

Institutionalising Gender Mainstreaming: Tools in Berlin and Germany

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ABSTRACT

Gender mainstreaming is not an end itself but a tool to achieve gender equality. As a tool, it has four functions of analysis, education, consultation/participation and legislation. In Germany, the four categories are implemented as follows: Laws and rulings have been produced to promote gender mainstreaming as top-down process. Several analytical tools such as ‘gender impact assessment’ were developed to assess the gender impact of the outputs of core fields of the administration. Training workshops were conducted for administration staff and on the federal level, there is an ongoing project within the Public Service Academy to bring gender-aspects in the courses for public servants. In Berlin, an inter-ministerial commission on gender mainstreaming with a working group on gender budgeting is in control of the implementation process. Gender mainstreaming is a promising tool, however, to incorporate it into the everyday process of institutions requires time and perseverance.

Key words: gender mainstreaming, gender impact assessment, gender equality

Gender mainstreaming in the last years has become more and more known and acknowledged as a useful strategy to achieve gender equality in many parts of the world.

Under the umbrella of this strategy, an amount of knowledge has been produced, also leading to a qualification of gender mainstreaming processes. gender mainstreaming-tools are part of this knowledge: In many different contexts various gender mainstreaming-tools have been developed, serving to make gender equality an issue for everyday procedures in various public institutions. Tools have been created and further developed – depending on the respective subject and actors involved.

At the same time, a debate has begun in gender mainstreaming on the impact and potentials of gender mainstreaming as a strategy for changing gendered structures in societies. It has been asked, whether gender mainstreaming is the right strategy for effectively changing deep-rooted norms and disparities, gender mainstreaming being a process which is highly dependent on the adjustment to established rules and procedures. This means that gender mainstreaming runs a risk of becoming flawed and compromised, not tackling the precondition of gender but rather serving as an alibi without a real impact. This is why a debate on standards for gender mainstreaming is needed. In Germany, this debate has started some years ago and it has influenced the practical processes of gender mainstreaming: Practitioners and theorists have entered into a dialogue on gender mainstreaming that has not always been easy.

As we will see this dialogue has also led to the creation of gender mainstreaming – Tools which seek to include research findings into the routines of public authorities.

My own perspective is informed by my work as a consultant on gender mainstreaming. In this capacity I support public administration bodies to adapt gender mainstreaming-tools or to create own tools. At the same time, I have done scholarly writing and teaching on the theoretical subtext of the concept of gender in gender mainstreaming.

This paper, however, will focus on the more practical side of gender mainstreaming: A core thesis is: Quality gender mainstreaming needs tools that are able to be adapted to a certain political and administrative environment as well as to the subject concerned. Good tools are crucial to make gender mainstreaming an effective strategy for achieving gender equality. At the same time, gender mainstreaming has the potential to change the “mainstream” of governing because it leads to a more target-oriented policy formulation and to a learning process within the bodies of administration. It therefore can (and should) be part of a modernisation process of governance.

In this paper I will give examples of how tools have been developed and applied in German context. These tools are a key to success and effectiveness of gender mainstreaming. To do so, I will first define and categorise gender mainstreaming-tools. I will then go into German examples, highlighting the level of the German federal government and its implementation process, which started in 2001. A second set of examples comes from the implementation of gender mainstreaming and gender budgeting on a regional level. Berlin, being the capital of Germany, but at the same time, one of the 16 federal states

“Bundesländer,” has developed its own strategy on gender mainstreaming and gender budgeting since at least 2002.

I will end with concluding remarks and sum up some key points for good gender mainstreaming. I will also stress that the implementation of this strategy is a long-term process of change; some of the preconditions for making it a success story should be considered in each context.

1. “Gender Mainstreaming-tool” – A Definition

To define gender mainstreaming-tool, it is necessary to first clarify related concepts. First of all, it is crucial to differentiate between means and ends: gender equality being the goal and gender mainstreaming being the strategy to get there. This is important because gender mainstreaming too often is taken simply as a method which comes and goes. gender mainstreaming, however, should be understood as a long term strategy that needs a clear implementation plan, set goals, defined roles and allocated resources.

