

3. Gender in Federal Canadian Policy Analysis

Chapter three is the first of the two chapters in which I present the analysis of my empirical data. In its first section, I discuss the Canadian political and administrative system as the environment for implementation of Gender-Based Analysis, or GBA. In the second part, I introduce GBA as the main tool used in the Canadian federal bureaucracy. Third, I present empirical findings from the interviews with policy analysis and gender experts from three Canadian federal departments who consented to open use of their interviews. In sub-chapter four, I discuss interviews with Canadian federal employees in all interviewed departments, examining the institutional drivers and factors that hinder systematic GBA implementation. The last section summarizes the state of GBA implementation in the Canadian federal bureaucracy.

Before I begin, it should be noted that *policy analysis* is the term preferred in the public service context in Canada (and the U.S.). *Impact assessment* is more typically used by private sector developers on a project level in the North-American context.¹ Accordingly, I will use the term *policy analysis* in this chapter.

3.1 GENDER-BASED ANALYSIS IN CANADIAN FEDERAL ADMINISTRATION

In this section, I introduce Canada's political system as it pertains to the making of public policies and programmes. I then give an overview of the legal foundation and history of GBA tool development and gender equality governance in Canada.

3.1.1 Canadian Political System and Policy Analysis

Canada has three levels of government: Federal, provincial, and municipal. At the federal level, Canada is a constitutional monarchy with a bicameral, multi-party, parliamentary system—the Westminster system, based on the British model. Legislative and judicial powers are designated in the two Constitution Acts of 1867 and 1982).²

1 | For a detailed discussion on international IA terminology, see chapter 1.3.; for tool typologies see subchapter 1.6.

2 | Brettel 2009a, 65.

Canada has a dual legal tradition: Anglo-American common law, which applies in nine of its ten provinces, and French civil law, which applies in Quebec in all cases other than criminal law.³

The federal government rules over provinces and territories, but only in tasks of national importance—in a manner similar to, but not entirely comparable to the subsidiarity principle in the EU. The provinces, and even more so the territories enjoy a high level of legislative and administrative freedom.⁴ In this respect, the Canadian federal system can also be considered a multilevel governance structure.⁵

Legislative power is held by the Parliament, consisting of three institutions: the hereditary monarchy, the Senate (members are appointed to provide regional representation), and the House of Commons (members are elected in single-member districts). The Parliament is responsible for passing laws in the form of statutes, acts, or bills. It also plays a watchdog role, holding the Cabinet and civil service accountable.⁶

Also in Canada, “the role that governments play should be informed by solid analysis.”⁷ The policy and programme making and evaluation system (policy capacity or policy units) is placed in the administrative bureaucracy of the in-line departments and agencies of the executive branch of government. Policy analysis is located within the departments and is generally conducted in-house.⁸ In contrast to the standardised integrated European IA approach, Canada has a single tool policy analysis system,⁹ in which, depending on the context and the stakeholders

3 | Bourgault 2010; Bernier 2010.

4 | Thomas 2010, 156. For example, provinces have also some regulatory power over questions of external trade or territorial issues (Brede/Schultze 2008, 338)

5 | Brede/Schultze 2008, 324–325. For limitations and opportunity structures for feminist and gender issues within Canadian multilevel federalism, see (Andrew 2010a).

6 | Tindal 1997, 20.

7 | Sharpe 2011, 1.

8 | Policy advice is also supplied externally by academic institutions and think tanks (Sharpe 2011; Drummond 2011). The majority of Cabinet documents in Canada are meanwhile done by consultants (Savoie 2010, 182).

9 | The Treasury Board has issued a Benefit Cost Analysis Guide (1976, updated in 1998) and a collection of Programme Evaluation Methods (1997). Canada’s Regulatory Policy as adopted by the Privy Council (1999) asks only for cost-benefit analysis of regulatory changes. Other federal agencies routinely conduct economic evaluations in terms of benefits and impacts. Some, such as Sport Canada also ask to identify social benefits, e.g. pertaining to the effects on Canadian identity, youth involvement and gender equity; or cultural benefits, e.g. effects on Canada tourism and cultural organisation (Vining/Boardman 2007, 49). Usually there are four central method classes applied: (Comprehensive) Cost-Benefit Analysis, Efficiency Analysis, Embedded Cost-Benefit Analysis, and Multi-Goal Analysis. Within those overarching method classes, single method or tools such as Economic Impact Analysis and Revenue or Revenue Expenditure Analysis, Monetized Net Benefits Analysis, Qualitative Cost Benefit Analysis, or Social Costing play important roles (Vining/Boardman 2007). GBA has only recently found very marginal entry into the current Canadian or North-American policy analysis tool canon (Pal 2010, 37). It is not mentioned in the mainstream body of literature on regulatory or policy analysis, such as (Dobuzinskis et al. 2007a; Dunn 2007; Weimer/Vining 2010).

involved, analysts work with particular, individually structured, analytical tools or a combination thereof, representing a “contextualized lens.”¹⁰ In this environment, GBA can be applied “when appropriate”¹¹ as a single, independent add-on policy analysis tool.

Traditionally, the Canadian model of public administration is marked by compromises made to accommodate the diverse needs of Canada’s multi-cultural population, often yielding results that are cooked “not too hot, not too cold.”¹² This public service attitude is based on a multiculturalist interpretation of the Canadian Charter of Human Rights (1982), stipulated under Section 27.¹³ Diversity of representation plays a vital role in this model. In Canada’s federal public service the belief is widespread that in order for actions to be fair and inclusive, public sector employees must represent a diversity of gender, race, age, language, ethnic origin or aboriginal status, religion and disability.¹⁴

However, some Canadian feminist researchers, such as Louise Chappell, have pointed out that despite the desire for or appearance of egalitarianism and diversity among public sector services and employees, the default norm continues to be neutral in an androcentric way. Perceptions of “[...] appropriate forms of behaviour in the public service are, in fact, masculine.”¹⁵

While normative standards of acceptable, expected, rewarded behaviour might consist to be masculinist, the Canadian bureaucracy has feminised. Canada has over 200,000 public servants in the Core Public Administration (CPA), working in 27 federal departments and agencies and managed by the Treasury Board.¹⁶ Employment equity policies in the Canadian bureaucracy seem to have proven effective, at least for women: For instance, in 2010, 54.8 per cent of public sector employees were female and 45.2 per cent were male.¹⁷ Another study, however,

10 | Atkinson et al. 2013, 142.

11 | The official French translation is *Analyse Comparative Entre Les Sexes* (ACS), demarcating a theoretical framing disparity between the focus on biological sex in French and the socially constructed gender English. A linguistic analysis of origin and potential consequences for instrument application of those different connotations needs to be conducted before the background of the different Francophone and Anglophone philosophical and theoretical traditions and cannot be covered in the realm of this study.

12 | Pal 2004, 200. Despite struggling with questions of framing and fit, participation and control, Canada does attempt to include e.g. indigenous knowledge or questions of sexual governance in its bureaucracy and policy making processes (Abele 2007; Smith 2007; Fleras/Maaka 2010). For questions of the representation of women in Canada’s parliament and political parties, consult (Bashevkin 2009).

13 | Canada; Department of Justice 1982.

14 | Benhamadi 2003, 505.

15 | Chappell 2006, 227.

16 | The core public administration is listed in the Financial Administration Act (1985) (TBS 2011a, 10).

17 | TBS 2011a, 11. Although it was not clear in what hierarchical positions and income brackets these women and men were employed.

showed a less rosy picture at the higher ranks: among Canada's "public service elite."¹⁸ Only 34 per cent were women and 66 per cent were men.

Despite the continued gender imbalance in the higher ranks and the fact that in Canada not only women, but also racial minorities, aboriginal people, and persons with disabilities "[...] continue to face significant disadvantages,"¹⁹ Canadian public servants have a positive perception of equality in their work environment: The overwhelming majority (88 per cent) of Canadian public servants "[...] believe that in their work unit, every individual, regardless of race, colour, gender or disability, is accepted as an equal member of the team,"²⁰ and that such differences have no effect on their work and work relationships.²¹

3.1.2 Legal Basis for and Advancement of Gender-based Analysis

In Canada, gender equality is a right enshrined in the Canadian Charter of Rights and Freedoms of 1982,²² as a constitutional right in particular Sections 15 and 28,²³ the Canadian Human Rights Act of 1985, and the Canadian Employment Equity Act of 1995. Gender mainstreaming is considered an international human rights obligation under treaties of the United Nations following the signing of the Beijing Declaration and Platform for Women in 1995.²⁴ In addition, the 1979 UN Convention on the Elimination of All Forms of Discrimination Against Women

18 | Evans et al. 2007, 614. The survey was conducted in 2006 and received a response from 403 senior public administration executives who held the rank and title of deputy minister or assistant deputy minister in the federal, ten provincial and three territorial jurisdictions in Canada (Evans et al. 2007, 609; 611). In this respect, the Canadian civil service resembles an archetypical form of administration, with a masculine elite on top and an over-representation of female civil servants in middle management; compare e.g. the figures for the UK civil service (Annesley/Gains 2010, 916).

19 | Agocs/Osborne 2009, 237.

20 | As stated in the 2011 Public Service Employee Survey (Wouters/Clerk of the Privy Council and Secretary to the Cabinet 2012, 13).

21 | The effects of the Canadian political system, the sex composite of its administration, its tradition and self-perception as pertaining to GBA are discussed in chapters 3.2 and 3.3.

22 | The equality clauses in the Charter were lobbied for by a national network of feminists founded in 1980 (O'Neill/Young 2010, 325).

23 | Canada; Department of Justice 1982. Gender equality is also enshrined in Canada's Constitution Act (1867; 1982), which in section 15 assures equality before the law, provides for equal protection and equal benefit of law as well as affirmative action programmes; in section 28 it stipulates that the Charter's rights are guaranteed equally to both sexes. In the Canadian Human Rights Act (R.S.C., 1985, c. H-6) equality rights are comprised among the prohibited grounds of discrimination, which are "Race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered [...]."

24 | UN 1995.

(CEDAW)²⁵ together with its optional protocol dated from 1999,²⁶ both signed by Canada, offer important gender equality and human rights frameworks.²⁷

But the history of GBA begin much earlier. The concepts and tools we have now must be seen as part of an evolving national and international women's movement that strove to institutionalize state feminist structures based on strong legal frameworks.²⁸ According to Pauline Rankin and Jill Vickers, the Canada's women's movement was state focussed from the first wave.²⁹ In February 1967, a result of pressure from national women's groups and organisations, the Government of Canada established a Royal Commission on the Status of Women in Canada with a mandate to:³⁰

"[I]nquire into and report upon the Status of Women in Canada and to recommend what steps might be taken by the Federal Government to ensure for women equal opportunities with men in all aspects of Canadian society, having regard for the distribution of legislative powers under the constitution of Canada, particularly with reference to federal statutes, regulations and policies that concern or affect the rights and activities of women [...]."³¹

The Royal Commission presented its seminal report in the House of Commons on December 7, 1970.³² Anchored in the United Nation's human rights equality framework, the report contained 167 recommendations dealing with a broad range of issues, including labour and employment standards and practices, pensions, immigration and citizenship, sexual stereotyping, housing, as well as day care.³³ In response to the Commission's report, the government began implementation of a structure in which the issues of gender equality in government and society could be addressed. Consequently, a minister responsible for the Status of Women was appointed on December 1, 1971, to safeguard such policy inside the Federal Cabinet.³⁴

At the same time, a Co-ordinator for the Status of Women was appointed within the Privy Council Office (PCO) to advise the Minister of Status of Women and

25 | UN 1979. The CEDAW treaty entered into force September 3rd, 1981. It was signed by Canada on July 17th, 1980 and ratified on December, 18th, 1981.

26 | UN 1999. CEDAW's Optional Protocol entered into force on December, 22nd, 2000. It was ratified by Canada on October 18th, 2002.

27 | Such as in (Canadian Heritage 2006; Canadian Heritage 2006; Committee on the Elimination of Discrimination against Women 2007).

28 | According to Thorsten Peetz, Karin Lohr and Rom Hilbrich, "societal change can be traced in the change of organisational structures." German original: "Gesellschaftlicher Wandel kann in dem Wandel organisationaler Strukturen nachgezeichnet werden" (Peetz et al. 2011, 224). For a reiteration of the Canadian's women's movement see e.g. (Findlay 1988; Backhouse/Flaherty 1992; Fulford 1992; Pierson 1993; Brodie 1995; Findlay 1997; Newman/White 2006).

29 | Rankin et al. 2001, 6-10.

30 | O'Neill/Young 2010, 323.

31 | Cross 2000.

32 | Canada 1970.

33 | O'Neill/Young 2010, 334.

34 | SWC 2000a, 3.

to coordinate and monitor activities of federal departments that were initiating programmes relating to the status of women. This office became known as the Office of the Co-ordinator, Status of Women.³⁵ In 1971, an Interdepartmental Committee was assembled to examine the recommendations of the December 1970 report, to determine the feasibility of their implementation and to develop time frames for action. Five working parties were attached to the committee that included representatives from a range of federal departments, agencies, and local community representatives. The Committee completed its work in December 1971, and the Cabinet considered its findings in early 1972.

During this time, the federal government also created offices within departments and agencies to oversee specific aspects of the Status of Women portfolio, the early forerunners of today's gender units or focal points. Offices were set up for the Department of Labour's Women Bureau, the Public Service of Canada's Office of Equal Opportunities for Women, and the Department of the Secretary of State's Women Program—providing an early form of gender equality architecture.³⁶ The Treasury Board appointed a senior policy advisor charged with identifying employment policies and programmes that had the potential to disadvantage women and other groups—a predecessor, although often overlooked, of today's GBA.³⁷

Assignments in other departments were specific to their charters. The Department of National Health and Welfare's Status of Women was responsible for providing direction for the socio-economic, health and welfare status of women, children and families. The Department of Manpower and Immigration's Status of Women Office were engaged in creating equal workplace opportunities for women. The Solicitor General's Status of Women Office dealt with justice and criminal issues and revised policies that influenced family relations, marriage and divorce, and family courts. On May 31, 1973, a separate Advisory Council on the Status of Women was established to instruct the government on matters of concern to women and to educate the public on respective governmental actions.³⁸ Later renamed the Canadian Advisory Council on the Status of Women, this office operated with a high degree of autonomy and independently of the Office of Coordinator, Status of Women, and other departmental Status of Women programmes. This council even retained the right to endorse activities in the absence of ministerial consent—a right rarely seen later. The council was dissolved with the advent of gender mainstreaming in 1995.³⁹

In 1972, the UN General Assembly passed a resolution proclaiming 1975 as International Women's Year and called for a decade of equality for women.⁴⁰ The year 1975 would be devoted to the principles of equality, development, and peace as well as to honouring women, their achievements and potential worldwide. To prepare for

35 | Hankivsky 2007a, 112-113.

36 | For a definition of gender equality architecture, see subchapter 3.2.1.

37 | I.e. in Emanuela Lombardo, Petra Meier and Mieke Verloo's reiteration of the introduction of gender analysis, which they along with many other authors attribute exclusively to the context of international development and programme planning in development cooperation (Lombardo et al. 2013).

38 | SWC; Gender-Based Analysis Directorate 2001, 8.

39 | SWC; Gender-Based Analysis Directorate 2001, 8.

40 | A/RES/27/3010 (UN; General Assembly 1972).

International Women's Year, the Canadian government set up an interim office in 1974 to co-ordinate Canada's women's year programmes. This office, known as the International Women's Year Secretariat, reported to the Minister on the Status of Women through the co-ordinator.

On the April 1, 1976, the Office of the Co-ordinator, Status of Women, was designated a federal department, and the co-ordinator became a deputy head of the office.⁴¹ Operating autonomously, it became known under its current name, Status of Women Canada (SWC).⁴² The department was meant to "provide leadership, expertise and strategic advice"⁴³ to the minister responsible for the Status of Women and to coordinate federal, governmental activities in departments and agencies pertaining to the Status of Women. Although the new agency did not have legislative power to make or enforce policies and directives, since its foundation it has provided policy advice on federal legislation and programmes and has worked to ensure that federal departments integrate gender equality in all aspects of their activities.

In its early days, the Status of Women Canada had far-reaching impact on the direction of federal policy. It actively pursued changes and amendments to acts such as the Canada Elections Act, Section 23(3) of Criminal Code; the Immigration Act; the Public Service Employee Act; the Pension Act; the National Defence Act; the Unemployment Insurance Act; the Canada Labour Code; the War Veterans Allowance Act; the Canadian Citizenship Act; and the Canada Pension Plan, to name a few. Based on this legislative groundwork and following the 1975 UN International Women's Year, the relevance of the women's issue in policy making became evident, and in 1976 the "Policy on the Integration of Concerns about the Status of Women,"⁴⁴ the first of its kind worldwide, was introduced.⁴⁵ It called for a gendered analysis of all federal Canadian legal and programme initiatives.⁴⁶ The policy acknowledged the necessity for effective and early identification of the different impacts of policies and programmes on women and men—making it the first gender analysis strategy to be put in place, a fact that has yet to be appreciated in research on the history of gender analysis outside of Canada. Much as with gender mainstreaming today, all federal departments and agencies were required to implement the policy. At the same time, departments were asked to design top-down mechanisms for compliance with the new policy or to create a focal point for direct input into their policy and programme development.⁴⁷ As a result of the policy, Canada found itself on the international forefront of institutionalising state feminism.

41 | By virtue of Order in Council P.C. 1976-779.

42 | SWC 2000a, 6.

43 | SWC 2000a, 6.

44 | SWC 2000b, 2; SWC 2000a, 5.

45 | SWC 2000b, 2; SWC 2000a, 5. According to Wendy Williams, the Canadian International Development Agency mainly informed the development of this global pioneer tool (Williams 1999). This early policy coincides with the early point in time of founding SWC's predecessor, the Women's Bureau in Canada in 1965, being the second gender equality agency in the world after the U.S. Women's Bureau, which was created in 1920 (McBride/Mazur 2013, 655). Such parallels are an indication for the importance of institutionalised state feminism.

46 | Hankivsky 2007c, 144.

47 | SWC 2000a, 5.

Two years later another milestone of equality-oriented policy making was put in place: the Canadian Human Rights Act of 1978.⁴⁸ Among other provisions, the act was designed to eliminate sex discrimination and to guarantee equal pay. In the same year, influenced by the UN's Year (1975) and Decade for Women (1976-1985), the Status of Women Canada was asked to implement a government action plan with the title "Towards Equality for Women" (1978). On June 5, 1979, the Status of Women Canada, along with the Advisory Council on the Status of Women, began reporting through the Minister of the Secretary of State—marking the beginning of accountability for gender equality.

Throughout the early 1980s, Status of Women Canada played a vital role in policy making and integration of women's equality concerns into federal legislation, policy and programmes. From 1982 on, it also helped foster collaboration and partnership between the minister responsible for the Status of Women and provincial and territorial governments. In annual meetings, ministers worked on joint women's policy issues and raised public awareness.⁴⁹ In 1989, the Canadian government proposed an update to the Federal Government Work Plan for women that would take into consideration how government decisions could have a positive impact on women. International debates on violence against women also fostered further development of the Canadian equality architecture and its rich activity.

In preparation for yet another international UN event, the United Nations World Conference on Women Secretariat was established in 1994 to coordinate activities of the Canadian government during the Fourth World Conference on Women in Beijing in September 1995. The UN asked each attending state to create a national plan for advancing women's equality. Accordingly, Status of Women Canada was tasked to coordinate and publish Canada's first gender action plan, "Setting the Stage for the Next Century: The Federal Plan for General Equality."⁵⁰ The plan, developed jointly by 24 federal departments and agencies, provided a guide for future initiatives on women's equality through the use of GBA⁵¹. With this Federal Plan, Canada's then liberal government sought to play a major role as a leader in women's emancipation and equality,⁵² although it is doubtful whether without the international pressure and UN prestige, the national women's movement alone would have managed to achieve such a wide-reaching commitment.

Canada's Federal Plan was presented at the conference. All attending UN member states, including Canada, agreed on the famous "Beijing Declaration and

48 | Canada; Minister of Justice 1985.

49 | SWC; Gender-Based Analysis Directorate 2001, 12.

50 | SWC 1995.

51 | For the content and function of GBA, as laid out in the Federal Plan, see tool chapter 3.1.

52 | In the same year, Canada's Federal Programme Review exercise on the rationalization of roles and structures within government, the Women's Program, based in Human Resources Development Canada, was transferred to the SWC. The Women's Programme was designed to provide the Government of Canada with ground-level expert advice, thereby enhancing governance capacity to identify issues for action and to increase focus and effectiveness of the government's activities.

the Platform for Women,”⁵³ which committed them to action on a broad range of issues to promote women’s equality.

In the same year, the Canadian government moved the charge for policy research, dissemination, and public information from the Canadian Advisory Council on the Status of Women, which was dissolved, to the Status of Women Canada, which incorporated these roles into its new research directorate. It was felt that housing both functions under one roof, “strengthened SWC’s outreach to national, regional and local women’s and other equality-seeking organisations and its **policy and research capabilities**.”⁵⁴ As a result of the Federal Plan and the activities of “the 1980s and 1990s, the government of Canada embraced the principles of GBA,”⁵⁵ on the federal level and in some provinces. However, in practical terms most policies of the time continued to be designed without serious consideration of how they might cause women and men to suffer or benefit in different ways.⁵⁶

Although the Federal Plan does not embrace gender mainstreaming *per se*, it introduced mainstreaming into the discussion. Mary Anne Burke, one of the Federal Plan’s authors, later confessed that the process to develop the plan involved “partnerships, collaboration, intense negotiation, finesse and careful wordsmithing—central principles of gender mainstreaming.”⁵⁷ Gender mainstreaming was never embraced as an official guiding terminology in the plan⁵⁸, instead the term Gender-based Analysis (GBA was given the central role as the first objective, and main Canadian concept, which incorporates all elements of gender mainstreaming).⁵⁹

Objective one of the plan, with its emphasis on gender equality, set out the principles of gender mainstreaming:

“Implement gender-based analysis throughout Federal Departments and Agencies, informs and guides the legislation and policy process at the federal level and, hence, underpins gender equality in all sectors addressed in the subsequent objectives.”⁶⁰

This focus, in combination with the other objectives of the plan, such as women’s representation and equality in governance structures, binds the plan and Canadian public policy tightly to the emergence of gender mainstreaming on the international level.⁶¹ Beyond introducing the basic and mainstreaming principles for GBA, the

53 | UN 1995.

54 | SWC; Gender-Based Analysis Directorate 2001, 9. Emphasis by author.

55 | Grant 2002, 2.

56 | Williams 1999.

57 | Burke 2001, 48.

