In terms of Priority 3, the need to promote safety and security, particularly for women, was articulated. However, the critical issue of GBV was not mentioned. Moreover, under Priority 4, the MTSF noted the need to create employment opportunities for women, but did not indicate that women should occupy decision making positions or provide for any substantive measures to promote employment opportunities for women. And lastly, the importance of service delivery as a key area of reform was noted, but no

policy recommendations were made to counter the specific and discriminatory effects a lack of effective service delivery had on women.

Critically, the MTSF categorised women, and specifically "black women", as a "vulnerable group", requiring the paternalistic intervention of the state. This categorisation of women as such marked a regression from the statement of the National Planning Commission that South Africa had to move away from a "passive citizenry receiving services from the state", and instead citizens should be "active champions of their own development".¹⁵ Indeed, to categorise women as "vulnerable" not only denies women their active agency – a point that is particularly problematical and paradoxical within the overall policy domain of economic growth and empowerment – but also clusters the diverse and multiple subjectivities and experiences of women within one homogenous group.

To summarise, the MTSF failed to consider the complex and diverse needs of women in a holistic manner which would give effect to substantive gender equality.

A human rights based approach to policy: Substantive gender equality

Our history of South Africa's macroeconomic policies demonstrates a concerning inclination on behalf of the state to conceive of its role as promoting and protecting the free market and investment. This is at odds with how Vazquez and Delaplace have conceived of public policy which, for these authors, must be conceived and implemented from a human rights perspective, not to "solve problems or respond to specific demands but, rather, to fulfil rights."¹⁶ This role is all the more pertinent in a constitutional democracy such as South Africa's, where the primary obligation of the state is to respect, protect, promote

and fulfil the rights set out in the Bill of Rights.¹⁷ More fundamentally, within Vazquez and Delaplace's pertinent conceptualisation, public policies and associated interventions are required to meet a higher standard as the overall policy goal is treated as an entitlement guaranteed to all people.

Given the policy history set out above, we assert that South Africa's macroeconomic policies have historically failed to address the structural issues which render women unequal and in positions of vulnerability. We contend that an important oversight is to conceive of gender equality as a fundamental human right and state obligation within these policies, and to address the issue accordingly. While in many respects, formal equality has been achieved through the constitutional right to equality (provided under Section 9),¹⁸ substantive gender equality remains largely unrealised.

Substantive gender equality entails recognising and addressing structures and norms which prevent marginalised groups from participating fully in society and from enjoying lived experiences that reflect equal access to opportunities and equality of outcomes.¹⁹ It involves identifying intersectional forms of discrimination suffered by women in different circumstances. In brief, intersectional discrimination can be understood as the interaction between different forms of discrimination (for example, on the basis of race, age, socioeconomic status, disability, and so forth), and the effect of this interaction on the further subjugation and oppression of women.²⁰

Thus, centralising substantive gender equality is an important means through which policies can be more appropriately directed to alleviate inequality rather than contribute to it. Policy formulation and implementation should demonstrate that the fundamental role of the state

in a constitutional democracy is to promote, protect, respect and fulfil human rights, and, in order to do so, policies should take into account the complex, diverse, and intersectional experiences of women.

With regard to the MTSF, while it opened a number of opportunities to address the intersectional discrimination against women through specific policy directives, it did not adequately articulate such directives in a way that could advance substantive gender equality. For example, the MTSF spoke of “deracialising the economy” through measures to promote black owned businesses, however it failed to recognise that genuine transformation of the economy needs to empower black women, in particular. In addition, the MTSF provided for an increase in the number of black learners, without recognising that it is the girl child, in particular, who drops out of school to care for younger siblings, perform domestic duties, or because of the school’s lack of adequate sanitation provisions.

Conclusion and recommendations

Our analysis has demonstrated a historical continuation of policies which have not sufficiently centralised human rights in public policy in post-apartheid South Africa. This failure has contributed to the perpetuation of structural inequality that disproportionately affects women and girls in poverty. We have demonstrated how from the RDP in 1994 to the MTSF in 2014, the state has continued to favour a macroeconomic outlook which is not commensurate with the realisation of the human right to substantive gender equality. Instead we have called for policy frameworks to integrate measures to achieve substantive gender equality and work towards the full integration of women and girls into all aspects of South Africa society.

Accordingly, we make the following recommendations to promote substantive gender equality through policy formulation and implementation. Notably, although these recommendations are relevant for a broad range of government departments, they are specifically useful for the Department of Planning, Monitoring and Evaluation in the Presidency, which holds a specific mandate to monitor the implementation of public policy:

- Policies should resist conceptualising women as “vulnerable groups” in need of the state’s paternalistic protection and instead conceive of women as a socially disadvantaged heterogeneous group which must be empowered through specific policy measures. With regard to the MTSF, such measures include provisions to promote continued study from primary through to tertiary education for the girl child and address the reasons why the girl child drops out.
- Service delivery policy should aim to utilise the knowledge and skills of women, and empower them through the entire supply chain.
- Opportunities for female-owned businesses and women in decision making must be included, with relevant indicators developed in order to ensure such measures are realised.

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