Several tools then are needed to make gender mainstreaming work. The challenge within gender mainstreaming lies in finding out which tool is adequate for which purpose. Sometimes common tools of an administration can be used as a gender mainstreaming-tool, for other situations, it will be wise to create a new tool.

Since there are many different Gender Mainstreaming-tools in many different variations today, it is adequate to give a broad definition of a gender mainstreaming-tool. It therefore could be described as “any method, regulation, procedure, or body which is created within a gender mainstreaming process to support gender equality as a goal”.

2. Classification of Tools for Gender Mainstreaming

The Database of Instruments for Gender Mainstreaming(DIGMA) offers a useful categorization of tools. Three main categories are proposed: Analytical, educational, and consultation/participation tools. A fourth category is added because legislation is a key for the success of gender mainstreaming.

A. Analytical tools are designed to “expose” the problem.

For example: statistics broken down in terms of gender, studies and predictions, research, verification lists, management guidelines and terms of reference, evaluations of the impact on gender and models for the analysis of differentiated impact, indicators, control tools.

B. Educational tools are designed to raise awareness, transfer information and support training.

For example: courses, follow-up actions, experts, manuals and syllabuses, booklets and files, educational materials intended for schools.

C. The consultation and participation tools are designed to improve the quality of political decisions and strengthen democracy.

For example: working groups or management groups and round tables for discussion, directories, databanks and organisational charts, the participation of the two sexes - and of all the social groups - in the decision-making process, conferences and seminars, hearings and consultative forums.” (Database of Instruments for

Gender Mainstreaming (DIGMA)).³⁶

D. The legal tools promote the top-down process of gender mainstreaming and can give orientation on goals, means and timeframes.

For example: basic law, rulings and resolutions are the basis for any step a public authority will take to promote gender equality and implement gender mainstreaming.

3. Gender Mainstreaming-tools Applied in Germany

Tools of all these four categories were applied in the example of the Federal Government of Germany and in the Berlin process of implementation:

- A. Laws and rulings have been produced to promote gender mainstreaming as a top-down process.
- B. Several analytical tools were developed to assess the gender impact of the outputs of core fields of the administration,
- C. Training workshops were conducted for administration staff; on the federal level there is an ongoing project within the Public Service Academy to bring gender-aspects into the courses for public servants.
- D. In Berlin, an inter-ministerial commission on gender mainstreaming with a working group on gender budgeting is in control of the implementation process.

It would go beyond the scope of this paper to describe these processes and all of the tools developed so far in detail. Therefore, I will now introduce some prominent tools from each

³⁷ Source (Translation by the author):

http://www.berlin.de/imperia/md/content/verwaltungsmodernisierung/publikationen/vgg_fassung_2005.pdf (last access 25th September 2008)

³⁸ See: Gender Impact Assessment (GIA):

http://ec.europa.eu/employment_social/gender_equality/docs/gender/

[gender_en.pdf](#) (last access 25th, September 2008)

³⁹ Furthermore, the Working Aids (in German language) on gender mainstreaming in Ministry-commissioned research, gender mainstreaming in the reporting system, and Gender Mainstreaming in public relations work that have been created so far.

category.

3.1. Legal Tools – Joint Rules and Decisions

On Germany's federal level as well as in the federal state of Berlin, a clear political commitment and a respective legislation were keys to the implementation of gender mainstreaming. The German Basic Law (which is equivalent to a constitution) gives a clear responsibility to any government to proactively follow the goal of gender equality. Article 3, Paragraph 2 of the Basic Law states: "Men and women shall have equal rights. The state shall promote the actual implementation of equal rights for women and men and take steps to eliminate disadvantages that now exist." (BMFSFJ, 2007: 18).