58 | Before 1995 and at the time the plan was negotiated, gender mainstreaming as a concept was still very much in flux and development. The early pre-Beijing coming into being of Canada’s Federal Plan for Gender Equality plan explains, why the terminology of gender mainstreaming was never officially adopted.

59 | A Canadian tool and term already familiar from gender-based health research (Hankivsky 2007a, 114).

60 | SWC 1995, 7. Emphasis by author.

61 | The Fourth UN World Conference on Women was held September 4-15, 1995 in Beijing, and attended by 189 member countries, including Canada and all European member states.

Federal Plan prescribed as the core element of GBA that the federal government should be committed to ensuring that:

“All future legislation and policies include, where appropriate, an analysis of the potential for different impacts on women and men. Individual departments will be responsible for determining which legislation or policies have the potential to affect women and men differentially and are, therefore, appropriate for a consistent application of a gender lens.”⁶²

Canada thereby adhered in its Federal Plan to the global consensus after Beijing for a double strategy: gender equality would require both the “mainstreaming” of gender concerns in all areas of public policy (objective one) and the fostering of women-specific measures (objectives two to eight).⁶³ In 1996, after the UN conference in Beijing and in order to implement the Federal Plan, the Status of Women Canada contracted with the researchers and academics Mary Anne Burke and Margrit Eichler to develop its first tool,⁶⁴ Gender-based Analysis: A Guide for Policy Making.⁶⁵ The Federal Plan committed all Canadian federal agencies and departments to conduct GBA of future legislation, services, programmes and policies. Use of the tool was not a mandatory, however; it could be used “where appropriate.”⁶⁶ Nonetheless, the plan provided the framework for sustained work on GBA, although “it got off to a rocky start as resources were slow in coming.”⁶⁷

The Status of Women Canada sees the period of the Federal Plan, from 1995 to 2001, as a time of “setting the stage,” a time when GBA as a tool to implement gender mainstreaming began to emerge. As in many other countries that adopted similar equality analysis tools, GBA in Canada was introduced under a democratic equality and New Public Management framework, with the goal of producing more equitable, efficient and effective outcomes for Canadians.

In order to foster gender equality around the globe, the conference adopted the Platform for Action (PFA) with strategic objectives and actions in 12 critical areas of concern, of which “institutional mechanisms” was one. Furthermore, the PFA set three strategic objectives that states would have to accomplish: 1) Create and strengthen national machineries and other governmental bodies, 2) integrate gender perspectives in legislation, public policies, programmes, and projects, and 3) generate and disseminate gender-disaggregated data and information for planning and evaluation.” (UN 1995).

62 | SWC 1995, 19.

63 | Rankin et al. 2001, 3. With GBA pertaining to all policies and legislative actions, Canada has also committed to conduct GBA in form of gender-responsive budget analysis on all fiscal measures and the national budgetary plan. Gender-responsive budget analysis is internationally more commonly known as gender budgeting and constitutes a set of methods to render public spending accountable to women and men. For the purpose of this study it is merely be treated as a particular sub-form of GBA in the fiscal policy sector, although it has certain distinctions and a largely separate body of research (Bakker 2006; Yalnizyan 2008; Brodie/Bakker 2008; Bakker et al. 2009).

64 | The Bias Free Co-Operative Inc. 2011.

65 | SWC 1996.

66 | SWC 1995, 20.

67 | Burke 2001, 48.

In 2000, the Agenda for Gender Equality was drafted.⁶⁸ The Agenda was a five-year government-wide strategy to accelerate the implementation of GBA. In 2004, the Standing Committee on the Status of Women was introduced as the parliamentary committee responsible for equality issues, initiating research and reports on GBA at the federal level.⁶⁹ Since the dissolution of the Agenda in 2005, Canada has been without an updated national equality strategy.

The last milestone in the development of GBA was a 2007 update (in section 9.7.3)⁷⁰ of the Treasury Board Secretariat's submission guidelines. According to these guidelines, Memoranda to Cabinet were expected to include gender considerations, where appropriate, which were to be overseen by the Privy Council Office. The goal was to engage GBA in the wider realm of Canadian New Public Management efforts.⁷¹ Accountability is mainly sought after by integrating the GBA duty and reporting in the new NPM modes of governance.

Finally, in 2009 the Office of the Auditor General evaluated the federal government's GBA practices, triggering the Departmental Action Plan on GBA.⁷² This plan stipulated that all federal departments and agencies must engage in GBA, undertaking steps to implement GBA frameworks and pilot GBA in at least one initiative. These activities were monitored for the first time in the Public Accounts Committee's 2010 report on GBA⁷³ and an interim report on the progress of the implementation of the GBA Action Plan.⁷⁴

3.2 GENDER-BASED ANALYSIS: “MOTHER OF ALL MANUALS”

This chapter present the development and institutional integration of the GBA tool, in all its sectoral variations, in the Canadian federal bureaucracy, beginning with the so-called “mother of all manuals.”⁷⁵

68 | SWC 2000c.

69 | The Standing Committee on the Status of Women (FEWO) was founded in 2004 by the 34th Parliament. On the legal basis of Standing Orders 108(1) and 108(2), the Canadian parliament refers matters relating to the status of women to the Committee, which is entitled to examine and report on budgetary expenditures, policies, programmes, and legislation of departments and related agencies.

70 | TBS 2007b.

71 | Explained in more detail in subchapter 3.4.6.1.

72 | Parliament of Canada; Ambrose 2010.

73 | Standing Committee on Public Accounts 2010. See in more detail chapter 3.4.6 on accountability.

74 | Standing Committee on Public Accounts 2010.

75 | Michéle Bougie, Interview. Annex VI provides a collection of GBA variant tools as developed in different Canadian departmental and policy contexts. In 3.2.3, I present the 2011-2012 innovations and “modernisations” of the Gender-based Analysis Plus (GBA+) tool; it is important to note, however that my empirical research pertains only to the implementation of its predecessor GBA.

3.2.1 Status of Women Canada and Gender-based Analysis

Status of Women Canada is the Canadian federal gender equality machinery.⁷⁶ GBA in Canada is both a strategy and a tool.⁷⁷ “In Canada the terminology of gender-based analysis (GBA), rather than that of GM [gender mainstreaming, A.S.] has been adopted.”⁷⁸ GBA was introduced to “increase awareness at all levels of government of the importance of gender as an **organizing principle**.”⁷⁹ Thus GBA can be considered a stand-in for gender mainstreaming as the “integrated approach” to anchor the equality question in all government levels and activities.⁸⁰ Although Canada has not officially embraced the term gender mainstreaming, it has embraced its principles, and the Status of Women Canada has worked with gender mainstreaming.⁸¹

This double role of GBA in Canada is different from the role of gender-impact assessment (GIA) in the international context, where a distinction is made between the strategy of gender mainstreaming and GIA as one of the tools to implement it. The centrality of GBA as the main approach—both strategy and tool—to gender equality in Canada can be both a blessing and a curse. In general, there is notable confusion on definition, purpose, and reach of the gender equality analysis tools (like GBA or GIA) as opposed to gender mainstreaming, which in turn is also often described as being a strategy and an instrument. GBA emulates this confusion.

At this point, however, it is important to clarify my use of the term GBA: I use it exclusively in its sense as a policy analysis tool for assessing gendered impacts. I do not use it in the sense as a strategy for gender mainstreaming. My use of the term is therefore in accord with that of Status of Women Canada; that is, GBA was designed to: “Facilitate the **development and assessment of policies and legislation from a gender perspective** so that they will have intended and equitable results for women and men, girls and boys.”⁸²

As aforementioned, GBA’s forerunner was introduced as early as in 1976 as the Policy on the Integration of Concerns about the Status of Women.⁸³ GBA as we know it today, was first defined in the Canadian Federal Plan in 1995.⁸⁴ It was presented to the Fourth World Conference on Women in Beijing in 1995 as Canada’s systematic approach to gender mainstreaming and examining gender equality effects The

76 | For a definition of (gender) equality machineries, women’s policy agency or women’s policy machineries, see sub-chapter 2.2.3.2.

77 | Hankivsky 2007c, 143.

78 | Hankivsky 2007a, 114.

79 | SWC 1996, 1. Emphasis as in original.

80 | Olena Hankivsky cited in French original: “Le GenderMainstreaming (GM), c’est-à-dire l’approche intégrée de l’égalité, est un autre pseudonyme de l’ADS. Il s’agit d’une stratégie incontournable à tous les niveaux du gouvernement dans l’élaboration de politiques, de programmes, de projets, etc.”(Institut de recherches et d’études féministes (IREF); Université du Québec à Montréal (UQÀM); Relais-femmes 2007, 10).

81 | SWC 2000a; SWC; Gender-Based Analysis Directorate 2001; SWC; Gender-based Analysis Directorate 2002; SWC 2005b.

82 | SWC 1996, 1. Emphasis as in original.

83 | In sub-chapter 3.1.2 (SWC 2000b, 2; SWC 2000a, 5).

84 | SWC 1995.

Federal Plan stipulated that the Canadian government must create a positive policy environment for GBA, including a legal foundation for the development of policies supporting gender equality and a commitment to a systematic and cross-sectional approach.⁸⁵ Also mandated in the plan was the responsibility to develop appropriate analysis tools, to be executed by Status of Women Canada. One year later the first GBA tool kit was presented to public servants and the public.⁸⁶ This tool kit, the so-called “mother of all manuals,”⁸⁷ was re-printed in 1998 as a guide for Canadian policy analysts.⁸⁸ Kathleen Kahey describes the nature and reach of the tool:

“With the drafting of Canada’s first ‘how to’ guide, however, Status of Women Canada faced the task of setting up guidelines that could be carried out by anyone—non-feminist, anti-feminist, post-feminist, and race/queer/ability/class critfem analysts—in the federal civil service, and which could also be used as a basis for accountability and feedback in a wide range of situations.”⁸⁹

The tool kit was divided into three sections: Section one introduced the key concepts of gender and GBA and gave the rationale for applying GBA. Section two provided the policy making process of when and how to integrate GBA. Section three outlined eight concrete GBA implementation steps. These steps were designed to fit the policy cycle—making GBA in Canada an explicit IA tool, developed for ex-ante analysis, much like the IA typology as suggested in this study.⁹⁰ This tool—with its fit in the policy cycle and its explanation of basic gender equality concepts and goals—was clearly a good gender mainstreaming tool in accordance with all of quality criteria as established in this study.⁹¹ It clearly treats gender equality as the focal issue, to be paid attention to in a cross-cutting fashion. It is based on feminist concepts for sex and gender and educates about them, also in an intersectional fashion. Its language and paradigms are coherent and consistent, and it calls strongly for participatory implementation. Despite its implementation fitness in the policy cycle, questions about its practicability and organisational sustainability remained, which needed to be clarified in the interview analysis.

85 | SWC; Gender-Based Analysis Directorate 2001, 2.

86 | SWC 1996.

87 | Michéle Bougie, Interview.

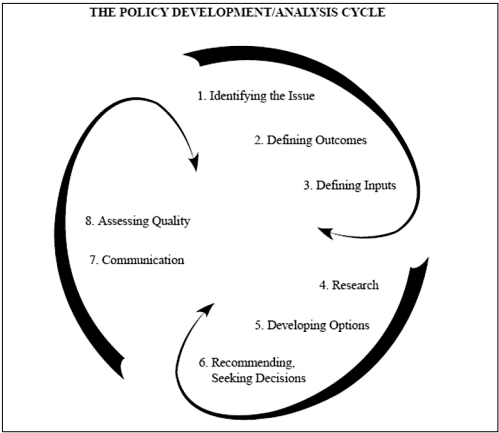
88 | Hankivsky 2007a, 114; SWC 1998.

89 | Lahey 2010, 58.

90 | See sub-chapter 1.6.1. See also (Podhora/Helming 2010, 2).

91 | See subchapter 1.6.2 and 1.6.3.

Table 6: Policy Development/Analysis Cycle, Status of Women Canada (1998)⁹²



In 2001 GBA was further refined and updated by a training handbook,⁹³ which confirmed that GBA should: “Assist in systematically integrating gender considerations into policy, planning and decision making processes and in involving both women and men in building society and preparing the future.”⁹⁴ In various versions used in the different governmental departments, GBA became “the typical analytical approach”⁹⁵ for examining differential impacts and outcomes of policies and programmes for women and men. Leslie Pal describes the analytical GBA technique as:

“A process that assesses the differential impact of public policies, programs, and legislation (proposed or existing) on women and men in terms of their social and economic circumstances, as well as their relationships in key social institutions such as the family.”⁹⁶

Such analyses were and continue to be supported by the disaggregation of data by sex, which has by now become common practice in Canada.⁹⁷ Starting in 1996, the Status of Women Canada has worked with 24 federal departments in applying GBA to policy and programme design.⁹⁸ To intensify these efforts, the Status of Women Canada also founded the Gender-based Analysis Directorate in 1999, which developed a GBA strategy consisting of training, tool development, policy case studies, research, information, and education promotion, evaluation and accountability as well as coordination.⁹⁹

In 2000, this GBA strategy was launched to mainstream GBA horizontally in government practices and to attain greater sustainability in tool application.

92 | SWC 1998, 8.
93 | SWC 2001.
94 | SWC 2001, 19.
95 | McNutt/Hawryluk 2009, 119.
96 | Pal 2010, 37.
97 | Boucher 2007, 395.
98 | House of Commons; Standing Committee on the Status of Women 2005, 7.
99 | House of Commons; Standing Committee on the Status of Women 2005, 7.

The strategy called for organisational support and training for the development of GBA capacity and partnerships between the Status of Women Canada and some key departments to identify projects where GBA could be applied in a more systematic way.¹⁰⁰ In addition, as part of the wider equality strategy outlined in the Federal Plan, the Inter-Departmental Committee on GBA, chaired by the Status of Women Canada, was established for 13 of the 24 departments.¹⁰¹ In 2002 the Inter-Departmental Committee on GBA was transformed into a learning forum for increased capacity building, offering workshops, training, pilot projects, technical advice and a policy analyst.¹⁰² In order to speed up GBA implementation, in 2003 the Status of Women Canada also set up a GBA resource centre in the public service intra-net and published a performance measurement tool for self-assessment of GBA application.¹⁰³

The result of these efforts “precipitated a flurry of activity throughout federal departments and agencies around how to best integrate a ‘gender lens’ into the policy process.”¹⁰⁴ But the activity also generated a number of questions about GBA—when and how it should be used, what was the proper conceptual framework. It also resulted in doubts about its effectiveness and a search for answers to its slow implementation.

The question of when and how the GBA tool should be consulted was not easy to answer. The fragmented Canadian policy analysis system left the decision to individual analysts, who had considerable flexibility given the range of general frameworks in place.¹⁰⁵ For example, while the formally fixed federal Regulatory Impact Analysis Statements required an assessment of costs and benefits, there was “no elaboration on the meaning of these terms.”¹⁰⁶ Unsurprisingly, early explanations as to why GBA was not applied systematically dwelled on the fact that the tool was misunderstood and mistaken for women’s analysis. Other explanations were that the tool depended “too much on the willingness and ability of individuals (usually women) at senior levels to take such work on. Equity work needs to be everyone’s work [...]”¹⁰⁷

100 | Expert Panel on Accountability Mechanisms for Gender Equality 2005, 45.

101 | In its 2005 report, the parliamentary FEWO Committee expressed its disappointment with that fact that not all departments are present in the IDC. It also had the question how many of those 13 departments were actually active GBA agents (House of Commons; Standing Committee on the Status of Women 2005, 10).

102 | At the time of interviews the following departments were on the IDC on GBA: Agriculture and Agri-Food Canada, Canadian International Development Agency, Citizenship and Immigration Canada, Foreign Affairs and International Trade, Health Canada, Indian and Northern Affairs, Justice Canada, Statistics Canada, Human Resources and Skills Development, Social Development Canada, Department of National Defence, Canadian Heritage, the Privy Council Office, the Treasury Board Secretariat and the Department of Finance (Expert Panel on Accountability Mechanisms for Gender Equality 2005, 45).

103 | SWC 2003b.

104 | Rankin et al. 2001, 3.

105 | Scott Jacobs; Jacobs and Associates 2006; Dobuzinskis et al. 2007a.

106 | Vining/Boardman 2007, 49.

107 | Grant 2002, 7.

Joan Grace had another explanation for the dis-synchronization in her analysis of the roles the Federal Plan and GBA played in incorporating women-specific social and economic realities into policy development measures.¹⁰⁸ According to her, the Federal Plan and GBA sent “mixed messages” due to “the narrowness and conceptual constraints of the term gender.”¹⁰⁹ The dis-synchronization was intensified by the constrained organisational capacity of the Status of Women Canada, which did not have the training to effectively lead and coordinate substantive and systematic GBA application.

Sandra Burt and Sonya Hardman declared that “GBA was partly a response to international pressure,”¹¹⁰ which presumably reduced the intensity of the national political commitment. GBA, therefore, remained a “loosely-defined”¹¹¹ gender equality tool that had not been thoroughly applied and that was even occasionally criticised for counteracting equality results.¹¹² Karen Grant attested in 2002 at a GBA fair organised by the Status of Women Canada that it was “not apparent that GBA or gender mainstreaming happens in a systematic way.”¹¹³ Only one year later Amanda Scott found the tool still at the heart of: “Struggles associated with attempting to implement GBA in the face of myriad contradictions within the state in relation to women, and associated with state feminism more broadly.”¹¹⁴

In 2005, in response to the range of international and national frameworks for gender equality strategy that had appeared since 1995, a GBA conference was convened by the Standing Committee on the Status of Women (FEWO), followed by a report on the current state and future of GBA, *Gender-Based Analysis: Building Blocks for Success*.¹¹⁵ This first GBA specific conference grappled with the development and release of new tool variants, which had produced at most “uneven,”¹¹⁶ or even “decreased”¹¹⁷ GBA implementation efforts in Canada. It was organised around three main themes—accountability, institutional capacity and the role of men and boys in achieving gender equality. Attendees included some 50 government representatives and 200 other “GBA players and partners” from the research and consultancy community, academia, civil society, provincial governments and municipalities.¹¹⁸ The two-day conference was open registry and free-of-charge, and therefore very accessible.

The picture painted at the conference was bleak. The progress in GBA implementation was seen as slow, and speakers sought to identify the reasons:

108 | Grace 1997.

109 | Grace 1997, 582.

110 | Burt/Hardman 2001, 208.

111 | Burt/Hardman 2001, 209.

112 | Grace 1997; Grace 2011.

113 | Grant 2002, 5-6.

114 | Scott 2003a, 2.

115 | House of Commons; Standing Committee on the Status of Women 2005.

116 | McNutt/Hawryluk 2009, 118. Status of Women itself states in 2012 that the commitment to mainstream gender in all policies as stipulated in the “led to the implementation of GBA in several departments, though different areas of government proceeded at different rates with differing results.” (SWC 2012c).

117 | House of Commons; Standing Committee on the Status of Women 2005, 2.

118 | SWC 2005d. Archived e-document, no page numbers, on file with the author.

“Conference participants heard how major barriers sometimes exist in the government system that affect its ability to successfully implement GBA. For example, that government was not always able to understand the principles and practices required to enable good policy making for women.”¹¹⁹

Parts of the conference placed GBA in close proximity to policy making for women, whereas other parts emphasised the need to achieve “gender integrated outcomes” for women *and* men and *neutral* policies, where “the idea is to show that issues that do not seem to impact women actually do.”¹²⁰ Understanding of the tool was ambiguous: was it supposed to analyse gender relations or to be applied to one group? Also noteworthy was the fact that issues of multilevel governance and decentralisation of government were blamed for the shifting of accountability for GBA implementation to local governments, where their complexity made for a more difficult implementation environment, so much so that: “Obtaining data on GBA in these complex institutions is problematic and the measure of success of gendering policies is, therefore, practically **inexecutable**.”¹²¹

Cuts in federal funding for women’s policy work and a lack of knowledge of the gender field were also seen as impediments to progress in GBA implementation. To counter these problems, conference participants identified four key “building blocks” for success: clear roles and responsibilities, more training, more and better tools and pilot projects, and, most importantly, a stronger mandate: “Officials involved with planning and designing policies and programs must be tasked to use GBA in their daily activities for it to become a sustainable practice.”¹²² An additional recommendation was for greater participation of civil society through consultations and legislative frameworks on GBA implementation, including a mandatory reporting mechanism, which in combination with multilevel governmental cooperation on GBA, would establish accountability and sustainability for tool application and gender equality results.

In sum, the conference report stated that despite best efforts on the part of the Status of Women Canada,¹²³ GBA had not yet progressed beyond pilot studies, due to internal resistance and lack of shared responsibility.¹²⁴ The Standing Committee on the Status of Women was “disheartened” at the patchy state of GBA implementation across federal government departments.¹²⁵ It also criticised the uneven availability

119 | SWC 2005d.

120 | SWC 2005d.

121 | SWC 2005d, 8. Emphasis by author.

122 | SWC 2005d.

123 | From 2003 to 2005 they had set up a GBA resource centre, created an e-bulletin, disseminated 8,000 information kits since 2003, and given over 75 presentations at conferences and other events (House of Commons; Standing Committee on the Status of Women 2005, 10).

124 | SWC alone listed 40 GBA case studies in 2005 (House of Commons; Standing Committee on the Status of Women 2005, 10).

125 | House of Commons; Standing Committee on the Status of Women 2005, 31. Not taking their own commissioned studies into account. I did not prevent the Canadian government to report only two years later to the CEDAW Committee that by: “2005-2006, the approaches departments used covered the full spectrum of activities, from the integration

of information and asked for the Inter-Departmental Committee on GBA to be systematically incorporated into the federal government's policy making.¹²⁶ These disappointing GBA realities were confirmed half a year later by three members of an Expert Panel on Accountability Mechanisms for Gender Equality in their report "Equality for Women: Beyond the Illusion."¹²⁷ The panel found that only a minority of federal departments and agencies had a department-wide gender equality framework or policy in place. GBA had practically come to a halt. The delay in expansion to other federal ministries and agencies was not surprising, since Canada itself still lacked a national gender equality plan, given that the Agenda for Gender Equality¹²⁸—the successor to the Federal Plan for Gender Equality—had expired in 2005. New, increased efforts would be needed to establish accountability and sustainability of gender equality goals in general and GBA in particular within the federal departments.