On the federal level, § 2 of the Joint Rules of Procedure of the Federal Ministries from 2001 ruled: "Equality between men and women is a consistent guiding principle and should be promoted by all political, legislative and administrative actions of the Federal Ministries in their respective areas (gender mainstreaming)" (BMFSFJ, 2007: 18). Berlin, being the leading state in Germany in respect to the concrete implementation of gender mainstreaming and gender budgeting today, also has an extensive legislative basis with detailed rulings by the parliament about when and how gender mainstreaming has to be put into effect. Berlin in the state's recent legislation has also made a strong link to the modernisation of the government structures and procedures and gender equality. For example, the law on the reform of the administration revised in 2005 states that the

objectives of the law are: "... cost transparency, an orientation on targets and impacts, including gender mainstreaming, intercultural opening and decentralisation of responsibilities of regulatory and budgetary responsibility." (VGG – Verwaltungsreform-Grundsätze-Gesetz).³⁷

3.2. Analytical Tool – Gender Impact Assessment

A typical and widely known gender-proofing tool is the Gender Impact Assessment (GIA) developed within the EU context.³⁸ It is a tool for an ex-ante evaluation, meaning the assessment of possible future impacts of a policy. This way of checking programmes, measures, and laws for their possible future impacts contributes to their sustainability and also aims at reducing costs: It will not be necessary to review a certain policy when possible negative impacts are excluded in advance.

The Working Aid – Gender Impact Assessment "Gender Mainstreaming in the Preparation of Legislation" is one of the core tools in the Federal Government of Germany.³⁹ The working aid was developed within the pilot phase of the implementation of gender mainstreaming. The ministries involved were the Federal Ministry of the Interior, the Chancellery, and the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, as well as the Ministry of Environmental Protection.

In the majority of cases the draft bills are introduced by the government. This means a certain ministry is drafting a law, and only after a lengthy procedure of consultation with

⁴⁰ The objectives of gender equality policy according to the Working aid are: "Elimination of disadvantages (discrimination), equal participation and freedom of both sexes to lead self-determined lives free of traditionally defined roles (true freedom of choice)" (BMFSFJ, 2007: 16).

other ministries and main policy actors, the parliament decides on that law. Impact assessment of law has become more important in this process in recent years. It is not only the possible gender impact that is an indicator of the quality of a future law. Other factors such as possible costs following a law or coherence with other laws and regulations are promoting good governance as well.

The first step of the GIA is the gender-relevance check. The key question the ministry drafting a law has to answer here is: Will the law concern persons? This is an easy question for some laws; for others it is not. The following two questions are in the centre of the relevance check:

This first assessment of relevance should be

(...) Are women and men each directly affected by one or more of the measures? Directly affected persons are those who are the target group of the proposal.

(...) Are women and men each indirectly affected by one or more of the measures? Indirectly affected persons are those upon whom the proposal may have an impact or who are involved in its implementation." (BMFSFJ, 2007: 7)

made not on assumptions about the impact on gender equality, but rather the analysis should be based on research results and empirical data. The annex of the working aid includes hints where data can be obtained. This means a link to the results of Women's, Men's and Gender Studies should inform the assessment of law proposals.

In case the answer to one of these questions is yes, a main gender impact assessment is obligatory and the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has to be involved. If no relevance has been

found, a further check is not necessary. However, the results have to be presented in the explanatory memorandum to the bill, that is, the non relevance can not just be stated but has to be explained to the parliament.

The main gender impact assessment is an in-depth analysis of the law: First, a precise description of the draft law itself is demanded: what is its purpose, on which database/s it is made, what measures are to be taken, and which possible alternatives of the law are there? This is then followed by the assessment of the impact on equality between women and men. Again the statement has to give information as to whether women and men are affected directly or indirectly by the measures taken and how it will change the situation of women and men. Will it improve gender equality in the respective subject or will it have adverse impacts on gender equality? Other questions of this phase of the assessment focus on the involvement of lobby groups. These associations should already be involved when drafting a law to include their perspective on the matter. Finally, an explanation has to be given of the regulatory impacts (direct and indirect) on men and on women in the light of the objectives of gender equality policy.⁴⁰