The expert panel called for management and policy leadership to advance GBA by integrating it into the results-based, New Public Management-driven Management Accountability Framework. The goal would be to "policy" a neo-liberal efficiency framework for better and more gender equality results.¹²⁹ An attempt to foster this goal was the application of the Programme Activities Analysis Results Chain, an organisational self-assessment tool developed by Status of Women Canada.¹³⁰ The tool was designed to help federal departments monitor their performance in equality activities and to gauge their progress in gender equality outcomes. The tool flowchart showed a building of GBA sub-programme activities and gender

of GBA into departmental strategic frameworks and business lines, to establishing networks of GBA specialists, offering training, and developing tools and resources" (Committee on the Elimination of Discrimination against Women 2007, 179).

126 | House of Commons; Standing Committee on the Status of Women 2005, 31. The report therefore suggested concrete GBA structures and accountability mechanisms for selected individual departments. However, since the report represented non-binding expert advice, its recommendations were not obligatory (House of Commons; Standing Committee on the Status of Women 2005, 32).

127 | Expert Panel on Accountability Mechanisms for Gender Equality 2005. The three members were panel chair and chief executive officer of Imagine Canada, a Canadian NGO, Georgina Steinsky-Schwartz, the independent development and gender consultant Dorianne Rowan-Campbell, and feminist law professor Louise Langevin (Expert Panel on Accountability Mechanisms for Gender Equality 2005, 62). Their mandate was to review the process by which gender-based analysis and gender equality issues are reported. The methodology applied was an analysis of Canada's legal obligations to gender equality and GBA, internal stakeholder consultation, including the Standing Committee on the Status of Women and the witnesses who appeared before the Committee, as well as the consultation of external organisations with reporting expertise (Expert Panel on Accountability Mechanisms for Gender Equality 2005, 11; 19-20).

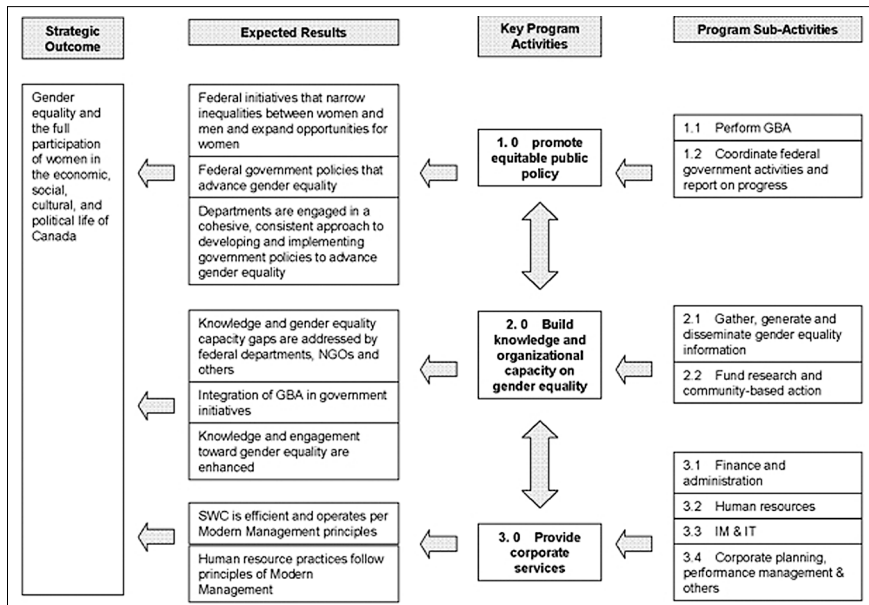
128 | SWC; Gender-Based Analysis Directorate 2001, 9.

129 | Expert Panel on Accountability Mechanisms for Gender Equality 2005, 47. The MAF is explained in detail in chapter 3.4.6.1. It consists of a set of 10 essential elements that summarize the Government of Canada's expectations for modern public service management. "Policing" in this context refers to replacing frameworks through which collectives (the state, the corporation, and religion, to name the most well-known actors) govern (Backer 2008).

130 | SWC 2005h, 8.

competency capacity within departments that would result in GBA integration into government initiatives. The percentage of accepted policy recommendations was later rated as an indicator of GBA implementation;¹³¹ the figure was low, indicating a low level of departmental GBA competency and a dependence on SWC and its competencies for GBA implementation. Another revealing fact was that to substantiate GBA success, only programmes specific to women and children were listed, which showed the low level of conceptualisation and integration, especially in seemingly gender neutral policies and programmes.

Table 7: Programme Activities Analysis (PAA) Results Chain, Organisational Self-Assessment Tool, Status of Women Canada (2005)¹³²



In sum, the 2005 GBA conference and following report found that supporting tools were made available for integrating GBA and measuring gender equality outcomes,¹³³ but that GBA implementation was slow. Although tool development activities peaked in 2005, reported practices dropped thereafter. However, 2005 was still a turning point: It put GBA back on the agenda and linked it to accountability.

Following another conference on GBA,¹³⁴ the Treasury Board Secretariat (TBS) in 2008 revised its guide to preparing submissions,¹³⁵ reminding departments for

131 | SWC 2005h, 10.

132 | Table courtesy of Status of Women Canada as developed in 2004-2005 (SWC 2005h, 8). Re-published as Section II Analysis of Programme Activities by Strategic Outcome in 2006 (SWC 2006, 8.)

133 | Canadian International Development Agency 2005a; Canadian International Development Agency 2005b; Citizenship and Immigration Canada 2005; SWC 2005a.

134 | This time in the French speaking part of Canada.

135 | TBS 2007b. On file with the author.

the first time of their responsibility for GBA reporting to the Cabinet.¹³⁶ Although the new guide did not elaborate on the precise mechanisms and requirements for reporting on GBA,¹³⁷ other guidelines were still in effect under the Treasury Board's 2007 "Tools for the Preparation of Treasury Board Submissions: Gender-based Analysis."¹³⁸ With these documents in place, the three central agencies (the Treasury Board, the Privy Council Office, and Finance Canada) were now being asked to check for gender relevance. To exercise this function, the agencies renewed their commitment to GBA in an action plan¹³⁹ and engaged in efforts to train their policy analysts in GBA.¹⁴⁰

At this beginning stage, it was not possible to judge the effectiveness of this procedural accountability step, due to continued lack of transparency with regard to departmental GBA implementation. In 2008 the Standing Committee on the Status of Women finally called on the Auditor General of Canada to conduct an audit of GBA. In 2009, the audit was undertaken. Department frameworks were examined for GBA, and 68 programmes were investigated for GBA reporting and inclusion. Policy and legislative submissions to the Treasury Board and the Cabinet by seven line departments were also examined (Department of Finance Canada; Health Canada; Human Resources and Skills Development Canada; Department of Aboriginal Affairs and Northern Development Canada; Department of Justice Canada; Transport Canada; and Veterans Affairs Canada).¹⁴¹ The roles of the Privy Council Office and Finance Canada in GBA challenging and quality management were scrutinised, as well as State of Women Canada's role in promoting GBA.¹⁴² Seven analytical criteria were used in the audit:

1. Policy environment
2. Departmental leadership
3. Degree of understanding
4. Extend of GBA framework
5. Availability of analytic tools and data
6. Level of implementation
7. Impact of reorganisation in departments and agencies

136 | TBS 2007b, 19. See also (Office of the Auditor General of Canada 2009b, 3; Michéle Bougie, Interview).

137 | Office of the Auditor General of Canada 2009b, 3.

138 | TBS 2007a. On file with the author.

139 | TBS 2007c; TBS 2007a. On file with the author.

140 | Office of the Auditor General of Canada 2009b, 3; TBS/SWC 2008; TBS/SWC 2008.

141 | Office of the Auditor General of Canada 2009b, 1. The audit was conducted simultaneously or shortly after to my Canadian field studies and interviews. It complemented the findings in the empirical part in a very timely fashion. The audit still refers to the Department of Aboriginal Affairs and Northern Development Canada under its former (and officially not revoked) name, Department of Indian Affairs and Northern Development Canada.

142 | Office of the Auditor General of Canada 2009b, 1.

In the resulting report¹⁴³ and message,¹⁴⁴ the Office of the Auditor General (OAG) found uneven implementation of GBA and little evidence of its influence on decision making. The Department of Aboriginal Affairs and Northern Development Canada had established all key elements of an effective GBA; however, Transport Canada and Veterans Affairs Canada had no framework at all almost fifteen years after the introduction of GBA into Canadian policy making.¹⁴⁵ Around 30 of the 68 analysed programmes showed no evidence that gender had been entered into public policy options. In eight initiatives, departments were able to substantiate the non-relevance of GBA and gender; 26 initiatives were treated as neutral with no evidence or mention of gender; in four cases GBA had been applied, leading to the incorporation of gender concerns in the policy draft.¹⁴⁶ Overall the information on gender was found to be “limited.”¹⁴⁷ Gender impacts were identified in 15 of 28 memoranda to the Cabinet and in eight out of 21 submissions to the Treasury Board. In all other cases, the auditor found it impossible to determine why gender impacts were deemed be irrelevant by departments in single policies,¹⁴⁸ “whether there was another reasonable explanation for the absence of this information, or whether gender impacts had ever been considered”¹⁴⁹ at all.

The Auditor General was in particular dissatisfied with the collaboration and transparency of the three central agencies. The report stated that because the auditor “did not have access to the précis accompanying TB submissions, we were not able to assess fully if the Treasury Board Secretariat performed its challenge role.”¹⁵⁰ Such a statement called the functionality of the challenging and accountability role into question. Despite the presence of a “GBA champion” system, with one responsible and knowledgeable person in each of the central agencies, the Auditor General attested that the central agencies: “Could not demonstrate that their analysts had reviewed and, when appropriate, challenged gender impacts of spending initiatives or policy proposals submitted by departments for approval.”¹⁵¹

143 | Office of the Auditor General of Canada 2009b.

144 | Office of the Auditor General of Canada 2009a.

145 | Office of the Auditor General of Canada 2009b, 2.

146 | Office of the Auditor General of Canada 2009b, 2.

147 | Office of the Auditor General of Canada 2009b, 2.

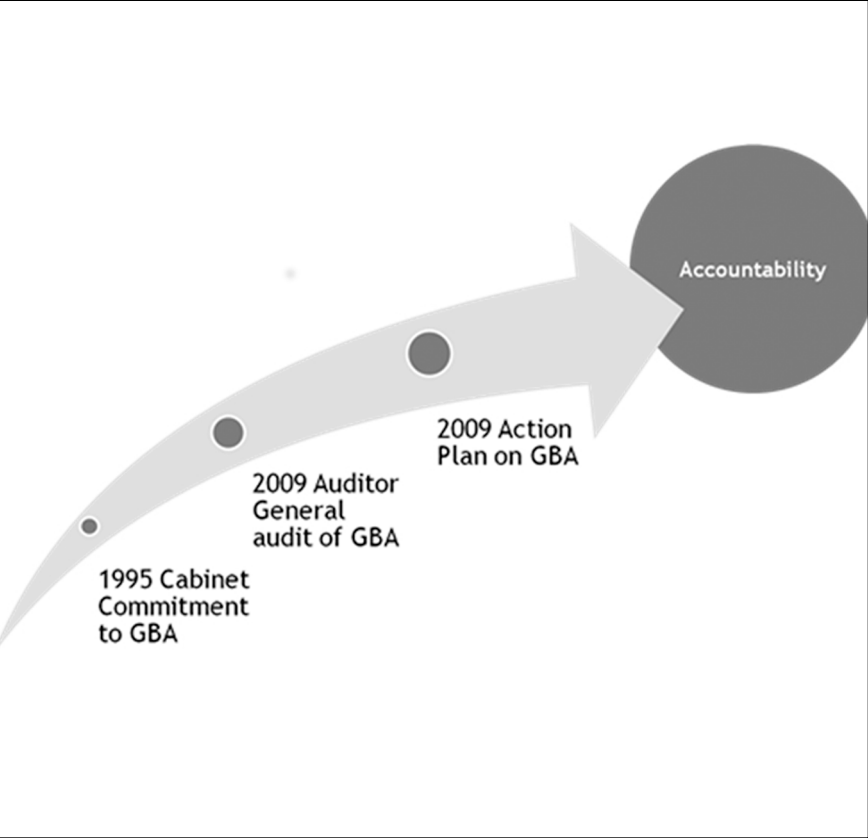
148 | Office of the Auditor General of Canada 2009b, 2.

149 | Office of the Auditor General of Canada 2009b, 3.

150 | Office of the Auditor General of Canada 2009b, 9-10.

151 | Office of the Auditor General of Canada 2009b, 3.

Table 8: A Brief History of GBA, Status of Women Canada (2012)¹⁵²



The Auditor General’s report confirmed that GBA implementation had been weak. At the same time academic research on the integration of gender concerns in single public policy fields found an even worsening situation compared to the early GBA days. Kathleen McNutt and Sara Hawryluk stated that the “increasingly institutional absence of gender-based analysis”¹⁵³ had resulted in an “analytical deficit” and inability to respond to current challenges.¹⁵⁴ In the field of climate policy, the authors stated that neither the Liberal nor the Conservative governments had managed to mainstream gender throughout the analysis, design, and implementation process, nor did they observe “concerted efforts” to consult with women’s groups.¹⁵⁵ According to Quebecois feminist law professor Louise Langevin, Canada internally was acting in sharp contrast to its international rhetoric and commitment to gender equality:

“With regard to respecting the right of women to equality and GBA, Canada has not entirely fulfilled its promises [...]. Its international discourse does not reflect its actions on the

152 | SWC 2012c..
153 | McNutt/Hawryluk 2009, 116.
154 | McNutt/Hawryluk 2009, 116.
155 | McNutt/Hawryluk 2009, 116.

internal level. Women's groups have confirmed this for a long time. [...] The government is a bad student and needs to re-do its homework."¹⁵⁶

It is important to note that the 2009 audit by the Auditor General had been undertaken at the request of the Standing Committee on the Status of Women, partly in response to criticism from women in non-governmental agencies. In this case, external dissatisfaction unlocked the internal stagnation of GBA, creating a new window of opportunity. Canada's way of dealing with GBA implementation demonstrates the importance of governmental checks and balances as well as multilevel sites of power and control by internal femocrat governance structures.

In response to the Auditor General's recommendations, the Status of Women Canada, along with the Privy Council Office and the Treasury Board Secretariat, submitted a Departmental Action Plan on GBA¹⁵⁷ to Parliament. A commitment was made to concrete actions and timelines, with the goal of increasing federal government accountability for GBA. The Departmental Action Plan on GBA incorporated two of the Auditor General's crucial recommendations that the central agencies should a) "document the challenge function"¹⁵⁸ when reviewing the spending initiatives and policy proposals as submitted by departments, and b) "measure progress" in living up to the Federal Plan's 1995 commitment to GBA.¹⁵⁹ These recommendations were designed to move from soft implementation to hard, measurable controlling and to form a unity of oversight between the three central agencies and Status of Women Canada. The move changed the role of the gender equality machinery from that of gender police to ally and friendly institutional "partner"¹⁶⁰ in meeting equality governance obligations.¹⁶¹

As part of controlling for GBA in Canadian federal policy and programme making, Status of Women Canada, in collaboration with the Treasury Board Secretariat, launched a survey in 2009-2010 of 37 departments and 25 agencies. A total of 19 line departments agreed to "perform and integrate GBA into policy options, where relevant."¹⁶² Status of Women Canada had previously established five

156 | French Original: "En matière de respect du droit des femmes à l'égalité et d'ACS, le Canada ne remplit pas totalement ses promesses [...]. Son discours sur la scène internationale ne reflète pas ses actions sur le plan interne. Les groupes de femmes l'affirment depuis longtemps. [...] Le gouvernement est un mauvais élève et doit refaire ses devoirs" (Langevin 2010, 2-3).

157 | Privy Council Office et al. 2009. The plan was renewed in 2016 in form of a GBA Action Plan (SWC et al. 2016), following up on a second audit conducted in the fall of 2015 (Office of the Auditor General of Canada 2016). These latest developments could not be included in this study, but show how the first steps triggered a cascade of accountability measures.

158 | Office of the Auditor General of Canada 2009b, 38

159 | Office of the Auditor General of Canada 2009b, 39.

160 | SWC 2010a, 1.

161 | It is important to note that my field study and interviews represent the status quo of GBA in Canada before the Departmental Action Plan on GBA (2009) measures were implemented..

162 | SWC 2010a.

key elements for a “sound” GBA framework¹⁶³ as first enabling steps towards GBA implementation: 1) A defined departmental policy; 2) clear roles and responsibilities; 3) readily available tools and methodologies; 4) a responsibility centre or GBA support unit (such as gender focal points); 5) a GBA champion in place; 6) an evaluation of the effectiveness of GBA practices.¹⁶⁴

In the survey, 13 departments reported that four of the five elements were in place. Those departments that had incomplete GBA implementation environments were put on a schedule over one year to achieve the standards, with the Status of Women Canada as a close partner. Although the existence or partial existence of a GBA framework did not automatically guarantee GBA implementation, first results of the survey seemed to point to some increased GBA activity,¹⁶⁵ which led the Standing Committee on the Status of Women to an optimistic outlook in its Interim GBA Status Report:¹⁶⁶

“Preliminary results do indicate that some departments involved in the 2008 audit have rapidly become self-sufficient in performing and sustaining GBA, due in part to their longstanding involvement in GBA activities. They are ready to serve as models to other organizations. Where a department’s capacity is not yet adequate to support a framework or apply GBA to an initiative, it would seem that it could benefit from a longer cycle of implementation, with a first 12-month period to create an institutional framework, followed by 6 to 12 months for applying GBA to an initiative. [...] The promotion of gender equality is a shared responsibility between SWC and other federal organizations. SWC will continue to enable a growing number of organizations and actors to integrate GBA more systematically into their work and decision making processes. The true institutionalization of GBA will in turn result in better public policy that responds more effectively to the diverse needs of all Canadians.”¹⁶⁷

Another important development of this period was the remodelling of GBA into the GBA+. This was an indirect result of the framing of gender equality and GBA in a diversity rhetoric (“diverse needs of all Canadians”) in the 2009 Auditor General’s report and the drive for improved intersectional tools by Canadian as well as international scholars. The update to GBA+ was first promulgated in fall 2011 and re-launched by Status of Women Canada in 2012. The new GBA+ emphasised the importance of including dimensions such as age, education, language, geography, culture and income in the analysis while still keeping gender in all its relevant and

163 | Most of these core criteria were first stipulated 1995 in the Federal Plan for Gender Equality and amended by requirements listed in the SWC GBA tools (Office of the Auditor General of Canada 2009b, 10; SWC 1995).

164 | Office of the Auditor General of Canada 2009b, 10.

165 | One needs to bear in mind though that all activities rely on self-reporting. To date there has not yet been another quantifiable or qualitative assessment by independent third parties, such as another external audit or a GBA progress report of the Treasury Board Secretariat’s challenging function on departmental Treasury Board Secretariat and Cabinet policy and programme submissions. Progress in building GBA competency within Treasury Board Secretariat’s staff remains also unclear. Statements concerning the quality of individual GBAs or a GBA best practice library have also not been published yet.

166 | Standing Committee on Public Accounts 2010.

167 | Standing Committee on Public Accounts 2010.

context-specific intersections at the centre of analysis. GBA+ was not only designed for government use, it was explicitly made accessible to all interested players, such as other governments, organisations in civil society and private companies.

In sum, in achieving Canada's goal of "enhancing GBA continued to position Canada as a world leader in this key strategy,"¹⁶⁸ the new tool was the government's answer to stalled GBA activities on the federal level. It also tightened accountability to control for GBA quantity *and* quality in Treasury Board and Cabinet submissions. Status of Women Canada had a central role in this dynamic process; its part changed profoundly from an (unwanted, unappreciated) *gender police* to a (desired, appreciated) partner, competency provider and resource unit.¹⁶⁹

3.2.2 Gender-based Analysis in Canadian Federal Government

The main analytical tool in place during the time of my field research was the GBA tool as developed by the Status of Women Canada. In this section, I briefly outline the structure and content of the version in use during the time my interviews were conducted. I then assess its adherence to the IA and gender mainstreaming quality criteria for IA tools.

3.2.2.1 Gender-Based Analysis—the Tool

Chronologically, this was It was the third version of the tool launched in 2007 (after the original 1996 original tool, the 1998 re-publication,¹⁷⁰ and the 2003, and 2004 updates¹⁷¹). SWC also had issued a 2001 policy training handbook,¹⁷² a 2003 GBA performance self-assessment tool,¹⁷³ a 2005 training kit,¹⁷⁴ and train the trainer programme¹⁷⁵, as well as the 2007 training¹⁷⁶ as aligned with the 2007 integrated GBA tool.

The 2007 tool defines GBA as:

"A tool to assist in systematically integrating gender considerations into the policy, planning and decision making processes. It corresponds to a broader understanding of gender equality using various competencies and skills to involve both women and men in building society and preparing for the future."¹⁷⁷

This definition is rather vague, but prepares analysts for their involvement in the government's equality duty as the "actors normally involved in policy making,"¹⁷⁸ in accordance with gender mainstreaming principles. The 2007 GBA edition was

168 | SWC 2010a, 1.

169 | Sauer 2008b; Sauer 2008c.

170 | SWC 1998.

171 | SWC 2004.

172 | SWC 2001.

173 | SWC 2003b.

174 | SWC 2005g; SWC 2005c.

175 | SWC 2005e.

176 | SWC 2001.

177 | SWC 2007.

178 | SWC 2007.

designed to explain the single assessment steps and also to familiarise analysts with the structure and reasons for GBA in their organization. The unique aspect of the 2007 edition was its reinforcement of an integrated approach¹⁷⁹, in which policy analysts were encouraged to assess the gendered consequences of their proposals early in their analyses:

“To achieve gender equality, we need to integrate gender equality measures into all policies and programs from the design stage onwards. Otherwise, our policies and programs may inadvertently increase inequality between women and men and make their socio-economic situations worse. If you conduct a gender-based analysis at the beginning of any process, it will reveal the key gender issues you need to consider. You can then develop plans to overcome existing imbalances and avoid adding to future problems.”¹⁸⁰

Status of Women Canada encouraged analysts to ask *key questions*, using both the three-R approach (rights, resources and representation) and the gender relations and empowerment approach:

- “- Does this policy/program/trend improve the well-being of women/men?
- What resources does a person need to benefit from this policy/program/ trend? Do women and men have equal access to the resources needed to benefit?
- What is the level and type/quality of women’s and men’s participation in the policy/program/trend? Has this changed over time?
- Who controls the decision making processes related to this policy/pro-gram/trend?
- Who controls/owns the resources related to this policy/program/trend?
- Does this policy/program/trend have any unexpected negative impacts on women and/or men?
- Does this policy/program/trend benefit men more than women (or vice versa)? If so, why?”¹⁸¹

These questions provided a quick pre-test or relevance check and would make it evident to policy and programme makers that their assessments should not only prevent negative equality results, but also empower and promote the disadvantaged sex/gender—mainly, but not always women. If any of the above questions seemed relevant and produced different results when women were compared with men, analysts were encouraged to conduct a full GBA, since it is a “highly adaptable tool”¹⁸² for which many versions were available, depending on the policy field and type of government action under assessment.