The results of the analysis have to be summed up by assessing the intensity of the regulatory impacts in regard to gender equality. In case a negative impact on gender equality in a respective field is assessed, compensatory measures such as promotion of women in a certain field are to be proposed. Further on, the assessment asks for steps be taken to improve the data situation – in case an assessment of the situation was shown to be difficult due to lack of data. Finally, a written record on the findings of the assessment has to be produced; it has to be integrated into the

⁴¹ See: GendA – Department for Research- and Cooperation at Philipps-University in Marburg: <http://www.uni-marburg.de/fb03/genda/projects/sgbll> (last access 25th September 2008)

⁴² In Berlin, gender mainstreaming and gender budgeting were introduced simultaneously. For more information on the implementation of gender budgeting in Berlin, see: Weinmann (2007) and Frey (2008).

text of the bill and the explanatory memorandum.

One example of how the additional work is a good investment in the future in Germany is the restructuring of the unemployment aid system. The law on the reform only partially included gender-aspects, thus leading to adverse effects: through the construction of a common unit, it is the couple and not the individual woman or man who receives benefits. This way the reform deepened female dependency on a male “breadwinner”. The law also has adverse effects on the labour market because intra-household decisions often do not match the labour market, leading to the result that well-educated citizens in the household unit (the majority of them women) are staying home and will not be integrated into the labour market again. This can be seen as a waste of human resources since the state spends money on educating these women. In view of the beginning phase of a shortage of highly skilled persons on the labour market, this will also have a negative economic effect in the near future.

A research study on the gender effects of the reform is now being conducted assessing the effects ex-post.⁴¹ This study is much more costly than an inclusion of gender-aspects within the drafting process would have been.

3.3. Educational tool – Gender-Project for the Public Service Academy

A classical educational tool in gender mainstreaming is gender training of the civil servants. There are many ways to conduct training; depending on the stage of the implementation process, the given time-frame, the target group and the content to be tackled. Some gender training strongly focuses on

sensitization and awareness with the aim of motivating participants to actively contribute to gender equality. This kind of training is often used in the beginning of the implementation of gender mainstreaming. Other trainings focus on implementation process itself, for example, participants learn how to apply tools for gender analysis. Another means to apply educatory tools is to integrate gender issues in mainstream education. Since the aim is to integrate gender equality issues into the mainstream, on the long term no additional gender trainings and workshops should be conducted but rather gender issues should be integrated into the study courses – not only in fields like family affairs and social policy but in all fields of administrative tasks. For example, the analytical tool Gender Impact Assessment (see above) should be part of a course on legislation in the public sector. Results of research and studies provided by gender studies should be included in fields like urban planning, social security or environment.

In Germany, there is a project on the Federal level, which exactly aims at inclusion of gender-aspects into the study courses of the public service academy. The project is a cooperation of the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) and the Public Service Academy (BAkÖV) located in the Federal Ministry of the Interior. It started in July 2007 and will end in May next year.

In the project, selected study courses are analysed by gender experts who participate in the courses. The experts can this way analyse the courses and give written statements on methodological gender implications and the gender-aspects of the respective contents. Feed-back is given to the lecturers to enable

them to include gender-aspects within the didactics and in the content of the curriculum. Papers and guidelines on integrating gender-aspects into several fields of teaching are developed.

Heads of the project are two researchers from two different research institutes who are specialised in gender issues in adult education and in the implementation of gender mainstreaming.

There is a project steering committee with representatives from the Ministry for Family Affairs, Senior Citizens, Women and Youth, the Public Service Academy, the Gender-Competence Center at Humboldt University and the Federal Administration Department. The results of the project will be:

- A. Working aids for integration of gender-aspects into the conception of study courses, proposals for gender sensitive teaching and didactical methods.
- B. Materials for evaluation of the quality of study courses with a gender-focus.
- C. A checklist for the selection of gender-competent lecturers
- D. The results of the project will be presented to a wider public in a conference. In addition, four workshops will be conducted for lecturers of the PSA, enabling them to apply the working aids and the checklist produced in the project.