As a next step, analysts were asked to execute the organisational capacity assessment, to help them recognise that successful GBA implementation requires

179 | It should not be confused with the European Integrated Impact Assessment (compare chapter 4.2.3) that as a tool integrates gender questions. In Canada, the stand-alone tool GBA should be integrated in the overall assessment process, for which other stand-alone or integrated tools are applied.

180 | SWC 2007.

181 | SWC 2007.

182 | SWC 2007.

various building blocks of elements and players.¹⁸³ These building blocks refer to: 1) A policy framework of a gender equality plan and/or legislative duties to conduct GBA; 2) an accountability framework that clarifies desired outcomes, structures, roles and responsibilities and provides for sex-disaggregated statistics and equality indicators as well as evaluation tools for departmental assessment of GBA practices; 3) institutional structures such as equality machineries, committees, GBA tools and training; and d) partners, such as departmental and non-departmental initiatives and organisations, that can assist with GBA implementation.¹⁸⁴

3.2.2.2 Gender-based Analysis and the Quality Criteria for Gender Mainstreaming Tools

Also the 2007 GBA is an appropriate, explicit ex-ante policy analysis tool that has been streamlined into the policy cycle and drafting process in the Canadian bureaucracy. It clearly establishes the assessment duty based on Canada's obligation under the Charter of Rights and Freedoms and the international gender mainstreaming strategy. It sets forth the duty as rights-based, but also uses the "good policy sense" argument.¹⁸⁵ In terms of gender mainstreaming, like the first 1996 tool and "mother of all manuals,"¹⁸⁶ it equally adheres to all quality criteria, as established in this study.¹⁸⁷ Its further advantage is its integrated approach that leaves no room for not performing, at the very least, a sex-disaggregated analysis of the issues at hand. Based on the double GBA mandate (being a tool *and* a strategy), it also requires certain institutional arrangements that go beyond the gender mainstreaming quality criteria for tools and address the implementation environment. In this way, GBA quality and quantity became part of the departmental mandate.

3.2.3 Tool Re-launch: GBA+

The Status of Women Canada introduced GBA+, a more sophisticated version of GBA, in 2011/2012.¹⁸⁸ The new tool was launched in response to the need to include questions in addition to gender, such as race and aboriginal status, important in Canada because of its immigration history; and intersectionality, a consideration furthered by a wave of scholarly work in Canada and Europe.¹⁸⁹ The GBA+ tool was released along with an online self-learning training course.¹⁹⁰ Although influenced by theories of intersectionality, it decisively places gender at the centre.¹⁹¹

183 | SWC 2007.

184 | SWC 2007.

185 | SWC 2007. For IA tool typology, see chapter 1.6.1.

186 | SWC 1996. See also prior chapter 3.2.1.

187 | See sub-chapters 1.6.2 and 1.6.3.

188 | SWC 2012a. It is important to note that the empirical field research and interviews conducted with Canadian public policy analysts and gender experts pre-date the tool GBA+.

189 | McCall 2005; Hankivsky 2007b; Hankivsky/Cormier 2011; Kantola 2009; Lombardo/Rolandsen Agustín 2011.

190 | SWC 2012d.

191 | Franken et al. 2009. Compare also the European Commission's 6th Framework funded QUING Research project that invented the term "Gender+" as a concept, institutionalising

Although my empirical analysis does not include a comparison of the benefits and pitfalls of the former GBA tool with the wider post 2012 GBA+ environment, I present the GBA+ tool here, to provide insight into tool innovation and a comparison of tool concepts.

3.2.3.1 A Plus in Intersectionality, Reflexivity—and Application?

The tool GBA+ assesses “the impacts of policies, programs or initiatives on **diverse** groups of women and men, girls and boys.”¹⁹² It sets out to implement an intersectional understanding of the effects of sex and gender. Though it risks being understood as a *groupist*¹⁹³ tool, i.e., by referring to “diverse groups” instead of addressing systemic and overlapping discrimination and societal biases, the real intent of the revised tool GBA+ is to begin analysis by considering systemic discrimination based on sex and gender and then to expand and sharpen it with further intersectional analysis of gender in correlation with other factors that contribute to discrimination. Responding to the “different situations” and “needs” of Canada’s population, gender remains “a major factor”—if not the central factor—but analysts must: “Also take into consideration factors such as age, education, language, geography, culture and income. Analysis that incorporates gender and these other diverse, intersecting factors is called GBA+.”¹⁹⁴

It is important to note that this list of factors is not exhaustive and that not all differences need to be assessed concurrently. The tool tries to avoid the common pitfall of assuming gender neutrality of policies and programmes through an examination of one’s own potential biases and the biases of the organisation and environment in which one works. It also demands that the analyst position her/himself in the framing and analysis process. Tool designers make it clear that GBA+ is not only the concern of departments with a social focus or *soft policies*, but that it can and should also be applied to “areas like finance or economics” and to “a wide diversity of fields including banking, transportation, immigration, economics, taxation, health, science and beyond.”¹⁹⁵

Another important feature of the tool that makes it unique in the international landscape of gendered analysis tools is its attempt to confront mere assumptions or biases of gender and other analytical categories. In order to render GBA+ analyses evidence-informed, instead of assumption-based, it poses questions such as:

“How might people’s assumptions skew their vision or prevent them from asking questions and understanding answers?

How might values and attitudes—your own, those of your organization and those of society—limit the range of policy options?

How might these things affect your perspective on an issue or the decisions that you make?

A good place to start is to look at your own profile and think about the factors that make you who you are.

intersectionality in equality policies and training as part of quality management processes (Del Giorgio et al. 2008; Baer et al. 2009; QUING et al. 2009).

192 | SWC 2012a. Emphasis by author.

193 | For a more detailed discussion on the concept of groupism, see subchapter 2.3.1.

194 | SWC 2012a.

195 | SWC 2012e.

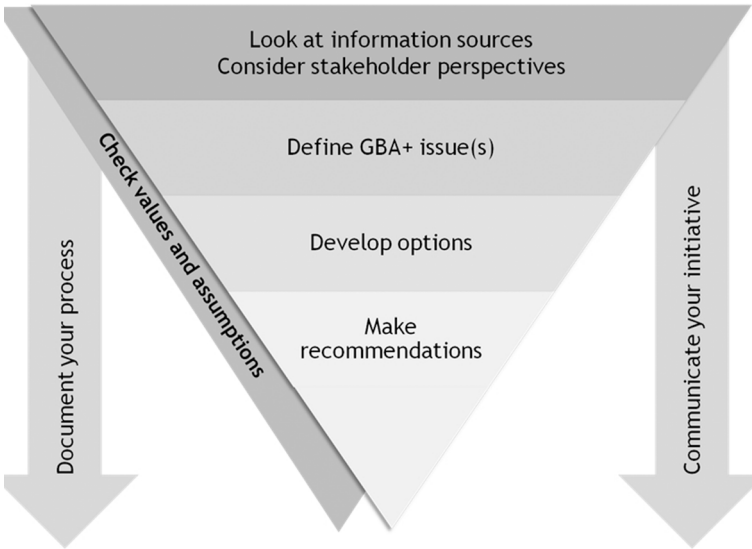
Challenge your assumptions by discussing these questions with colleagues, experts or researchers.”¹⁹⁶

Thus the tool draws attention to the appropriateness of analytical methodologies at hand and encourages analysts to increase the validity of the process by going beyond internal reflection to work with external people who can act as possible correctives. It asks for a double reflective cycle: first of the analyst reflecting upon his/her positioning as an individual and professional in conducting GBA, and second of the topic under assessment, which needs to be seen through a sex/gender lens at the centre but also through additional relevant lenses. By questioning unsubstantiated assumptions, the tool introduces a level of individual and organisational self-reflexivity new to the realm of ex-ante assessments. It is one of the earliest tool designs to incorporate such theoretical debates in a positivist policy analysis environment.¹⁹⁷

3.2.3.2 Application Step by Step

Status of Women Canada developed GBA+ as a tool to be used in all policy fields; however, GBA+ can be adapted at the discretion and need of the practitioners and can enter any stage of the analysis process. In this way the tool is similar to its European counter-part GIA: It is an ex-ante, parallel and ex-post policy analysis tool that is also suitable for monitoring and evaluation. The quality of the process stems from the tool’s systematic, consistent and documented application. Seven steps are suggested, some of which should be completed in parallel, as the following table 9 illustrates:

Table 9: GBA+ Step by Step, Status of Women Canada (2012)¹⁹⁸



196 | SWC 2012f. The words “Challenge your assumptions” were in italics in original.
197 | Not yet exposed to post-structural critique by e.g. (Finlayson/Martin 2006; Dobuzinskis 2006; Riccucci 2008).
198 | SWC 2012e.

Details of the steps are as follows:

1. Check values and assumptions: In this step, policy makers are encouraged to reflect upon their general assumptions pertaining to the “diversity of women and men in your client or target group,”¹⁹⁹ in order to avoid stereotyping. This initial reflexive step is to be repeated at every stage of the process.
2. Look at information sources, consider stakeholder perspectives: Status of Women Canada sees gathering information as the seminal step. The request for data sampling before a relevance check is the crucial difference between this and other gendered-analysis guides. Status of Women Canada advocates the use of sex-disaggregated quantitative data, at best additionally broken down by “e.g. age, language, education, geography, culture, ethnicity, income.”²⁰⁰ A diversification of data and a broad outlook are encouraged. In contrast to the EU, the Canadian GBA+ warrants the re-introduction of the social category of “class” by way of groupings such as education or income into policy analysis. A weakness in the tool layout is that there is no detailed information on how to consult stakeholders, what constitutes a stakeholder or how to map all relevant stakeholders, etc.—even though participation is a core element of GBA+ analysis.
3. Define GBA+ issues(s): In this step, the Status of Women Canada wants practitioners to analyse the information collected and the results of the stakeholder consultation in accordance with the following three questions: 1) “Who are my clients or target group? Think about gender, age, ability, socio-economic status and other factors.” 2) “Do the issues affect diverse women and men in different ways? If so, how?” 3) “Does the initiative improve the situation for all? Or does it have unintended differential impacts and create barriers for some groups of women and men?”²⁰¹ Differential impacts even within seemingly coherent groups are addressed in this set of questions. Attention is drawn here to systemic inequalities rather than groupist assumptions. Moreover analysts are advised to collect more information if they are not able to fully answer these questions.
4. Develop options: For developing policy options, Status of Women Canada guides analysts through another block of three questions: 1) “How do the options reflect the information gathered and the stakeholder perspectives in relation to GBA+?” 2) “How have GBA+ impacts and outcomes been given weight in the analysis of options?” 3) “What are the consequences of adopting or not adopting GBA+ options?”²⁰² These questions address the concern about the add-on character of the tool, which is used on top of other assessment instruments. It is still mainly left to the discretion of the policy analysts and those who determine the departmental implementation environment for GBA+ to integrate the individual steps as well as the findings into the overall assessment framework and recommendations. At present there still is no integrated policy analysis tool in place in Canada that prescribes detailed modes and procedures for integration. In particular, asking about the consequences of *not* including gender consideration in policy options seems very valuable at this point, since it establishes the need to explain why

199 | SWC 2012e.

200 | SWC 2012e.

201 | SWC 2012e.

202 | SWC 2012e.

gender was irrelevant and to demonstrate this irrelevance in an evidence-based fashion. Structured as such, GBA+ and its intersectional gender analysis can no longer be dismissed, and concrete thoughts have to be invested in the “if” and “how” to incorporate those steps into the final analysis and policy options.

5. Make recommendations: This step refers to the possibility that analysts might find their GBA+ considerations useful in prioritising recommendations. The guide does not give detailed advice on how to mainstream relevant gender+ findings into policy recommendations, nor does it provide ideas on how to prioritise in terms of scale and significance, quantity and quality (e.g., are negative gender consequences more important than negative consequences concerning a disability status, because “gender” involves more people? Or is the severity of impact the incremental point? Or both? Or none?).²⁰³
6. Document your process and findings: At this stage GBA+ as an evidence-driven tool demands full access to its empirical base to render the interpretation of the data transparent and accountable. Certain information will guide particular recommendations. This step offers another reflexive moment in this tool and enables policy makers to see the full (or at least a fuller) picture so that they can come their own conclusions on whether to follow the data interpretation or not. At this point the following question is posed: “if gender considerations do not apply, why not?”²⁰⁴ By asking this question, the tool makes it clear that apparent irrelevance needs to be substantiated with data, explained, and documented.
7. Communicate your initiative: For the Status of Women Canada, communicating the GBA+ findings to either internal or external stakeholders is an important element. In general the communication of GBA+ results is expected to demonstrate “due diligence, foster buy-in with a particular stakeholder, or help inform decision making.”²⁰⁵ No reference was made however to gender inclusive, accessible or concise language, length or format of the policy analysis report, or issues of gender balance and diversity in symbols and figurative representations.²⁰⁶ As discussed in previous chapters, accessibility is more precisely regulated in the Canadian Access to Information Act,²⁰⁷ and awareness of the need for gender neutral, non-discriminatory representation is high in the Canadian public administration.

203 | A question mostly untouched by current intersectional, multi-strand analysis tools too. To date there exist tool suggestions for determining significance and ranking social impacts in terms of scale and significance of impacts, i.e. in the UK's equality IA (de Vet et al. 2010, 184). In social IA research also different sorts of impact such as direct or indirect impacts, impacts of first or second order, are to be identified, ranked and mitigated (Barrow 2000; Becker/Vanclay 2003a; Burdge 2004; Esteves/Vanclay 2012).

204 | SWC 2012a.

205 | SWC 2012e.

206 | With regard to language, Gemma Carney also emphasised the data and metaphor fit and the importance only to refer to gender mainstreaming if it actually also mirrored in data in order not to endanger the political equality project (Carney 2008).

207 | R.S.C., 1985, c. A-1.

3.2.3.3 Critical Engagement

While the GBA+ tool incorporates more than *just* gender,²⁰⁸ the concept of sex/gender²⁰⁹ that it uses does not reflect the current interdisciplinary research on gender. The tool defines sex as the “differences between men and women in things like physiology, brain structure, DNA and anatomy,”²¹⁰ but it ignores social constructivist theories of sex differences,²¹¹ and notions of social construction are limited to gender: “Gender refers to the social differences and relationships between women and men. Gender is defined by society, culture and history, and it changes over time. **Sex is biology. Gender is social context.**”²¹²

This statement is then followed by the remark that points to transgender and intersex individuals: “Not all individuals identify with distinct sex or gender categories of male and female.”²¹³ No further explanation is offered, and the lack of awareness of the variety of possible gender identities and their issues calls into question the effectiveness of the tool for these target groups. The tool is lacking in clear definitions or statements on diversity criteria. Furthermore, it does not provide a gender and/or diversity index or data sources from which to draw initial conclusions on current issues. Policy analysts are mainly left to their own devices in coming up with solutions on how to determine the gender+ issues at stake, how to incorporate them in their overall assessment, and how to integrate, rank them and render them measurable in their suggested policy options. They are not directed to existing frameworks, such as those developed for a public policy context in the European QUING project.²¹⁴

In this light, the new GBA+ tool can be considered a promising, yet insufficient attempt to incorporate poststructuralist and intersectional approaches. The revamped 2012 GBA+ tool stands in a long tradition of tool re-launches meant to address perceived obstacles to implementation. However, the latest gender research has yet to be included, and despite the tool’s diversity framing, a more comprehensive analytical frame as well as definitions and assessment criteria are needed to render it truly operational. It remains a work in progress that must stand the test of time and practice.

3.3 DEPARTMENTAL IMPLEMENTATION OF GENDER-BASED ANALYSIS: CASE STUDIES

In this and the following chapter I present the empirical findings of my interviews with Canadian policy analysts and gender experts regarding departmental GBA implementation. Throughout the process, I found it important to keep in mind

208 | Although it needs to be said that all forms of the former GBA tools already tried to draw attention to additional inequalities, if not in such an explicit way.

209 | SWC 2012b.

210 | SWC 2012b.

211 | See sub-chapter 2.3.1.

212 | SWC 2012b. Emphasis as in original.

213 | SWC 2012b.

214 | Del Giorgio et al. 2008; Lauwers/van der Wal 2008; QUING 2011a. See chapters 1.5.3 and 2.3.1.

the double role of the analysts and gender experts: on the one hand they had an interest in fostering GBA implementation and addressing problematic practices in their field, but on the other hand they remained subject to departmental and bureaucratic loyalty.²¹⁵

GBA as developed by Status of Women Canada was (and still is) open to modification for each particular policy sector and problem.²¹⁶ Some departments have not only developed their own tool variants, but they have also created their own training packages. They have set up their own GBA frameworks and infrastructures, such as departmental gender focal points, and issued statements on GBA and the integration of GBA in strategic and operational plans.²¹⁷ For example, Citizenship and Immigration Canada mandated itself to report annually to Parliament on its progress in GBA activity, and Citizenship and Immigration Canada adopted the Five Year Strategic Framework for Gender-based Analysis (2005-2010), which set out objectives, principles, activities and reporting steps tied to its GBA plans.²¹⁸

I focus my analysis on interviews with public servants and gender experts in three departments who opted to disclose their names and consented to open use of their interviews. Thus, my case studies on GBA practices in the Canadian federal government are limited to the Canadian International Development Agency, the Department of Aboriginal Affairs and Northern Development Canada²¹⁹, and the Department of Health Canada. However, these three case studies provide fruitful insights into the current state-of-the-art of GBA implementation, the common obstacles to implementation, and inner-departmental equality governance structures.

3.3.1 Canadian International Development Agency

The Canadian International Development Agency (CIDA) is often cited as the pioneer in GBA development due to its efforts over 30 years to revamp and improve gender training.²²⁰ I interviewed the acting Director of the Equality for Women and Men Policy Branch, Diana Rivington.²²¹ She has held this position since 2007, but worked in a similar position from 1998 until 2003, and thus speaks from many years of experience.

215 | Interviews were conducted with different levels of bureaucratic hierarchy (management, policy analysts, gender focal points etc.), which yields different perspectives. Sari Tudiver hints towards the difficult position of civil servants between striving for the common good and bureaucratic loyalty: "While there are some safeguards, there are serious repercussions for public servants who criticize government policies." (Tudiver 2015).

216 | SWC 2007.

217 | Expert Panel on Accountability Mechanisms for Gender Equality 2005, 45.

218 | Expert Panel on Accountability Mechanisms for Gender Equality 2005, 45.

219 | Renamed in 2011 into Aboriginal Affairs and Northern Development Canada, formerly (and still officially) called Department of Indian and Northern Affairs Canada (DIAND).

220 | House of Commons; Standing Committee on the Status of Women 2005, 11.

221 | Diana Rivington was the first one, swiftly replying to my interview request, to make herself available for an interview. It demonstrates not only her personal, but also the great departmental commitment to GBA.

3.3.1.1 Tools, Implementation, Governance and Accountability

As Rivington noted, among all the Canadian departments and agencies, CIDA has the longest history of designing tools and applying one form or another of gender-based policy and programme analysis. In fact, the idea for gender mainstreaming was born in the development context:

“Our first statement on women in development goes back to 1976. So these and our first, the first policy that CIDA ever had, which was issued in 1984, first policy on development substance as opposed to a financial policy or administrative policy. That was 1984 and it was our policy of women in development. So we have been using gender analysis in one way or another since 1976 on different scales. And we started a lot of the training in the 1980s. [...] We have been working with it for 30 years.”²²²

The 1984 policy on women in development was considered innovative and globally leading at that time.²²³ The support for gender equality in CIDA starts at the top with its president, who stands out as the only head of a government department acting as a gender equality champion. In other departments, assistant deputy ministers or lower ranking civil servants usually take this role. The system was introduced as part of departmental accountability structures to increase awareness of GBA, foster its implementation and oversee its integration in departmental research, programmes and policy design.²²⁴ Gender champions are expected to provide leadership on and knowledge about GBA through various actions: for example, putting GBA on the policy agenda, sending informational communiqués, and participating in intra- and inter-departmental working groups on GBA.

Implementation of GBA at CIDA was similar to the process outlined for other departments, that is, as part of the project and programme design and implementation cycle and conducted by single policy analysts and programme developers in the various branches. However, CIDA went further. In the department gender equality policy, which dated from 1999, CIDA committed to an all-encompassing approach to mainstreaming gender in development initiatives. It defined an univocal goal “to support the achievement of equality between women and men to ensure sustainable development”²²⁵ and provided clear definitions of what equality and equity actually meant in the development context. It also set objectives on where and how to accomplish this goal, representing “corporate level results against which implementation of the gender equality policy can be measured.”²²⁶

The 1999 gender equality policy equipped CIDA’s employees with basic gender analysis guidelines and was also a source of information on GBA, since it contained detailed guidelines and tool process descriptions.²²⁷ It was still in use at the time of the interview as the main department tool to implement gender equality in

222 | Diana Rivington, Interview.

223 | Canadian International Development Agency/Bytown Consulting; C.A.C International 2008, 4. Early CIDA gender equality instruments were (Canadian International Development Agency 1997a; Canadian International Development Agency 1997b).

224 | SWC 2012g.

225 | Canadian International Development Agency 1999, 7.

226 | Canadian International Development Agency 1999, 23.

227 | Canadian International Development Agency 1999.

projects and programming.²²⁸ The policy also asked each programme branch to be “responsible for developing branch level gender equality results statements.”²²⁹ In addition to specifying gender equality tools and implementation processes, the policy also outlined an accountability mechanism, “which rests within each of CIDA’s corporate and programme branches, partners and executing agencies.”²³⁰

In 2000 CIDA was the first Canadian federal department to begin designing a performance assessment framework with an integrated coding system to mark the gender relevance of policies and programmes in order to render gender equality outcomes measurable. As part of the effort, CIDA issued an equality assessment form²³¹ with corresponding guidelines.²³² There were pilot tests between 2003 and 2004, and the framework was finally endorsed department-wide in 2005. As a result of its commitment, gender equality, as an overarching departmental objective, has become more than just a “point of dialogue”²³³ at CIDA. In 2008 the department instituted an internal accountability initiative, called “Equality between Women and Men.” This initiative established a results-based accountability framework for gender, which since then has been used to hold CIDA’s branches as well as multilateral institutions, cooperating Canadian civil organisations, private sector partners, and the policy dialogue with partner countries accountable for gender equality results.²³⁴ Among other things, the initiative called for top-down and direct political responsibility, by defining that: “the President, CIDA’s Equality Between Women and Men Champion, is accountable to the Minister for actual development results achieved, in conjunction with partners [...]”²³⁵

As a consequence, all corporate and programme branches, partners and executing agencies need to undergo evaluation for CIDA’s Policy on Gender Equality, performed as part of the normal review cycle by the Evaluation Division, Performance and Knowledge Management Branch. In 2010, with its Gender Equality Action Plan, CIDA renewed its commitment to integrate gender into all policies, programmes and projects.²³⁶ This overall commitment to have “gender equality as a cross cutting theme”²³⁷ was therefore passed down in the programme development framework in each country where the CIDA has representation. This means that every branch is obliged to contribute to overall gender equality, with some freedom to localise, but not to deviate. The centrality of gender equality in CIDA is non-negotiable, according to Rivington:

228 | Canadian International Development Agency 2011a.