As one can see, this project being an educational tool itself is producing new tools which then will be further developed. This shows us that gender mainstreaming is a continuous process of learning. Tools then are not final and stable, but they are elements of a continuous learning project. Gender-aspects can enrich a curriculum and provide it with a

sound research base. When, for example, organisational theories form part of a curriculum, a gender perspective on organisations can deepen understanding of how written and unwritten rules and procedures in a certain organisation also shape outcome of its work. Participants of a study course can deepen their knowledge of organisations. This again can improve the work of civil servants, leading to more efficient governance.

3.4 Consultative Tool – High Level Steering Group in Berlin

A crucial tool for implementation of gender mainstreaming is to establish adequate structures and to anchor responsibility in the respective institutions. Without such management tools, gender mainstreaming cannot be successful. An internal tool for consultation is establishment of steering committees or working groups within a government. The inter-ministerial working group of the Federal Government of Germany can be mentioned as one example. In some of the ministries, additional working groups were established which had the task to coordinate the activities within the ministry and pilot project(s).

The Berlin parliament in a ruling in March 2003 agreed on the appointment of the State Gender Mainstreaming Commission. It further ruled that the members are State Secretaries, thus stressing the top-down principle of gender mainstreaming. The commission is chaired by the State Secretary of the Ministry for Economics, Technology and Women. The commission is the central managing institution for implementation of gender mainstreaming and gender budgeting in Berlin.⁴² Two sub-commissions, one for gender budgeting and

⁴² In Berlin, gender mainstreaming and gender budgeting were introduced simultaneously. For more information on the implementation of gender budgeting in Berlin, see: Weinmann (2007) and Frey (2008).

one for gender disaggregated data, managing and closely following the respective processes.

There is annual reporting of achievements in the eight ministries and each of the twelve districts.

4. Conclusion: The Added Value of the Institutionalisation of Gender Mainstreaming-tools

The examples above show that gender mainstreaming is more than just consideration of a social group (women) in administrative procedures. gender mainstreaming is part of modernisation processes in an administration because it contributes to impact analyses and to inclusion of research knowledge in decision making processes. It animates civil servants to reflect on policy targets and outcomes. In Germany, gender mainstreaming has contributed to a cultural change within the administration: from a reactive administration to a proactive and target-driven way of managing public affairs. Gender mainstreaming-tools – when becoming part of the “normal” procedures of governance – can inform and transform the mainstream. Even though this institutionalisation of tools will partly lead to an additional burden of work for the staff involved – it will still be a worthwhile investment because it will lead to better results of the work of public authorities.

However, some preconditions and success factors have to be considered. While the development and application of tools as described above can be considered a success story, there are also constraints: Although there is a clear assignment for implementation of GM in all bodies, processes are often slow. In fact, on the federal level, the process which started in a very organised and active way has slowed down in recent time. Sometimes there

is resistance against change in general and gender equality in particular. To deal with this, some key-points play a role:

- A. Top-down commitment to and clear rulings on gender mainstreaming as a strategy and gender equality as a policy-goal are crucial
- B. A body that is responsible for the management and monitoring of gender mainstreaming is a key motor for the processes.
- C. An implementation strategy which embodies all categories of tools, sets goals and a timeframe is necessary.
- D. A mixture of tools which are developed according to needs and tasks of the administration units involved ensures success of gender mainstreaming.
- E. External consultancy often is needed to stimulate learning processes within institutions. Consultants can play the role of a knowledge broker: they give advice on which tool can be developed or used at what stage of the implementation process, and they transfer academic gender-knowledge into practical work.

Looking at the processes and their achievements on the one hand and the many preconditions and constraints on the other hand, one thing becomes clear: Gender mainstreaming is not a quick undertaking that can be accomplished in a short period of time. The development of tools which fit into needs and logic of a certain governmental system needs gender-competence and a common effort. To bring these tools into the routines of an institution is another task which requires time for adoption and customisation. Processes of change need patience and perseverance, but it is worth going through these processes.

Gender mainstreaming and its tools are no exception to this rule.

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