229 | Canadian International Development Agency 1999, 23.

230 | Canadian International Development Agency 1999, 23.

231 | Canadian International Development Agency 2005a.

232 | Canadian International Development Agency 2005b.

233 | Diana Rivington, Interview.

234 | Canadian International Development Agency 2008.

235 | Canadian International Development Agency 2008, 2.

236 | Introduced after the interview took place (Canadian International Development Agency 2010, 1). Today, CIDA’s actions are also guided by the Official Development Accountability Act and the Agency’s Aid Effectiveness Action Plan (2009-2012) (Canadian International Development Agency 2010, 2).

237 | Diana Rivington, Interview.

"I sat down with some people from Afghanistan who are going to be working on gender equality and they said we need to rewrite the policy and I said, no. The policy don't touch, it's sacred text [...]. What you need to do is develop a gender equality strategy for Afghanistan that is appropriate for Afghanistan."²³⁸

CIDA's gender equality accountability framework strives to match local and project needs with a variety of country specific strategies and tools. To foster gender equality, analysts and programme officers "*may use different tools*,"²³⁹ depending on context and purpose. The CIDA provides on-line tools, guides, checklists and evaluation tools, which are mostly developed in-house and are highly adaptable to local geographical, cultural and political requirements.²⁴⁰

Tool and strategy development is grounded in participatory and ownership principles. In this decentralised bottom-up tool development approach, each branch and country programme²⁴¹ either adapts or designs new strategies and tools for their particular purpose and local context.²⁴²

"This is gender equality in Bangladesh, gender equality in China. [...] when you look at these two documents, you'll see similarities but you'll also see differences, because these have been prepared for Bangladesh and China."²⁴³

By extending the gender equality duty across the department to all its branches and integrating the duty into all managerial mechanisms, including reporting cycles,²⁴⁴ CIDA has also inserted the gender equality objective into its programming with private partners.

Through education the CIDA creates gender expertise within the department as well as in the local context:²⁴⁵

"Our education team at CIDA is taking this framework and they are adapting it specifically to look at their basic education, to see whether they integrated gender equality thinking deeply enough into their education programming. And then they want to take this out, because it is a huge multi-donor initiative called the 'girl's education initiative' (UNGEI) and they want to feed that framework, developed specifically for UNGEI."²⁴⁶

Partners, local governments and international development organisations alike must adopt the framework and demonstrate their gender responsiveness in order to become eligible as CIDA partners and or participants in CIDA funded projects. In

238 | Diana Rivington, Interview.

239 | Diana Rivington, Interview.

240 | The central GBA tool box being (Canadian International Development Agency 2005a). Updated in 2011 (Canadian International Development Agency 2011b).

241 | Compare e.g. (Canadian International Development Agency 2006a; Canadian International Development Agency 2006b; Canadian International Development Agency 2007).

242 | Canadian International Development Agency 2006a.

243 | Diana Rivington, Interview.

244 | Canadian International Development Agency 2010, 4.

245 | Canadian International Development Agency 2000, 30.

246 | Diana Rivington, Interview.

this way CIDA “accelerates change”²⁴⁷ not only within a national federal government structure, but also in outside networks and in the international arena. Whoever wants to work for or with CIDA, including all beneficiaries, has to adhere to its GBA policy:

“What our policy says is that in any project that you are thinking of implementing, whether it is in education, whether it is in transportation, whether it’s in private sector development: this project can increase or decrease the participation of women and men in decision making of all levels. This project can increase or decrease people’s ability to realise their full human rights [...]. And it can increase or decrease the right to have access to your own resources. So let’s apply that grid and ask a series of questions [...] that you can apply to any project. [...] What do we mean by decision making, what do we mean by rights, what do we mean by development resources and benefits?”²⁴⁸

As mentioned previously, to measure gender equality orientation and project outcomes, a gender equality coding system was introduced into the 2005 gender equality assessment form. The form is filled out according to certain gender equality criteria, assigning special, mainstream, some or no gender relevance to projects or programming.²⁴⁹ The form is then submitted to managers as part of CIDA’s results-based management performance assessment framework. According to Rivington, the coding exercise for gender represents a “very important tool”²⁵⁰ and a new step towards increased sustainability of GBA. CIDA’s gender equality assessment form²⁵¹ and its corresponding guidelines²⁵² ensure that analysts and project managers report on the exact gender relations impact of their projects or programmes. What they look for is differentiation from programming for women, to establish the effect on gender relations and make gender equality gains measurable: “What we are looking at is not, do they mention the women? But [...] in the log frame analysis, where are the results that are related to gender equality and what are the indicators and how are they been measured.”²⁵³

CIDA’s gender coding is yet another way of operationalising what is internationally known as the *gender marker* by the Development Assistance Committee (DAC) system in international development cooperation.²⁵⁴ Globally, CIDA was able to spearhead the advancement of this accountability and management instrument because of the inclusion of gender in development as an objective in its overall Agency Accountability Framework.²⁵⁵ On an annual basis, the agency is thus able to ensure that equality between women and men is reported on in the *Departmental Performance Reports*,

247 | Canadian International Development Agency 2000.

248 | Diana Rivington, Interview.

249 | Diana Rivington, Interview.

250 | Diana Rivington, Interview.

251 | Canadian International Development Agency 2005a.

252 | Canadian International Development Agency 2005b.

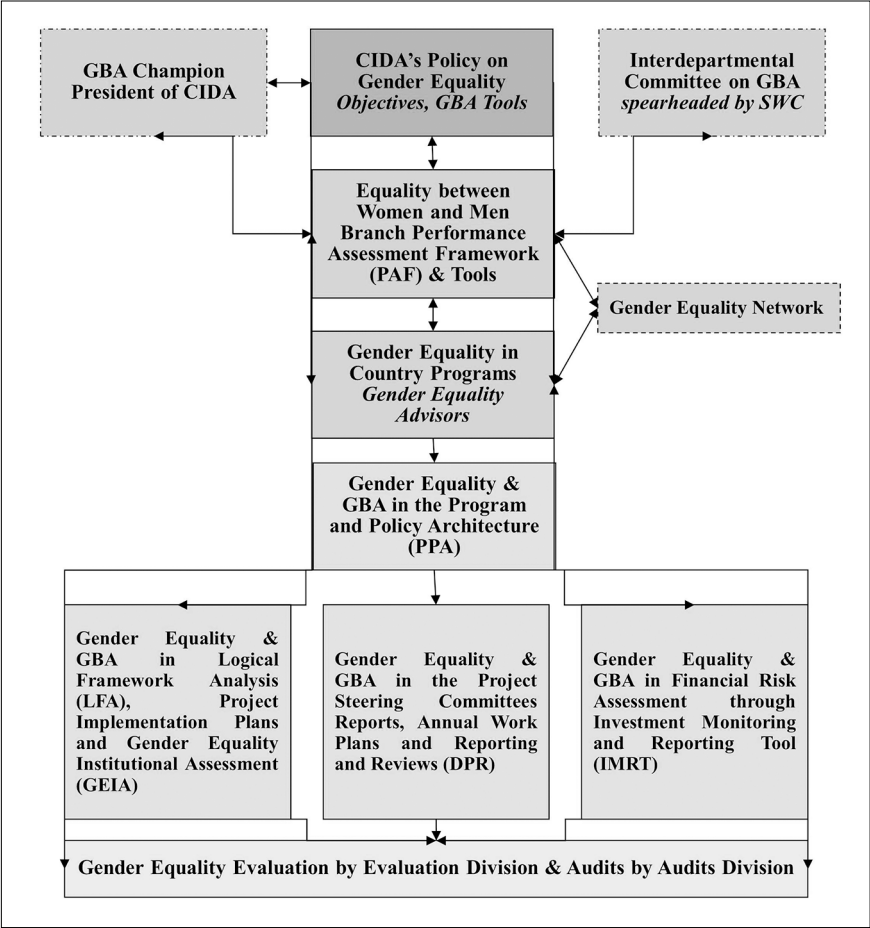
253 | Diana Rivington, Interview.

254 | Deutsche Gesellschaft für Technische Zusammenarbeit GmbH 2008; United Nations Office for the Coordination of Humanitarian Affairs 2011; Holvoet/Inberg 2012. For a brief explanation of the gender marker systems, see sub-chapter 1.5.4.

255 | Canadian International Development Agency 1998.

which use the *Investment Monitoring and Reporting Tool*. Below is a graph with an overview over CIDA's equality capacity and accountability framework.

Table 10: *Equality Capacity and Accountability Framework, Canadian International Development Agency (2008)*



CIDA has also integrated GBA objectives into its New Public Management efficiency and controlling mechanisms, using a special gender code for projects and programming. At the time of the interview the coding system was through its pilot phase, but was not yet fully integrated. It classifies projects on a one to four scale: 4) high and *encouraging* gender relevance, 3) low, *modest* gender relevance, 2) *weak* gender relevance, and 1) *no* gender relevance. The coding is important to fulfil the monitoring and reporting requirements for the project objectives at a later point and necessary for the annual *Reports on Plan and Priorities* and *Departmental Performance Reports*.²⁵⁶

256 | For a detailed explanation of CIDA's Framework of Assessing Gender Equality Results and its related tools 1a) Gender Equality Results Categorization, 1b) Rating Scale

Despite CIDA's pioneering efforts, the department has not yet managed to ensure that a gender lens is systematically applied to all its projects and programmes: "When you are looking at emergency food aid, when you are looking at certain kinds of humanitarian assistance, [...] highly indebted poor countries initiatives, there are projects that do not receive a gender equality coding."²⁵⁷

An internal evaluation conducted in 2006 confirmed this impression: 26 per cent of the project and programming evaluations did not address gender equality as one of CIDA's main departmental performance criteria. Gender therefore was of second lowest regard of all eight performance criteria (local partnership; likelihood of sustainability; cost effectiveness; relevance to poverty reduction; objectives achievement, management; gender equality, environment), only topped by the disregard for environmental concerns, missing in 61 per cent of all evaluations.²⁵⁸ However, with such a specific coding system for the project or programme development phase, GBA—is the only tool that enables analysts and programme planners to find specific answers, related to resources and representation for women and men. Below is an example:

"Ok, so you can go and say alright, here is your water project: did it increase the capacity for public participation? Yes, if there is a result, what's the evidence and what's the significance of the results? [...] two more women instead of one woman, significance? Well not really that significant [...]—unless one has become the chair. So that was our tool there, and that's also part of the feedback that we can give to branches and say look: this applies everywhere this is our feedback to you and how well you are doing. So that's the feedback results learning-loop that we try to build in."²⁵⁹

In 2008 the Evaluation Division within the Performance and Knowledge Management Branch conducted a corporate evaluation of the implementation of the 1999 CIDA's Policy on Gender Equality.²⁶⁰ It examined commitment, institutional outcomes and effectiveness, development outcomes in local contexts, and relevance for CIDA's results-based approach. It confirmed a *good fit* between CIDA's gender equality accountability framework and the larger departmental management framework.²⁶¹ However, the evaluation noted a lack of strategic balance between the gender equality objective and human rights objectives, namely, women's access to resources and the benefits of development, as well as participation in decision

for Significance of Gender Equality Results and 2) Assessment of Core Funding (Canadian International Development Agency 2011b).

257 | Diana Rivington, Interview.

258 | Canadian International Development Agency 2006c, 7. The same report was unable to attest for a correlation (neither overtly positive, nor negative) between gender equality and aid effectiveness (Canadian International Development Agency 2006c).

259 | Diana Rivington, Interview.

260 | Canadian International Development Agency; Bytown Consulting; C.A.C International 2008.

261 | Canadian International Development Agency; Bytown Consulting; C.A.C International 2008, 6.

making.²⁶² The evaluation also commented that organisationally placing the gender unit inside the strategic policy unit put the unit at too far a remove from field and on-site experiences, despite its network of local gender experts.²⁶³

With regard to the implementation of gender analysis, the evaluators found that in 2008 only 27 per cent of the core funded projects had taken gender into account,²⁶⁴ and one quarter of directive or responsive investment projects were completed without any ex-ante GBA.²⁶⁵ In the case of the other three quarters, where GBAs had been performed, only half the analyses met departmental quality standards for GBA.²⁶⁶ It became evident that the quality of analysis was on average better in gender-equality-specific projects and programming or where gender equality was integrated, and weakest in projects or programmes with only implicit, or indirect gender equality outcomes.²⁶⁷ Although GBA was conducted as requested *from early on*, the evaluation revealed that in two thirds of all cases, gender equality was not carried through into the goals and indicators. Again, this practice of dropping or neglecting gender along the way appeared to be most widespread in the case of integrated projects, in which gender equality goals are often side-lined.²⁶⁸

The evaluation was an important step in optimising CIDA's equality governance and GBA structures. Indeed, in terms of quality management of GBA implementation and gender equality governance structures, CIDA was, at the time of my interview, the only Canadian department that had had a department-wide gender audit.²⁶⁹ The CIDA formulated a management document, issued as part of the evaluation,²⁷⁰ that addressed its actions in response to the recommendations,²⁷¹ such as more and better training, a help desk, and design of a coherent gender equality action plan (as published in 2010).²⁷²

262 | Canadian International Development Agency; Bytown Consulting; C.A.C International 2008, 7.

263 | See also chapter 3.2.1.

264 | Canadian International Development Agency; Bytown Consulting; C.A.C International 2008, 11.

265 | Canadian International Development Agency; Bytown Consulting; C.A.C International 2008, 10.

266 | Canadian International Development Agency; Bytown Consulting; C.A.C International 2008, 10.

267 | Canadian International Development Agency; Bytown Consulting; C.A.C International 2008, 10.

268 | Canadian International Development Agency; Bytown Consulting; C.A.C International 2008, 10.

269 | Apart from the Department for Indian and Northern Affairs (DIAND), which limited its evaluation to its specific GBA activities, excluding the departmental performance management framework.

270 | Canadian International Development Agency; Bytown Consulting; C.A.C International 2008, 25-26.

271 | Canadian International Development Agency; Bytown Consulting; C.A.C International 2008, 22-24.

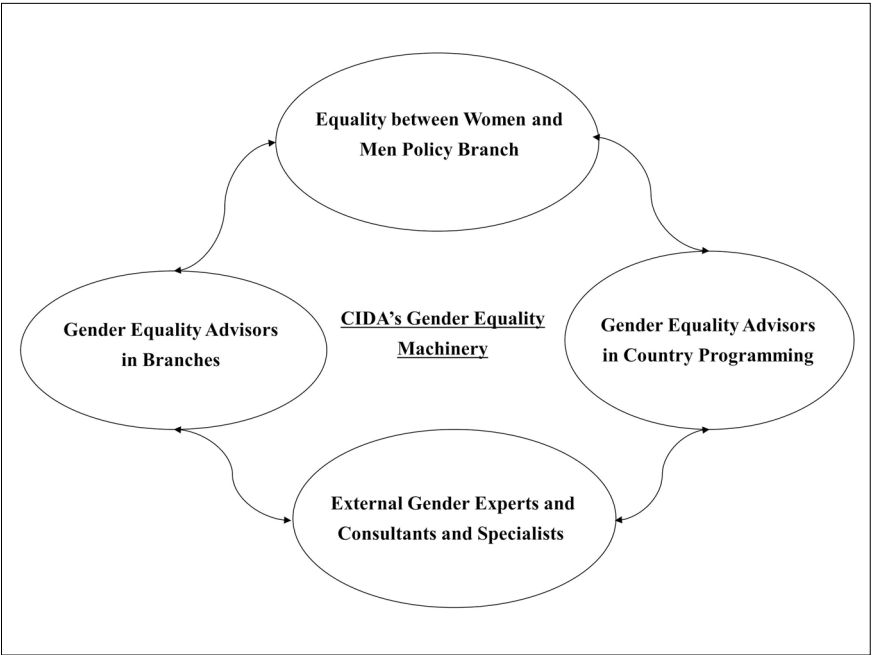
272 | Canadian International Development Agency 2010.

3.3.1.2 Departmental Equality Machinery and Gender Training

In addition to the support provided by the central Gender Equality between Women and Men Policy Branch, the CIDA supplies its employees and analysts with a large network of gender specialists to provide GBA advice and support them in their daily work in gender equality. The department has gender equality advisors in each branch and also for each country programme, usually locally hired staff. Compared to other Canadian departments, CIDA has the largest internal gender equality architecture. It equips its staff with gender expertise via trainings, which complement the accountability framework equality requirements. As an example, Rivington pointed to the department’s programme in Egypt where CIDA has:

“Two gender equality advisors that are locally engaged Egyptians at the embassy. And they have gender equality advisors built into the project budget for all of their projects [...]. And they have it built into their country programme development framework that every project they do whether it is in private sector development or health must also contribute to gender equality.”²⁷³

Table 11: Departmental Gender Equality Architecture, Canadian International Development Agency (2008)



Gender expertise, or the ability to judge gender expertise, require not only the availability of tools, but also training in order to make sense of and use the tools well. CIDA was a pioneer in gender equality training, and even representatives from the Status of Women Canada took part in seminars. At the time of my interview, gender equality advisors along with all other employees of CIDA were offering a

273 | Diana Rivington, Interview.

two-day general gender equality training course with GBA elements; however, it was neither exclusively devoted to GBA tools and knowledge, nor standardised or exhaustive:²⁷⁴

CIDA's in-house training focused on awareness-raising, as well as on explaining and establishing gender relevance. Such training is not always sufficient. Since individual programmes and projects are very specific, single programme developers need more than a general gender lens, which leads to heavy reliance on the advice of external gender specialists. CIDA is well aware of this and does not pretend that just any member of staff can be a potential gender expert.

With regard to the sustainability of gender training, it is worth noting that CIDA suffered a rollback in training frequency and volume in the mid to late 2000s. The absence of tailored training sessions was due to department restructuring and streamlining of human resources functions as part of New Public Management (NPM) reforms. At the same time, a gender component was integrated into the basic training course for new development officers. As a result, *all* future CIDA employees were made aware of gender issues once they enter the department. However, gender training for new staff by the specialised gender unit was abolished, and CIDA could no longer guarantee the building of custom-tailored, quality gender competency within the department, given that staff fluctuation is commonplace.²⁷⁵ Here, the ambiguous role between window of opportunity and roll-back caused by NPM reforms becomes visible.

An additional negative consequence of the training rollback was the loss of opportunity to match training with current or newly occurring needs. Because of this, CIDA fell behind in refining and advancing its gender-training programme, one that had been held up as an example for other external agencies. It is therefore not surprising that one recommendation from the 2008 evaluation report was for CIDA to improve inner departmental training options and to provide training to all staff, including senior and middle management.²⁷⁶ However, the same *level* of training was not required for all staff.²⁷⁷ CIDA's management basically agreed with the recommendation and committed to evaluating the different training needs. Seeking to regain its training expertise, the department aimed to offer specialised training programs in the future in addition to its integrated training. It also needed to reach all new CIDA employees with gender training, not just those hired through internal channels:

"If you come in through this particular recruitment programme, you get the training. But if you don't, if you come to CIDA through some other mechanism, we don't have a training course to offer you, currently. It's on my list of things to do."²⁷⁸

274 | CIDA offers also an online training course. For other training material compare also the Project Level Handbook (Canadian International Development Agency 1997b).

275 | Diana Rivington, Interview.

276 | Canadian International Development Agency; Bytown Consulting; C.A.C International 2008, 23.

277 | Canadian International Development Agency; Bytown Consulting; C.A.C International 2008, 26; 30.

278 | Diana Rivington, Interview.

Consequently, the CIDA's Equality between Women and Men Unit has worked with its country programme experts to reformulate gender training by using a variety of training approaches from the Organisation for Economic Co-Operation and Development (OECD) or the Status of Women Canada. Collaboration between CIDA and the Status of Women Canada has a long-standing tradition that continues in multiple settings, such as in the Inter-Departmental Committee on GBA or in the mutual exchange of tools and international visiting experts. CIDA is thus well integrated into and is one of the driving innovators of the federal gender equality architecture and the fostering of GBA practices.

In conclusion, in comparison to other interviewed departments, CIDA has had the most advanced and organisationally widespread GBA implementation due to its long-standing experience and structural approach.²⁷⁹ CIDA integrates a gender lens into departmental reporting, it creates demand and use for the departmental equality architecture, and it controls to some extent for equality outcomes. CIDA's equality governance structures therefore have managed to increase gender equality, and with it GBA sustainability. The New Public Management accountability mechanisms were a double sword for the department with regard to gender equality: On the one hand they had a positive impact on the managerial and tool development side, on the other hand they weakened gender training capacity and gender expertise.

3.3.2 Department of Aboriginal Affairs and Northern Development Canada

The Department of Aboriginal Affairs and Northern Development Canada, originally and still legally known as the Department of Indian and Northern Affairs Canada²⁸⁰, had a Women's Issues and Gender Equality Directorate (WIGE) at the time the interviews were conducted. In December of 2012, however, the Directorate was abolished following the Canadian government's cuts in the public service workforce. The Directorate used to coordinate the implementation of GBA across department policies and business lines.²⁸¹ I spoke with three former representatives of the Directorate, Marchel Williamson, Research and Planning Officer, Audrey Hannigan-Patterk, Policy Planning Officer and Monique Lucie Sauriol, Senior Policy

279 | There is general criticism of the degree of outcome and impact of gender mainstreaming in international development institutions, including CIDA (Moser 2005; Parpart 2014).

280 | In 2011, the official title was changed from Department of Indian and Northern Affairs Canada (DIAND) to Aboriginal Affairs and Northern Development Canada (AANDC). Both terms and acronyms refer to the same Canadian Department. Despite the official usage of AANDC, DIAND remains the legal name of the department under the Canadian Federal Identity programme, since Indian continues to be the legal term for Status Indians under the Indian Act and as enshrined in the Canadian Charter of Rights and Freedoms. The First Nations described with that term prefer aboriginal however, as being less discriminatory and bagged with a history of abuse, inferiority, and extermination. Since the field research was done in a time when AANDC was still called DIAND, all interview and document citations refer to DIAND, without altering them, in order to stay true to the source. Whereas in the text body DIAND is referred to by its new name AANDC even in an a-chronological context, when talking about its past before 2011, in order to respect aboriginal self-determination.

281 | House of Commons; Standing Committee on the Status of Women 2005, 12.

Analyst, all of whom consented to participate in the study on a non-confidential basis.

3.3.2.1 Equality Architecture and Departmental Governance

At the time of my interviews, WIGE was the central, specialised gender unit of the AANDC. It was the successor of the Office of the Senior Advisor on Women's Issues and Gender Equality, which came into being in 1998.²⁸² WIGE took part in the Inter-Departmental Committee and it also participated in the former indicators development working group, both spearheaded by Status of Women Canada. Its task was originally to support the implementation of GBA as required by a policy issued in 1999 and its mandated incorporation into the:

"Development and implementation of departmental policies, programs, communication plans, regulation and legislative options, as well as consultations and negotiations, and instructions and strategies on research, dispute-resolution, and litigation."²⁸³

To manage this process, the WIGE installed a support network of gender equality analysis representatives in all branches and regions of the AANDC.²⁸⁴ The AANDC had also implemented the gender champion system, which was seen as an important gesture and source of validating support when top management assisted the Gender Equality Unit in fostering the department-wide use of GBA. Because internal gender units in the Canadian government in general do not have a legal mandate to hold departments accountable for gender equitable results or organisational implementation of GBA, the gender champion system has been perceived as way to inject the gender perspective top-down into the overall administrative structure. The interviewees emphasised the importance of the gender champion being a high-ranking person in the department since "they hold a lot of sway."²⁸⁵ In the case of the AANDC, the gender champion is the assistant deputy minister. AANDC's gender champion succeeded in raising awareness and advocating for gender issues, even in the top ranks:

"There seems to be a lot of support for it at the director general level, with certain exceptions. Some people say they do it, but sometimes I have a feeling that they don't fully understand what GBA is, but they say they do it, which is just a question of educating them."²⁸⁶

Despite the WIGE's high activity level and its central role the WIGE in the department's GBA implementation and gender politics, at the time of my interview, the unit had never secured a budget and stable institutional resources for its work on GBA beyond the pay-roll of its gender experts.²⁸⁷ At the same time, the WIGE had been seeing considerably more interest in GBA and requests for policy advice

282 | Department of Indian and Northern Affairs Canada 1999.

283 | Aboriginal Affairs and Northern Development Canada 2010.

284 | House of Commons; Standing Committee on the Status of Women 2005, 12.

285 | Monique Lucie Sauriol, Interview.

286 | Monique Lucie Sauriol, Interview.

287 | The amount of funding was not communicated and could not be found in the respective Departmental Performance Report.

following the submission of the update Treasury Board Secretariat guidelines in 2007. This shaky financial status left the staff in charge dissatisfied with the current situation. After being criticised for this lack of funding in the department's GBA evaluation report in 2008, AANDC management's response was to provide the WIGE with stable funding in fiscal year 2009-2010 to secure GBA practises.

Whereas CIDA has succeeded in making gender a concern and GBA an integrated part in its departmental structure and actions, AANDC was still struggling with the systematic application of GBA. Although AANDC's Memoranda to Cabinet should reflect a GBA application,²⁸⁸ and although the department had renewed its commitment to GBA in the Gender Equality Repositioning Strategy²⁸⁹ in 2003 and its Gender Equality Policy²⁹⁰ in 2006, the implementation of GBA as a daily routine in programme and policy making was still not happening evenly, as the 2008 evaluation report attested.²⁹¹

The AANDC saw the five-year Gender Equality Analysis (GEA) Repositioning Strategy (2003-2004) as necessary to achieve the unfulfilled requirement to inform all policies, programmes, legislation and other initiatives with strong GBA.²⁹² This internal strategy, designed and coordinated by the WIGE, applied the five pillars of the GBA framework: 1) Capacity building; 2) development of and support for network of gender-equality advisors; 3) a pilot project; 4) environmental scanning; and 5) senior management commitment.

The department's top management fully supported the policy, which seemed promising, to ensure a top-down implementation of the tool:

"There was also political will at the time to look at GBA and have the policy. The policy has been signed on [...] from the senior management level. [...] There is what we call the senior management in 2003 they were the ones that approved the repositioning strategy, so we got buy-in from them at that time."²⁹³

The backing of individual senior staff represents both an opportunity for as well as a risk to sustainable mechanisms for policy application, as rotation and fluctuation could endanger commitment to the policy. However, in the case of AANDC, the gender experts saw even new higher management staff as multipliers and continued allies for gender equality:

"In the federal government there is a lot of personal change, there is a lot of rotation. We are hoping because it rotates so much, that they bring that knowledge with them, that they bring the lens with them as well and incorporate it in their new area of work."²⁹⁴

288 | House of Commons; Standing Committee on the Status of Women 2005, 12.

289 | Indian and Northern Affairs Canada; Women's Issues and Gender Equality Directorate 2003a.

290 | Indian and Northern Affairs Canada; Women's Issues and Gender Equality Directorate 2003b.

291 | Indian and Northern Affairs Canada; Audit and Evaluation Sector 2008.

292 | Indian and Northern Affairs Canada; Canadian Polar Commission 2004.

293 | Monique Lucie Sauriol, Interview.

294 | Monique Lucie Sauriol, Interview.

Although staff fluctuation usually results in a loss of expertise, in this case the hope was that gender expertise in the higher levels in the department would be increased due to previous gender training and a shift in generation. The WIGE was also aware that achieving stable GBA mechanisms would require time:

“When the strategy was developed we were aware that [...] through the five years strategy it’ll [the implementation of GBA, A.S.] be slow and then it’ll peak up. That’s what we want to evaluate now. I have a feeling that the peaking is happening as we speak, a little bit later than we expected [...].”²⁹⁵

3.3.2.2 Tools and Implementation Strategy

Reaching critical mass in GBA implementation in the department was another goal of the Repositioning Strategy of 2003-2004. The WIGE’s mandate was to implement a gender-based analysis policy to address gender equality issues within AANDC²⁹⁶ as they related to First Nations and Northern partners.²⁹⁷ Since 1999, WIGE had been developing a wide range of tools such as fact sheets, FAQ documents, intra and internet resources and training materials for performing Gender Equality Analysis²⁹⁸. The name was changed to *Gender-Based Analysis* in 2006 in order to match the terminology of the Status of Women Canada and across government. Although the tool content did not change fundamentally, renaming it required re-approval and clarification within the department. As a result, AANDC then defined GBA as the process to assess:

“The differential impacts on women and men by considering their different life situations—their different socio-economic realities. GBA recognizes that the realities of women’s and men’s lives are different and that equal opportunity does not necessarily mean equal results.”²⁹⁹

The GBA tool currently in use is the Gender-based Analysis Working Guide.³⁰⁰ It is framed as an ex-ante, parallel and ex-post tool, and divided into four parts, nine annexes and a concluding resources section.³⁰¹ In setting the issues, it

295 | Monique Lucie Sauriol, Interview.

296 | “[A]cross all departmental priorities” (Indian and Northern Affairs Canada; Audit and Evaluation Sector 2008, 3).

297 | Department of Indian and Northern Affairs Canada 1999, 3.

298 | Department of Indian and Northern Affairs Canada 1999.

299 | Aboriginal Affairs and Northern Development Canada 2010.

300 | Department of Aboriginal Affairs and Northern Development 2010.

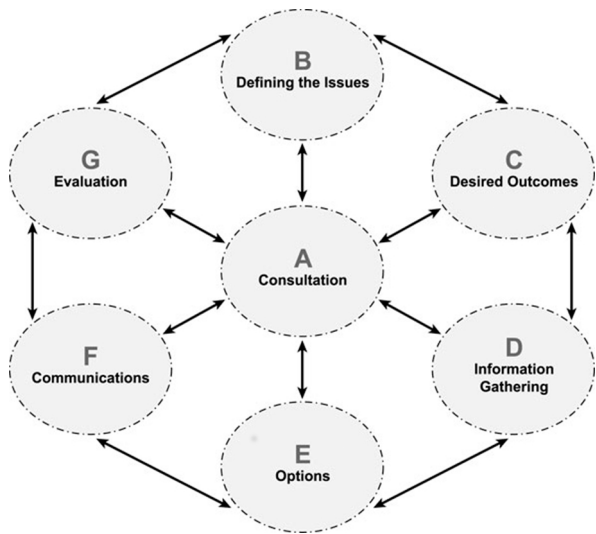
301 | Its annex I contains a GBA glossary, annex II AANDC’s GBA policy, annex III the representative’s responsibilities, annex IV GBA work sheets, annex V walks through all GBA steps of a fictional example, annex VI presents the real life GBA example of the National Child Benefit Reinvestment Initiative on Reserve, annex VII explains the application of GBA to AANDC’s operational tasks such as negotiations, dispute resolution and communications (including gender sensitive language), annex VIII introduces to data collection methods (eight qualitative and only one quantitative method), and the final annex IX gives an overview of GBA programme assessment (Department of Aboriginal Affairs and Northern Development 2010).

first differentiates between equal treatment, where gender is a neutral category because both genders are treated equally, and gender-specific affirmative action that establishes equal opportunity and integrated gender equality issues (mainstreaming). It then provides the general principles of GBA, naming the challenges and benefits of its application as well as promoting conditions, and introduces the basic GBA and gender equality terminology. The tool states that there is no way around GBA, since “GBA has developed to the extent that today it is mandatory”³⁰² in the department.

The central part of the tool consists of the seven GBA components, mimicking the full policy cycle: a) Consultations; b) defining the issue(s); c) defining the desired/anticipated outcomes; d) information gathering; e) development and analysis of options; f) communications; g) evaluation. Interestingly, consultation is not only the first step but inhabits *the* central role in all GBA processes (see AADNC’s honeycomb shaped diagram below). AADNC describes consultation as a participatory process of collecting qualitative and quantitative data with “partners, stakeholders, client base.” It ought to be conducted with the “utmost respect” for aboriginal values and culture, but could be held at any given time.³⁰³

“In the middle we kept consultations, because Indian Affairs always has to consult with various stakeholders, but we keep telling them that you can do the consultations any time. [Name of consultant, A.S.] would say something different, she says consultations have to be in the beginning and then you move on, but she does understand that we need that flexibility.”³⁰⁴

Table 12: *The Seven Components of Gender-based Analysis, Department of Aboriginal Affairs and Northern Development (2010)*³⁰⁵



302 | Department of Indian and Northern Affairs Canada 2010a.
303 | Department of Indian and Northern Affairs Canada 2010a.
304 | Monique Lucie Sauriol, Interview.
305 | Department of Aboriginal Affairs and Northern Development 2010, 9.

Ideally, the result of consultation is identification of the relevant issues. Policy and programme options can then be developed, taking the multiple positions and differential situations of Canada's aboriginal population into account. Additionally, the implementation of a diversity perspective is encouraged, "including, but not limited to the following dimensions: Race, skills, culture, income, education and geography."³⁰⁶ GBA at AANDC has therefore always incorporated intersectional elements. The Gender-based Analysis Working Guide tool, like many other Canadian GBA tools, has an evaluation feedback form at the end to assess its usefulness.³⁰⁷

As mentioned earlier in this section, the measures laid out in the 1999 policy "to monitor the implementation of the gender equality policy and evaluate its effectiveness"³⁰⁸ had not been achieved. As a result, the Gender Equality Repositioning Strategy³⁰⁹ was developed to increase GBA activity and stewardship. Based on this strategy, WIGE staffing for GBA was increased from one to four full-time staff employees. Despite the increase, the gender experts interviewed said they had been inundated with requests for hurried, parallel or quasi ex-post GBA revisions for Memoranda to Cabinet revisions. They said they were often called to give advice in the late stages of memoranda development, too late to change anything profoundly. The policy analysts, they said, should have completed the GBA in the early drafting phase with the help of already existing tools:³¹⁰

"We tell the employees that it is important to do GBA from the beginning of your project. Let's say you want to renew your authorities, your project already started so you are at the point where you got to evaluate it and renew it. Again, it's a perfect opportunity to do it. Then people call us, oh we have an MC [Memorandum to Cabinet, A.S.], we have to do it, we have two weeks, can you give us something? Well we are sorry, but you are a bit late, but here is a check list. We don't endorse the check list, but we tell them, it's a good starting point."³¹¹

This citation illustrates the problems in practice. Although the WIGE has hired gender experts, they are unable to deal with the multitude of requests at so many different stages and involving so many different policy problems. This makes a variety of tools, including easy to use tools such as checklists, essential: "We do have tools they vary from a distilled to a very detailed tool [...]."³¹²

To meet the increased demand for gender policy advice and assistance in implementing the full-fledged GBA tool ex-ante, a network of gender-based

306 | Department of Aboriginal Affairs and Northern Development 2010.

307 | Another welcome effect is that people interested in or working with the tool within the department can potentially be identified.

308 | Indian and Northern Affairs Canada; Women's Issues and Gender Equality Directorate 2003b, xx.

309 | Indian and Northern Affairs Canada; Women's Issues and Gender Equality Directorate 2003a.

310 | Like the full-fledged gender analysis of the department's Social Development Programs by Carmen Paquette and Claire Mazuheli in 2006 (Paquette et al. 2006).

311 | Monique Lucie Sauriol, Interview.

312 | Monique Lucie Sauriol, Interview.

analysis representatives³¹³ was established in 2003. Their mandate was to support AANDC employees with gender advice and tools and to develop reporting mechanisms on GBA applications with managers. WIGE offered GBA training to these representatives as well as to other interested public servants. This bottom-up approach to establishing expertise and accountability for GBA had problems. Mechanisms for monitoring the progress of GBA implementation were lacking. Reporting for the GBA representatives included only gender-specific programmes and policies that were developed with their knowledge and possibly with their assistance. This approach also relied exclusively on voluntary cooperation and information flow on where, when and how GBA was applied. The WIGE did not have any oversight over GBA's systemic application or gender equality results in programmes and policies. Without any actual supervisory powers, WIGE and GBA representatives³¹⁴ were limited to the core mandate that mainly consisted of tool development and assistance in its application, and to raising awareness, promoting the tools, and training AANDC's employees—activities that merely mirrored the mandate from the Status of Women Canada.

3.3.2.3 Evaluation, Accountability and Monitoring

The WIGE initiated an internal evaluation process in 2007 to assess the success of the GBA Repositioning Strategy on gender equality activities.³¹⁵ Based on a questionnaire, participation of AANDC directors, senior managers, senior analysts and other officials, GBA representatives and external actors such as Status of Women Canada policy analysts, was voluntary. The AANDC's internal audit and evaluation sector conducted and published the report in 2008 report,³¹⁶ which impressed the Auditor General in its 2009 government-wide audit: "DIAND is the only department to have performed an evaluation of its GBA practices, informally in 2002 and formally in 2008. DIAND is clearly a leader in gender-based analysis."³¹⁷

The Auditor General's report found that by 2009 AANDC had "implemented all key elements of an appropriate GBA framework."³¹⁸ This was somewhat surprising, as only a year before, an internal evaluation had concluded that despite progress in capacity building, training, and support through the system of GBA representatives,

313 | Originally known as Gender Equality Analysis Representatives (GEARs). Again in analogy to renaming the tool, the name of the GEARs was changed to Gender-based Analysis Representatives (GBARs) in 2007.

314 | It is estimated by the current WIGE members of staff that GBARs can only spend 10 per cent of their time and efforts on GBA measures on average.

315 | AANDC developed an evaluation matrix for this survey, which was complemented by a literature review (Department of Aboriginal Affairs and Northern Development; Audit and Evaluation Sector 2008; Indian and Northern Affairs Canada; Audit and Evaluation Sector 2008, 46-50). The matrix asked for the implementation state of the 2003 Repositioning Strategy, and posed a range of additional questions about e.g. unexpected impacts of GBA application, challenging/helping factors with regard to GBA implementation, best practices/lessons learned, quality control of GBA or expenditures tracking on GBA in future planning and evaluation activities in terms of time, human and financial resources etc.

316 | Indian and Northern Affairs Canada; Audit and Evaluation Sector 2008.

317 | Office of the Auditor General of Canada 2009b, 14.

318 | Office of the Auditor General of Canada 2009b, 2.

GBA was still “very limited” and “uneven” in many central areas. An explanation for the difference may be that the AANDC may have taken a closer look than the Auditor General. The AANDC’s internal audit found insufficient ex-ante or parallel GBA tool application during proposal development and deficits in the integration of the GBA strategy in the overall departmental performance measurement.³¹⁹

One positive finding of the Auditor General’s report was that, compared to other aboriginal organisations benefiting from public funding, aboriginal women’s organisations have historically been funded at the national rather than the regional level—an indication of at least some GBA effectiveness in federal programme delivery. The report recommended that GBA be an integral part of consultations on objectives and outreach and that reporting include sex-disaggregated data.³²⁰ Another recommendation was that the federal level of support for aboriginal women’s organisations and their regional affiliates be reviewed..³²¹

The failure at AANDC to apply GBA in a cross-cutting fashion to the overall programme design and policy development demonstrates the multiple challenges of actual GBA implementation: As a result, AANDC’s 2008 internal GBA evaluation called for a revision of WIGE’s mandate concerning quality control, performance measurement and reporting mechanisms on GBA, thus rendering gender equality efforts more sustainable, due to the current unsatisfactory practices with regard to accountability.³²²

“Overall, DIAND lacks sufficient structure or accountability mechanisms, and capacity for a comprehensive and sustained implementation of GBA across all the Department’s work. The evaluation found few levers that motivate or provide incentives for application of GBA (e.g. creation of gender sensitive performance targets, incentives, templates, and consequences).”³²³

This lack of stewardship, together with a lack of transparency and control over the quality of single GBAs (“we don’t, we don’t police, we don’t monitor [...]”³²⁴), is not unique to AANDC. The same issues were identified in the Auditor General’s 2009 report and are representative of the weakness of the federal horizontal approach to GBA at large.³²⁵ The integration of GBA horizontally—i.e., the mainstreaming of gender issues in policies that seem at first glance not directly gender relevant—remains a challenge at AANDC, according to the interviewees. In order to ensure horizontal GBA implementation, the evaluation also recommended strengthening the training approach to policy implementation and improving sustainable GBA capacities.³²⁶ Finally, it was recommended that the department introduce mechanisms, tools and measures to provide supporting functions for GBA that would raise the quality of individual GBA assessments and their outcomes. The

319 | Indian and Northern Affairs Canada; Audit and Evaluation Sector 2008, 43.

320 | Department of Indian and Northern Affairs Canada et al. 2009, ix.

321 | Department of Indian and Northern Affairs Canada et al. 2009, ix.

322 | Indian and Northern Affairs Canada; Audit and Evaluation Sector 2008, 51-53.

323 | Indian and Northern Affairs Canada; Audit and Evaluation Sector 2008, 43.

324 | Monique Lucie Sauriol, Interview.

325 | Office of the Auditor General of Canada 2009b, 29.

326 | Indian and Northern Affairs Canada; Audit and Evaluation Sector 2008, 52-53.

evaluation encouraged the drafting of GBA review guidelines and collection of best practices or GBA “checkpoints” at various steps of the internal approval processes for policies and programmes.³²⁷

The five-year benchmark evaluation in 2008 also contained a set of seven recommendations³²⁸ that function as the pillars of a management response action plan.³²⁹ Five semi-annual progress monitoring reports published between September 2008 and September 2010,³³⁰ and followed by the 2008 evaluation, provide the basis for a new five-year implementation strategy. This new strategy was still under development as I was completing my research, but the department’s intentions had already been announced by Monique Lucie Sauriol in the interview:

“What we will do after the evaluation, we are going to craft a new strategy or action plan, because we want to further the implementation. We don’t just want people to know that it exists at this point; we want people to really apply it [...].”³³¹

AANDC’s internal evaluation of GBA implementation was remarkable for its attention to sustainability of GBA in accountability mechanisms and departmental structures. In conducting the evaluation, AANDC followed internal gender expert advice and recognised the need for an assessment of the status quo before any further steps were taken. The initiative for the evaluation and attached monitoring process originated inside the WIGE unit, and the effort was clearly a success for state feminism through the AANDC’s gender equality machinery. Nonetheless, the gender unit was dissolved in 2012, under the assumption that equality had been achieved and the existing guidelines would suffice. GBA+ is now relegated to a file housed within Cabinet Affairs.

In sum, with the WIGE and GBA representatives, AANDC had an effective equality architecture in place; however, there were still limitations—e.g., these entities were not assigned a role in quality management and controlling for GBA. AANDC developed a custom-fit tool for the purpose of departmental programme and policy making. In general and compared to other Canadian federal departments, GBA application in AANDC was rated higher, but was still not comprehensive. Overall, issues of systemic implementation and establishing accountability for GBA seemed urgent, thus overshadowing questions about the quality of individual GBAs at AANDC. Now, having experienced a roll-back in equality machinery capacity, it seems unlikely that the issues of cross-cutting implementation and quality assurance will be addressed further by the department.

327 | Indian and Northern Affairs Canada; Audit and Evaluation Sector 2008, 53.

328 | Indian and Northern Affairs Canada; Audit and Evaluation Sector 2008, 44.

329 | Indian and Northern Affairs Canada; Audit and Evaluation Sector 2008, 51-53.

330 | Department of Indian and Northern Affairs Canada 2008; Department of Indian and Northern Affairs Canada 2009a; Department of Indian and Northern Affairs Canada 2009b; Department of Indian and Northern Affairs Canada 2010b; Department of Indian and Northern Affairs Canada 2010c.

331 | Monique Lucie Sauriol, Interview.

3.3.3 Health Canada

At Health Canada (HC), I interviewed two senior policy analysts Sari Tudiver and Jennifer Payne, both then members of the Women's Health Bureau at Health Canada (hereafter referred to as "the Bureau," and later renamed the Bureau of Women's Health and Gender Analysis³³²). Additional information on early tool development came from Margrit Eichler, who, with Mary Anne Burke, developed Canada's first GBA tool for the Status of Women Canada in 1996.

The Bureau began its GBA initiative by drafting a department-specific GBA policy, based on and extending the commitments in the Federal Plan.³³³ The Bureau hired Mary Anne Burke in 1998 to coordinate the initiative; she then brought Margrit Eichler on board.³³⁴

According to the authors, this first version of the GBA tool incorporated an "analytical, systematic and evidenced-based approach"³³⁵ designed to detect and avoid gender bias at all phases and stages of work. It was informed by feminist concepts that were wide-ranging and open-ended and was intended for application in multiple research, policy, programme and services environments. The tool was introduced into the Health Canada's new Women's Health Strategy in 1999,³³⁶ where it was intended to be applicable to "all substantive work of the department, past, current and future."³³⁷ According to the authors, a period of "feverish activity" followed its first inner-departmental dissemination, with many drafts, revisions and workshops.³³⁸

Opinions on the tool varied, however. According to Burke and Eichler the first version of the tool was "very well received from the start."³³⁹ Others said it was broad, or too scholarly and jargon-loaded.³⁴⁰ The tool authors agreed that it needed to be simplified, and condensed into a handier, easier to use version.³⁴¹ They were in the process of developing a new iteration, when the GBA initiative ended suddenly

332 | In 2009, the Bureau of Women's Health and Gender Analysis (originally founded as the Women's Health Bureau) was yet again renamed. As part of the Strategic Policy Branch, the Bureau is known as the Gender and Health Unit since then.

333 | Burke 2001, 48. Based on the health mandate in objective three of the Federal Plan to "Improve Women's Physical and Psychological Well-being" (SWC 1995).

334 | Together with the help of the two student assistants, Diana Gustafson and Monika Pompetzki, and in collaboration with HC's policy officer Margie Lauzon, Margrit Eichler developed HC's own GBA tool draft. The tool draft was not published and for internal use only (The Bias Free Co-Operative Inc. 2011).

335 | Burke 2001, 48.

336 | Health Canada 1999.

337 | Burke 2001, 48.

338 | The Bias Free Co-Operative Inc. 2011.

339 | The Bias Free Co-Operative Inc. 2011.

340 | Because the tool used many academic terms and concepts, such as "paradoxical gynocentricity."

341 | Burke 2001, 48.

in 2001.³⁴² In 2003, the tool eventually became the simplified and more hands-on guide “Exploring Concepts in Gender and Health.”³⁴³

3.3.3.1 Equality Architecture and Departmental Tool Governance

Again, as was the case with the Status of Women Canada and the Canadian International Development Agency, the Bureau played a pivotal role both in developing Health Canada’s gender equality and GBA strategy as well as designing the instruments to implement it. The Bureau was recognised for providing “strategic leadership and analytical support,”³⁴⁴ to government officials, making it a key player in Canada’s overall GBA architecture.

The Bureau’s history dates back to 1993 and is, after the Equality for Women and Men Policy Branch of the Canadian International Development Agency, the gender unit with the longest tradition in the federal government.³⁴⁵ Its mandate and duties range from advancing women-specific issues to implementing GBA:

“The bureau was established in 1993, [...] certainly there has always been a balance between a focus on women’s health—it was established as the Women’s Health Bureau—as well as supporting the federal government commitment identified in 1995 in the Federal Plan for Gender Equality to apply GBA to the various policies, programmes, initiatives. Our name change to the Bureau of Women’s Health and Gender Analysis reflected this.”³⁴⁶

The Women’s Health Strategy, released by the Minister of Health in 1999, was the equality framework under which GBA and other commitments aimed at improving the health of women and girls were introduced to Health Canada.³⁴⁷ The document has not yet been replaced or updated.³⁴⁸ It defines Canada’s commitment to women’s health and explains why a women’s health strategy is useful to combat bias in the health system. It also provides four equality objectives supporting the twin strategy of combining gender mainstreaming efforts with affirmative action and women-specific measures.

For example, one objective aims to “ensure that Health Canada’s policies and programs are responsive to sex and gender and to women’s health needs”³⁴⁹ and names GBA as the tool needed to reach that goal. It defines what Health Canada

342 | The Bias Free Co-Operative Inc. 2011.

343 | Health Canada; Women’s Health Bureau 2003.

344 | House of Commons; Standing Committee on the Status of Women 2005, 11.

345 | The Bureau was even pre-dated (Paltiel 1997), as described by Sari Tudiver in more detail: “In 1979, the federal department of health, then known as Health and Welfare Canada, established the position of Office of the Senior Adviser, Status of Women. Frieda Paltiel, the former Privy Council Office Coordinator who had steered the follow up to the Royal Commission Report, was appointed to the position. With her expert understanding of government and voluntary sector processes, perseverance, and ability to strategically leverage her position reporting directly to the Minister of Health, Paltiel began to take action on women’s health issues, including family violence [...]” (Tudiver 2015).

346 | Sari Tudiver, Interview.

347 | Health Canada 1999. It is now an archived document on HC’s website.

348 | For a history of HC gender equality governance, see (Tudiver 2015).

349 | Health Canada 1999, 21.

plans to achieve with regard to tools, methods, training, consultations, and gendered composition of boards and advisory bodies. It also calls for the inclusion of gender considerations through the application of GBA “as a matter of standard practise”³⁵⁰—a far-reaching commitment to systemic and routine implementation. Overall, the Health Canada strategy clearly defines the mandate to use GBA to mainstream gender concerns into all policies and programmes, with a special focus on the areas of health system modernisation, population health, risk management, direct services and research. It also lays out responsibilities for senior management, individual employees and the Women’s Health Bureau. The strategy places the Bureau in charge of “developing analytical tools” and “developing and delivering GBA training”³⁵¹ to Health Canada’s employees—to enable each employee and analyst to identify gender equality issues and ways to address inequality in her/his respective area.³⁵²

Following the issuance of this first Women’s Health Strategy,³⁵³ Health Canada issued a GBA policy in 2000,³⁵⁴ and a five-year a GBA implementation strategy in 2003,³⁵⁵ which foresaw a range of further activities, such as the development of women’s health indicators.³⁵⁶ The 1998 GBA tool was published in 2000, and was reworked and re-published in 2002.³⁵⁷ An implementation plan followed in 2003, specifying GBA as a “horizontal policy” to be integrated in Health Canada’s accountability and reporting system.³⁵⁸ In 2009, the 2000 GBA policy was replaced by the Sex and Gender-based Analysis policy.³⁵⁹ My field study was conducted before this last policy was introduced, and all results pertain to the period up to 2008.

3.3.3.2 The Process of Tool Implementation

Despite the available GBA tools and objectives, the GBA implementation policy remained unknown to many Health Canada employees. In their day to day work, the senior policy analysts interviewed found many colleagues who seemed surprised that a GBA policy supported by senior management was in place: “We have our policy, we keep quoting it [...] and people still question it and ask where the reference is to GBA being ‘a matter of standard practice’.”³⁶⁰

To meet these challenges, and to fulfil the mandate of “monitoring and reporting on progress in the implementation of Health Canada’s Women’s Health Strategy,”³⁶¹

350 | Health Canada 1999, 21.

351 | Health Canada 1999, 9.

352 | Health Canada 1999, 10.

353 | Health Canada 1999.

354 | Health Canada 2000. Renewed in 2003 (Health Canada 2003a).

355 | Health Canada 2003b.

356 | House of Commons; Standing Committee on the Status of Women 2005, 11.

357 | Health Canada 2000; Health Canada; Women’s Health Bureau 2002. Later in 2006, the Canadian Institutes of Health Research (CIHR)—a sub-division of HC issued another tool: Gender and Sex-Based Analysis in Health Research: A Guide for CIHR Researchers and Reviewers (Canadian Institutes of Health Research 2006).

358 | Health Canada 2003a.

359 | Health Canada 2009a.

360 | Sari Tudiver, Interview.

361 | Health Canada 1999, 9.

the Women's Health Bureau conducted an internal GBA evaluation in 2001. The evaluation confirmed that the lack of knowledge about GBA was widespread. This first ever departmental GBA evaluation in Canada, conducted only two years after the introduction of the Women's Health Strategy, one year after the introduction of Health Canada's GBA policy,³⁶² and six years after the Federal Pan for Gender Equality, revealed that awareness raising and educational work needed to be intensified.

The departmental survey was based on voluntary participation, but generated an unusually high response rate of 25 per cent of all Health Canada employees—an intervention that in itself made GBA more widely known. The high level of participation was attributed to senior level support and the use of efficient communication strategies: "The notice came out on our broadcast news across the department, issued from the deputy minister level, which meant this is something everyone must take notice of."³⁶³

The findings were sobering, showing a lack of gender sensitivity in health expertise and weak implementation of GBA. Backed by top-down support, the Bureau analysts felt they had received "honest answers."³⁶⁴ In response, the Bureau designed an initiative with customised training and tools to fit the needs of various Health Canada branches, subdivisions and policy areas.³⁶⁵ Women's health networks and focal points for GBA were established in some of the branches.³⁶⁶ The Bureau made it a point to proceed collaboratively and to work from the needs and realities on the ground:

"We broke the survey data down by branch, because different branches have different functions and we were then able to go to the different branches and work with some, more than others, to develop training modules and tools more appropriate to their needs. We developed and piloted courses. We also developed the guide *Exploring Concepts in Gender and Health*, published in 2003. It drew on some of the resources developed previously, but also included more practical case studies."³⁶⁷

The Bureau used the 2001 survey results as the basis for formulating a revised GBA implementation strategy in 2003.³⁶⁸ Greater accountability was introduced through setting timelines and establishing clearer roles and responsibilities for GBA implementation.

The challenges of creating and maintaining support for and knowledge about GBA, however, remained. For example, the network of departmental gender focal points faced obstacles when trying to establish elements of GBA accountability.³⁶⁹ Also, a departmental GBA Committee was supposed to be assembled with liaisons

362 | Health Canada 2000.

363 | Sari Tudiver, Interview.

364 | Sari Tudiver, Interview.

365 | Health Canada; Women's Health Bureau 2003.

366 | Morrow et al. 2007.

367 | Sari Tudiver, Interview.

368 | Health Canada 2003b.

369 | Sari Tudiver, Interview.

from all Health Care branches and regional offices.³⁷⁰ At the time of my interviews, six branch representatives, five regional members, and one member at the Public Health Agency of Canada sat with the Women's Health Bureau on the committee. However, the number of members was never stable (during the period of my field research it even shrank) and its meetings were irregular.³⁷¹

The interviewees noted that it was challenging to meet the policy mandate and regional stretch of the department with existing staff. The team dedicated specifically to GBA "fluctuated between 0.5 and 4.0 full-time equivalents (FTEs)," as noted in the 2009 Auditor General's GBA report.³⁷² Bureau staff had been downsized from 18 to 13 full-time employees responsible for providing health research and policy advice not only to Health Canada, but also to the Public Health Agency of Canada.³⁷³ While the Women's Health Bureau still had the largest departmental equality machinery among the departments participating in this study, this rollback in resources and structures jeopardised the sustainability of GBA. Later government cuts reduced staff to one full time senior policy analyst by 2015.³⁷⁴

At the time of my interviews, encouraging and ensuring GBA implementation at Health Canada relied mainly on continuous bottom-up efforts through the Women's Health Bureau and its gender focal point support network. Requirements to make GBA and gender considerations obligatory, as envisioned in the GBA 1999 policy, were not yet in place almost a decade later. Bureau staff were focused on persuading and convincing key actors in the department of the usefulness and benefits of GBA, rather than implementing what the GBA policy had already prescribed, i.e., using GBA in a top-down, systemic and routine fashion:

"I'd say having key people who support GBA work is crucial. They must see an advantage to their work in joining with you, and believe you can deliver. There are structural things that you must negotiate very carefully or else it can't necessarily happen. We are still usually the ones going to knock on the door [...]."³⁷⁵

The interviewees noted other obstacles in moving toward cross-cutting GBA implementation, for example, the restructuring of departments, followed by

370 | The list of GBA Committee members at HC shows vacant positions for regional offices and lists contacts of HC branch employees that are not official GBA committee members, which means they cannot officially devote their working time to issues of gender equality, but who function as contacts for their respective branches in absence of full committee members (Health Canada; Bureau of Women's Health and Gender Analysis 2008).

371 | Cooper 2006, 2.

372 | Office of the Auditor General of Canada 2009b, 13.

373 | Sari Tudiver, Interview. The Public Health Agency of Canada employed around 2,500 people and Health Canada 9,500 full-time equivalents. These two organisations are a part of the overarching so-called "Health Portfolio," which includes Health Canada, the Public Health Agency of Canada, the Canadian Institutes of Health Research, the Patented Medicine Prices Review Board and the Canadian Food Inspection Agency. The Health Portfolio consists of approximately 12,000 full-time equivalent employees and an annual budget of over 3.8 billion Canadian dollars (Government of Canada 2014).

374 | Tudiver 2015.

375 | Sari Tudiver, Interview.

a fluctuation of staff and loss of expertise and GBA allies. In addition, a gender champion in senior management had not been identified in recent years. Also, frequent rotation of the heads of the Bureau resulted in a lack of consistent leadership, which presented challenges to operational efficiency and support for GBA:

“I personally think we didn’t have a clear enough strategic direction integrated into HC priorities nor a strong business case to be made regularly and clearly to senior management about the value added by GBA and women’s health to the science policy and regulatory functions of the Department.”³⁷⁶

A success factor, however, was continuity in the Bureau, enabling the gender experts there to build lasting relationships with their colleagues and to acquire valuable field—specific knowledge:

“I guess in my eight years here, if I have learned anything, you have to build expertise and you have to build credibility but you can only do it by journeying with people. [...] you don’t know more than they do, they are the experts in their particular areas but we have to show we can add value and we also have to show that we know what we are talking about.”³⁷⁷

It became clear that sectorial policy and programme-specific knowledge are as important as tool knowledge, but accumulating this kind of expertise is a complex, time consuming task. Gender experts must become Renaissance-like general experts, savvy in a wide variety of fields—even or especially those that were part of their academic training. Health Canada’s GBA evaluation revealed that many public servants were unable to make this connection: “Some of the feedback we received was that the initial work was too academic and needed to be adapted more specifically to policy, programme and regulatory contexts.”³⁷⁸

One response to such challenges is to provide training to increase knowledge of particular fields; another is to simplify tools or adapt them to the particular implementation contexts; a third is to create a variety of case studies from different policy fields. The Bureau chose to provide tools particular to the context. For example, the Bureau’s policy analysts worked closely with their regulatory colleagues on applying a gender lens to a guidance document on inclusion of women in clinical trials,³⁷⁹ to policies regarding surgical wait times,³⁸⁰ and to women’s health indicators.³⁸¹ By not taking a technocratic approach to tools, the Bureau encouraged colleagues to ask questions about their work and its implications for different groups.³⁸²

The development of tools was not yet been completed at HC at the time of my interview, but the training materials and tools that did exist were rated among

376 | Sari Tudiver, Interview.

377 | Sari Tudiver, Interview.

378 | Sari Tudiver, Interview.

379 | Health Canada 2013.

380 | Jackson et al. 2006.

381 | Bierman 2007.

382 | Health Canada 2001; Health Canada 2012.

the most advanced. These had been developed by a diversity of actors—external consultants, academics, research-focused Centres of Excellence for Women’s Health, and departmental working groups. The central equality machinery Status of Women Canada also served as a resource for development of tools and training materials.

Health Canada’s tools were also advanced in their inclusion of diversity issues in gendered policy and programme analysis. Through the sponsorship of the Centres of Excellence in Women’s Health and close collaboration with aboriginal women’s groups, some gender experts at Health Canada were building GBA frameworks that took the special needs, self-perceptions and regulations of aboriginal communities into account to ensure that “the GBA framework is culturally sensitive to aboriginal women and their families, [and, A.S.] to a broader notion of community.”³⁸³

Clearly a fine assortment of tools existed;³⁸⁴ however, their existence did “not guarantee use.” The “complexities and pressures of policy making and implementation”³⁸⁵ made it difficult to implement GBA on the ground.³⁸⁶ At the same time, Bureau staff had no oversight on the number or quality of GBAs performed in branches and other parts of the department unless they had been actively involved in the analysis:

“When you say how many GBAs, I can’t accurately answer that, although individual staff reports could provide that data. We respond to requests for input on a wide range of policy files. Often these come to us for brief comments on a policy document or report or for a TB submission. Our involvement may be to provide sex-disaggregated data and encourage noting whether there are different or similar implications for women or men, boys or girls. Often we add a paragraph or two. In any one year, we may do several in depth GBA analyses—in response to a legislative issue, such as assisted human reproduction, or human trafficking, but it may be reflected only minimally in policy. Each policy analyst may regularly provide input on say, ten or more different files or topic areas that they are monitoring. But we don’t know if others are applying GBA unless they contact us about it.”³⁸⁷

As this citation shows, data on the number of GBAs performed must always be qualified: the figures may not represent full-fledged GBAs, but policy advice. The Auditor General’s report in 2009 found that none of the Health Canada initiatives it

383 | Sari Tudiver, Interview. See also discussions in (Wolski 2007a; Aboriginal Women’s Health and Healing Research Group 2007; Stirbys 2007; Stirbys 2008; Fleras/Maaka 2010).

384 | Health Canada; Intranet n.d.

385 | Tudiver/Kammermayer 2005, 16.

386 | Apart from three gender-sensitive case studies, retrieved from HC’s website: 1) a study on wait times (Jackson et al. 2006, 2) the process of including women in clinical trials, which was first addressed in 2008 (Health Canada; Health Products and Food Branch 2008,) and resulted in a guidance document (Health Canada 2013); and 3) developing gender-sensitive health indicators (Bierman 2007). Clinicians and public health researchers find it difficult in general to incorporate sex and gender analyses in their evidence-base, as indicated in a meta-evaluation of systematic reviews of cardiovascular health (Doull et al. 2010).

387 | Sari Tudiver, Interview.

examined actually qualified as a “proper GBA.”³⁸⁸ In that examination, new Health Canada policy or programme initiatives were chosen at random for evaluation: One offered a rationale why performing GBA was unnecessary; three considered gender impacts, but the gendered consequences did not influence the policy options; and the other three did not mention GBA at all. Not one initiative applied GBA *and* integrated its results into policy making or programme design.³⁸⁹ These are sobering findings for a department that invested a lot of effort into building institutional support and providing gender training and that was considered role model for institutionalised state feminism..³⁹⁰ But the absence of sex and gender perspectives in health policies seems to be an international phenomena.³⁹¹

According to the interviewees, in the past, Health Canada had offered GBA trainings for policy analysts that were custom-tailored to each policy branch’s needs and that took a variety of forms, such as integrated modules or single issue courses on gender. Training roll-backs, however, had reduced the quality and availability of training. The Auditor General’s report noted that GBA training was not offered on a regular basis to Health Canada staff, and that only an online pilot course on GBA existed in the year 2008.³⁹² Specific GBA and gender training was only offered on request. Although Health Canada strove to create relevance by incorporating branch information needs into GBA trainings, requests were limited, due to time commitment and lack of understanding about the importance of gender training. In a more recent effort, the Bureau began offering a GBA training module that was integrated into other trainings, i.e., an introductory programme for new Health Canada staff, to address a larger audience and achieve greater coverage in the department.

The policy analysts interviewed noted the importance of their attempts to raise awareness and to equip staff with supporting information, guidelines and case studies on every level possible. To supplement these outreach efforts, the Bureau of Women’s Health and Gender Analysis developed an online introductory training course. Piloted in fall 2008 in both French and English, it was designed to equip Health Care analysts and officers with a wide range of tools and implementation samples.³⁹³ With the online training course, all current GBA tools were available to anyone in the department, along with case studies on different forms of GBA in the

388 | Office of the Auditor General of Canada 2009b, 15-16. Tudiver names yet two more initiatives of gender-sensitive policy advice in HC before the 2009 GBA report by the Auditor General: Including Gender in Health Planning: a Guide for Regional Health Authorities, in 2003 published by the Prairie Women’s Health Centre of Excellence, and a detailed economic and social analysis of the breast implant surgeries and their consequences for the public health care system by the Health Canada Advisory Committee in 2003.

389 | Office of the Auditor General of Canada 2009b, 16.

390 | After my field studies had been completed, a guidance document on including women in clinical trials was published in 2013 that qualified as Health Canada’s first full-fledged GBA (Health Canada 2013).

391 | Helen Keleher found for instance that Australia’s health policies were “largely devoid of gender equity concerns at both national and state levels. Mainstreaming of gender equity outcomes has not yet occurred in Australia” (Keleher 2013, 111).

392 | Office of the Auditor General of Canada 2009b, 11; 13.

393 | Office of the Auditor General of Canada 2009b, 13.

various department branches. The training, however, was subject to the usual risks and pitfalls of self-learning tools. No coaching programme was in place, although the Women's Health Bureau gender experts were available to assist with questions during and after the online training. The question is, would they be consulted?

3.3.3.3 Accountability

Reporting and accountability for GBA was attempted through a 2007 follow-up survey to a needs assessment in 2001,³⁹⁴ and an internal evaluation report in 2008—none of which proved any GBA activity. Work on gender equality in general and GBA in particular goes through cyclical phases, and Health Canada offers a prime example with its early flurry of activities, then stagnation and finally even rollback. For example, at the time of this research, discussions of the Women's Health Bureau's strategic work, including GBA, were occurring only sporadically in senior management committees. This lack of reporting appears to have hampered GBA accountability and led to a failure to keep GBA on the agenda of top management:

"I am not entirely sure about what happened at the senior management levels. There were a few times I remember, where we were scheduled to report to the Departmental Executive Committee and other items would get prioritized and we would get bumped. We had a series of organisational challenges: we lost our director, were part of a reorganisation, and while we continued to work on many issues, it is my opinion that there wasn't a strong advocate for us to have that senior level visibility through reporting."³⁹⁵

In addition to senior management, there is yet another level of accountability and reporting: The Bureau of Women's Health and Gender Analysis is accountable for its work, when reporting on departmental activities (Departmental Performance Report/Report on Plan and Priorities) in biannual reports to the departmental executive committee on GBA.³⁹⁶ But it is senior level reporting that renders the overall departmental implementation of GBA in/visible. It was also known that the GBA Committee was dwindling in numbers, did not meet regularly and had limited functions. Health Canada appeared to have gone through a phase of structural delegitimising GBA. Renewed commitment and better stewardship were needed, especially with regard to accountability and quality management of individual GBAs. The policy analysts interviewed identified the need to re-inscribe gender onto the agenda at the top level of the administration, to give GBA greater attention and resources: "I think if we were going to make a change, the biggest difference we could make in terms of GBA implementation is to re-establish the relevance of GBA on a high level—regular presentations to senior management committees."³⁹⁷

Change came from the outside with the 2007 GBA challenge from the Treasury Board Secretariat (TBS) and the Privy Council. This will certainly impact the required Performance Reports and Reports on Plan and Priorities reporting and establish first quality assurance mechanisms. However, the new TBS submission guidelines were not yet in effect at the time of the interview. The observed slowed

394 | St. Lawrence/Health Canada 2007, 8.

395 | Sari Tudiver, Interview.

396 | Cooper 2006, 2.

397 | Sari Tudiver, Interview.

progress in integrating GBA during the field visit in 2008, was altered in the subsequent, post Auditor General's GBA audit. The focus has shifted twofold: 1) to introducing a new policy, which uses the seemingly more precise terminology of *Sex and Gender-Based Analysis* (SGBA)³⁹⁸; and 2) to integrating the consideration of sex and gender into the protocols of conducting analytical business, which are supposed to lead to a more sustainable use of SGBA. Under the new policy, Health Canada's Gender and Health Unit (the former "the Bureau"), is situated within the Strategic Policy Branch and responsible for supporting the initial year of its implementation, including providing advice across Health Canada and the rest of the Health Portfolio.³⁹⁹ In order to establish sustainable capacity, there is also a new Portfolio Working Group on Sex and Gender-based Analysis, chaired by the Gender and Health Unit, which enables collaboration. Renewing the top-down approach of the 1999 strategy, Deputy Heads are responsible for SGBA implementation within their respective organisations:

"Deputy Heads are accountable for ensuring that Health Portfolio organizations implement the Health Portfolio Sex and Gender-based Analysis Policy and to jointly review, and revise it as necessary, at planned intervals. They may achieve this by appointing a Champion(s) as well as creating a special unit or committee charged with this responsibility. Deputy Heads are also accountable for ensuring that activities under this policy are reported under this and any other relevant policies."⁴⁰⁰

GBA monitoring is now attempted through performance indicators under the evaluation framework. As first evidence of more mainstreamed analytical efforts with regard to sex and gender, HC's evaluation template for assessing the effectiveness of its policies and programmes serves as an example of good practice. The evaluation question 5d asks routinely: "Have requirements/ commitments to Central Agencies (i.e., Office of the Auditor General, Cabinet Directive on Streamlining Regulations, Policy on Public Consultation, Policy on Gender-Based Analysis) been addressed?"⁴⁰¹

To sum up, the state of affairs Health Canada is ambiguous. It had been known as one of the Canadian GBA forerunner departments. At the time the field study

398 | Health Canada 2009b.

399 | The Health Portfolio comprises the total of Canada's analytical and research capacity with regard to health issues, and consists of Health Canada, the Public Health Agency of Canada, the Canadian Institutes of Health Research, the Patented Medicine Prices Review Board and the Canadian Food Inspection Agency.

400 | Health Canada 2009b.

401 | Health Canada; Evaluation Directorate 2014; 89. Although Tudiver critiques that the new tool fails to refer to "historical inequities and disadvantages in health that affected women disproportionately to men" (Tudiver 2015) and has one conceptual shortcoming in the principle of balance: "SGBA will be used to evaluate the gender influences of research, policies and programs to ensure that the needs of one sex is (sic) not addressed more than another," cited after (Tudiver 2015). Instead of striving for overcoming structural health inequalities between women and men, the wording used in the SGBA tool potentially delegitimises the preferential treatment of the discriminated against "sex," ignoring power structures based on gender roles and the division of care and labour (Nowatzki/Grant 2011).

was conducted, it still had the largest gender unit of all the Canadian departments, as well as a variety of elaborate and custom-made GBA tools. However, training activity had been reduced and had lost some of its sophistication. The Women's Health Bureau was unsuccessful in GBA implementation with regard to influencing policy options and recommendations and was renamed the Gender and Health Unit and reduced to one staff member. Despite the pull-backs, at the time of my interview, the Bureau had laid important groundwork that was bearing fruit with Health Care's first proper GBA⁴⁰². Until 2008, there was limited reporting to senior management, although equality was enshrined in a departmental gender action plan and part of regular reporting mechanisms.⁴⁰³

3.4 THE STATE-OF-THE-ART OF GENDER-BASED ANALYSIS: EMPIRICAL FINDINGS

"The void left over from local governments, the media, the private sector and think tanks leaves much to be done by federal and provincial governments."⁴⁰⁴ (Don Drummond)

Regarding the gender equality mandate in the Canadian constitution and international and national commitments, GBA ought to be implemented in a routine and systematic way into *all* policy and programme making. In the following section, I examine the institutional drivers and hindrance factors on the way to a systematic, routine GBA implementation in ten Canadian federal departments. I explore questions like "Where is GBA applied, what works?", or "If it is not implemented, what obstacles are named?"⁴⁰⁵

3.4.1 Tools: "We Gently Knock On Their Door"

In 2009 the Auditor General conducted an audit of GBA practices in Canadian federal departments. This audit applied the quality framework for GBA implementation previously established by Status of Women Canada, which considered GBA to be full-fledged only if the following two criteria were fulfilled:

402 | Health Canada; Health Products and Food Branch 2008.

403 | After the GBA audit of the Auditor General and according to the Departmental Action Plan for GBA (Privy Council Office et al. 2009), all Canadian departments were required to report on implementation progress and sustainability on an annual basis to SWC through their Deputy Minister. For further results of the Auditor General's GBA audit and its consequences for Canadian GBA implementation and policies, consult the following subchapters: 3.2.1, 3.3.2, 3.4.1.5, and 3.4.6.

404 | Drummond 2011, 342. Drummond worked for over 20 years as a chief economist for Finance Canada and is the Donald Matthews Faculty Fellow on Global Public Policy at the School of Policy Studies of Queen's University.

405 | The empirical interview data, confidential as well as non-confidential, was analysed with the method of qualitative content analysis (Mayring 2008a; Mayring 2008b), see subsection on methodology 2.2.

- “1. The existence of documented research on gender impacts;
2. The identified gender impacts also informed the development of policy options.”⁴⁰⁶

According to this logic, a GBA would be considered successful only if the analysis was performed with disaggregated data, gender relevance was established, and gender equality outcomes were subsequently incorporated into the final objectives. This logic also does not accept assumptions about relevance if no methodology and data-driven proof are provided. In Canada, the application of GBA shows an inconsistency between the rhetoric of the Canadian constitution, the government’s self-obligation outlined in the Federal Plan for Gender Equality, and reality. With the exception of the Immigration and Refugee Protection Act⁴⁰⁷ at Citizenship and Immigration Canada (CIC), GBA tool application in Canada is “not mandatory,”⁴⁰⁸ but intended to be cross-cutting: “By declaring every unit of governance responsible for equality measures, they created a situation in which equality was everyone’s responsibility but no one’s job.”⁴⁰⁹

3.4.1.1 Status-quo: “A Way of Thinking”—“a Recipe”—“an Art”?

In order to help government officials to do their job and to execute the equality duty, the two external consultants and researchers Burke and Eichler developed the initial SWC tool, as already mentioned in the previous chapter on tool chronology⁴¹⁰. Looking back, Eichler attested in the interview with her that the tool design:

“Went very well, we had a really fat folder, way too fat, it is a lot easier to do something that is voluminous than something that’s slim. And so the first step is of course to have it voluminous and people were sort of dismayed because it was very... daunting looking, because it was in a thick three ring binder. Now we have a little thing, which is very small.”⁴¹¹

In the interviews, external academics as well as the gender experts said that the GBA tool developed by the Status of Women Canada was “not complicated,”⁴¹² and the departmental tools were “very condensed.”⁴¹³ The tool was indeed streamlined, designed to meet the needs of analysts working under time pressure, with limited resources and gender expertise.⁴¹⁴ However, the tool is still criticised for being too complicated for use in situations where requests for support are often made (too?) late in the process. In reality, analysts often remember at the *last minute* before the final proposal is drafted to include GBA in their policy and programme analyses: “Because of people calling in a panic, we are electronically pulling out the

406 | Office of the Auditor General of Canada 2009b, 15.

407 | S.C. 2001, c. 27.

408 | CAN3, Interview.

409 | Hakesworth 2012, 238.

410 | See sub-chapter 3.1.2.

411 | Margrit Eichler, Interview.

412 | Louise Langevin, Interview.

413 | Marcel Williamson, Interview.

414 | Compare the quality criteria as applied to GBA in chapter 3.2.

worksheets and putting it all together and send it as a package to them, instead of sending the full guide since they would feel overwhelmed.”⁴¹⁵

As this citation shows, because of the rush to completion, many analysts in the Canadian federal administration remain unfamiliar with GBA tools and techniques. Consequently analysts feel uneasy about applying tools to their policy fields and services, and the process “is seen as very long and heavy.”⁴¹⁶ Even for some gender experts GBA “is not a recipe. It’s an art,”⁴¹⁷ requiring substantial field-specific knowledge *and* gender expertise at the same time for fruitful implementation.

What makes this challenge worse is the fact that GBA is “never static, the topics change, the context changes.”⁴¹⁸ GBA tools need to be flexible and adaptable. However, shaping and using existing tools requires a deep understanding of the policy field, the issues at stake and thorough gender expertise in the specific area. Individual analysts can be overwhelmed by the task as Status of Women Canada has stated, the leadership and guidance are important factors:

“So all of the tools we created are actually templates that we have given to all departments for them to play with until they fit. So, all of our tools were developed with the view to being adapted to different organisational cultures and different organisational mandates and different application. Now, what we are getting into with the departments is slightly different, [...] I call it the ‘adopted department programme’.”⁴¹⁹

A lesson from the Canadian experience is that, due to the different states of GBA implementation and needs of the various departments, promotion of GBA must be a multilevel, multi-site task. It must be a search for the “best fit”⁴²⁰ for various organisational cultures and individual needs: “I think we have learned over a period of time to feel that you really have to work where people are at and integrate GBA into the work that they are doing.”⁴²¹

Canada’s federal government has provided Status of Women Canada with some resources to assist departments and individuals in this process. According to the interviewees, the basic challenge is to demonstrate the relevance of GBA for a department’s policy field. Only a successful proof of relevancy will make GBA a priority for policy makers. The task is not only to raise awareness about the existence of tools and to prompt departments to use them, but also to show how applying *ex-ante* GBA actually results in more exact outcomes, higher quality of research and better policy advice.

The responses to this challenge are often limited to building supportive departmental networks, providing gender trainings, and urging data collecting units to increase their sex-disaggregated data collection—counting “how many

415 | Monique Lucie Sauriol, Interview.

416 | CAN3, Interview.

417 | Diana Rivington, Interview.

418 | Diana Rivington, Interview.

419 | Michèle Bougie, Interview.

420 | SWC 2010b.

421 | Sari Tudiver, Interview.

men” or “how many women” benefit from or are disadvantaged by the policy or programme:⁴²²

“Much of the literature still is oriented towards gender sensitivity. And gender insensitivity is one of the sexist problems, getting rid of it is good. Some people think it’s good enough if you use sex as a variable. That’s a very first step; it’s better than not doing it, but it’s certainly not doing a appropriate gender analysis.”⁴²³

Another roadblock to systematic GBA application is an insufficient understanding of GBA as an analysis not just of the situation of women, but also of the different or equal situation of both genders, including social roles and gender expressions. Gender analysis is still confused with analysis of the women’s question. Such inadequate understanding of the tool was seen even among the gender experts interviewed.

The shift of focus from disadvantaged women to both sexes/genders and the insertion of sex/gender difference into the analysis are sometimes seen as leading to vague conclusions and as a threat to women’s empowerment. The interviewees acknowledged that in implementing GBA, they tended to focus on negative effects on gender or on trade-offs in multi-variable analyses, looking for mitigation instead of empowerment or for positive gender outcomes. There is also some modesty attached to the position of GBA as a stand-alone tool amid a wide range of other policy and programme analysis tools. Tools such as trade, business or environmental impact assessments are seen as strategically closer to perceived departmental *core duties*, which marginalises gender equality and GBA in the departmental and bureaucratic set up. Thus, the question is posed: If, how, and when GBA should come in?

The gender experts in the Canadian interview sample were united in saying that gender analysis should be applied from the outset and to all initiatives. But they find the use of GBA tools to be also suitable and desirable in all other project, programming and policy making stages, including parallel and ex-post evaluations. Considerable effort is invested by departmental gender units to encourage and monitor the integration of gender at multiple stages:

“At the beginning stages of each project, we’re getting better. Like we ensure that partners are including gender considerations into their proposal. We’re trying to ensure that there are indicators in the logic framework that allows us to measure these things but there’s still this last bit where we have to ensure that partners report on it in their final report. And to ensure that they actually evaluate their projects according to their gender considerations. And that’s still—it’s not necessarily that the partners don’t want to do it. Sometimes they don’t know how to do it obviously. But it’s also that we haven’t ourselves been able to systematically encourage our programming—our programmers [...].”⁴²⁴

Department gender units approach individual programmers or policy makers in the course of their daily activities to make use of innovation and renewal processes.

422 | Such head counting represents the most rudimentary investigation and is not of a gender, but a sex analysis. See also chapter 1.5.2 on tool technologies.

423 | Michèle Bougie, Interview.

424 | CAN4, Interview.

If they are aware of a window of opportunity to insert GBA into a programme or project, they proactively approach those in charge: “So when we hear that someone is renewing their authority we gently knock on their door to remind them to look at their authorities with a GBA lens.”⁴²⁵

The existence of departmental gender experts is crucial in raising awareness and supporting implementation. In order to render GBA omni-present, the gender units and individual experts have developed an inventive armoury of GBA items, making the *selling point* for GBA, like awareness campaigns and merchandise to “sell” GBA. They remind analysts where to ask for help for GBA inside the department. They answer questions about templates and the quality of analyses; they are asked to comment or revise appraisals from a gender perspective. The gender experts try to be helpful and supportive in any stage of project, service, programme or policy design—to the extent that their limited staff numbers will allow.

GBA gets mixed reviews from external stakeholders such as feminist non-governmental agencies (NGOs) and women’s groups. Some Canadian NGOs explicitly requested intensified GBA practices and requested tools for their own use and even received training from Status of Women Canada.⁴²⁶ Other groups, however, felt that GBA was exclusive and, based on its complexity, that it would never bring about equality.⁴²⁷ For example, during a research project carried out by Louise Langevin with focus groups in 2005, she talked to:

“Women that are militant activist and women’s groups. And they said that they found that they were being put aside by this GBA, because GBA was something like you have to be a specialist to do that, it was somebody in the government somewhere that did this kind of stuff. And it was so technical and so complicated that it kind of excluded these groups of women, who are not always that specialised.”⁴²⁸

In general, the Canadian’s women’s movement has shown relatively minimal interest in GBA as a policy instrument, while GBA tools and trainings still are a Canadian export to countries such as South Africa⁴²⁹ or Korea.⁴³⁰ If the women’s movement and its actors perceive a distance to the technocratic instrument GBA, it results in a reluctance to engage in lobbying for its implementation. Some in the movement even see GBA as “outdated,”⁴³¹ or say that more pluralistic, intersectional approaches incorporating diversity aspects are needed.⁴³² Such hesitant adoption or refusal to adopt external, democratic accountability for GBA obstructs or at least limits the possibility for political and internal administrative accountability.⁴³³

In sum, comparing the findings of the Auditor General’s report with the statements from my interviewees, it is clear that GBA application in Canada has not progressed

425 | Monique Lucie Sauriol, Interview.

426 | Michèle Bougie, Interview.

427 | Louise Langevin, Interview.

428 | Louise Langevin, Interview.

429 | Hanson 2008.

430 | Kim 2008.

431 | Hankivsky 2007c.

432 | Hankivsky 2007b; Hankivsky/Cormier 2011.

433 | Bakker 2009, 235.

beyond individual case studies or pilot projects in most departments—with the exception of the Canadian International Development Agency. GBA tool development has not been participatory. Development by the Status of Woman Canada and design and refinement in the individual departments has mostly been done internally, without the involvement of external actors and target groups (i.e., women's groups), either by academic experts or consultants or by in-house departmental experts. The scholars contracted had close links with the feminist movement, but the lack of a participatory process seems counter-productive, especially since GBA highlights the importance of deliberation of target groups in policy and programme analysis.

3.4.1.2 Intersectionality: “People Often Assume It’s Only Women and Men”

Before the new tool GBA+ was introduced in 2012, diversity aspects were already an integral part of all GBA tools, and a multi-variable analysis was encouraged. The diversity categories used are varied and go beyond the grounds for protection under the Canadian Human Rights Act (1985)⁴³⁴ and the Charter of Rights and Freedom (1982)⁴³⁵. In the Human Rights act for instance, the list of possible inequalities is open rather than fixed, with the goal of “closing the gap between different groups of women and men” and creating an “inclusive and democratic society.”⁴³⁶ In the interviews the question of gender inequality is given precedence; it was framed in a web of social, structural hierarchy and power. Therefore the former GBA tool was already:

“Applicable to any hierarchy, although [it] started out with the gender hierarchy, but we have now applied it to race, to disability, it can be age, it can be where you are located in terms of geography, it could be tribalism when applied in Africa, it could be a caste, could be applied to any social hierarchy. But it's derived from GBA.”⁴³⁷

In this citation, the interviewee appears to be conceptualising inequality based on difference as rooted in diverging hierarchical social and economic structures—articulating a sophisticated theoretical understanding of intersectional causes and

434 | R.S.C., 1985, c. H-6. Art. 2 stipulates: “The purpose of this Act is to extend the laws in Canada to give effect, within the purview of matters coming within the legislative authority of Parliament, to the principle that all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.” (Canada; Minister of Justice 1985, 2). In one interview, a participant also stated that “the Human Rights Act—the Sexual Orientation includes Transgender and Transsexual people and The Human Rights Act accounts for all the departments.” (CAN5, Interview)

435 | Canada; Department of Justice 1982.

436 | SWC 2012h, 2.

437 | Michèle Bougie, Interview.

effects of gender inequality.⁴³⁸ In practice, the operational implementation of such structural power hierarchies in GBA was accomplished through *groupism*⁴³⁹, the dissolving of complex webs of power into individual strings and bundling them into groups and sub-groups based on “religion, family status and sexual orientation, age”⁴⁴⁰ instead.

Official Canadian gender equality or GBA documents do not pose the power question in relation to intersectionality in tool application, but some Canadian gender experts are aware of it and apply it to their field of work. For example, the new tool GBA+ asks analysts to consider the differential situations and needs of women and men “in all their diversity.”⁴⁴¹ With gender being at the centre of diversity analysis, under the former GBA as well as the current GBA+ tool, Canadian government units attempt to live up to the constitutional obligations enshrined in the Charter of Rights and Freedoms, without neglecting or denying other constitutional rights and Canadian values of diversity and equal opportunities:

“People often assume it’s only women and men. We’ve even had people tell us once they’ve got the training or read our material, they go well diversity is in there, why don’t you call it gender and diversity training. And we say, because the policy the government of Canada signed on was GBA. But some departments have renamed it gender and diversity analysis, gender equality analysis you know.”⁴⁴²

The interviews underlined that diversity was already included and conceptualised (albeit framed in a groupist, rather than intersectional understanding) in the former GBA tools, which makes the refinement to GBA+ a logical consequence. The quotation above also indicates the potentially higher acceptance level for a de-politicised, de-powered framing of diversity as opposed to a gender framing. Diversity is thus the easier sell. Some gender experts even found the name GBA does not represent the tool content correctly and suggested abandoning it in favour of a more acceptable diversity framing:

“I think the name will have to evolve at some point, because just—there is other issues and particularly when you are at [name of department, A.S.] there is other issues than just sex that will come into play. [...] in my view it should be called diversity-based analysis. And just the fact, you know, our definition of gender is actually evolving a lot these past years. I think for people it’s maybe too rigid or passé you know.”⁴⁴³

Gender experts who felt marginalised in their departments made similar statements, gender experts who were part of a larger, more acknowledged gender unit

438 | As laid out in 2.3.1.

439 | See also chapter 2.3.1.

440 | Michèle Bougie, Interview.

441 | SWC 2012h, 1. The German GenderCompetencyCentre used to employ an almost identical diversity in gender framing (German original: “Frauen und Männer in ihrer Vielfalt”) seemingly compatible to an administrative context, from the year of its foundation in 2003 until 2010 (GenderKompetenzZentrum 2008).

442 | Michèle Bougie, Interview.

443 | CAN3, Interview.

did not feel this way. Using diversity as a sales strategy for GBA has its drawbacks too, for instance, when pertaining to less popular, still heavily stigmatised sub-groups or taboo categories, such as non-heterosexual orientation or non-binary gender identity, which are preferably ignored or excluded: “And frankly with some departments, if you had sexual orientation or whatever in there, it might throw them right off of even looking at GBA.”⁴⁴⁴ The old-new diversity framing of GBA and GBA+ also leaves open certain questions around partisanship of the tool and the final goal of equality. What is supposed to determine policy options? What prevails in scenarios of intersecting and competing unequal power relations? One gender expert interviewed provided a clear-cut answer: “The real goal is to try to reduce the gender hierarchy”⁴⁴⁵ In practical terms, Canadian policy analysts find it hard to move from the theoretical conceptualisation of complex and inter-woven set of inequality structures (the “-isms”) and the inherent power question: “Because to a certain degree we struggle with, do we slide into the ‘-ism’ trap or not?”⁴⁴⁶

3.4.1.3 Challenges: “It’s the Assumption That We Already Do It”

In general, the Canadian public servants interviewed attested to more rhetorical commitment than actual GBA practice. Turning GBA into practice is hard work and not a self-fulfilling prophecy. Some gender experts experience the lack of practice as a burden in their femocrat double-role of promoting and stimulating GBA inside bureaucratic structures on the one hand, and having the duty of making the government *look good* on the other hand: “It’s the assumption that we already do it, but that we don’t do it explicitly, so that when we are asked to demonstrate it—that becomes difficult.”⁴⁴⁷

The introduction of GBA as an overarching strategy would not have happened without a significant degree of political will and top-down support. However, some observe a level of disengagement when it comes to *practicing what you preach* that leads to GBA often being dropped from the agenda:

“We generally have a certain... a certain amount of political will across the board. But it’s always taking that political will and turning it into action—is kind of where the challenge was. People are always quick to support it, but it also becomes the first thing that drops when other priorities are in the picture.”⁴⁴⁸

Undeniably, support for GBA has remained consistent over the years in some departments. In other departments support is dis-continuous and reveals contradictions. For example, there are departments that refused to continue support for gender equality; some had formerly abolished gender units and then re-introduced them. For other departments it was stated that “there wasn’t support”⁴⁴⁹ to begin with, and yet for others a discontent with the sluggish progress of GBA

⁴⁴⁴ | Michèle Bougie, Interview.

⁴⁴⁵ | Margrit Eichler, Interview.

⁴⁴⁶ | Michèle Bougie, Interview.

⁴⁴⁷ | CAN5, Interview.

⁴⁴⁸ | CAN4, Interview.

⁴⁴⁹ | CAN6, Interview.

implementation was expressed: “It lingers and lingers and people get cynical.”⁴⁵⁰ In general, departments were aware of their GBA duty, but taking on GBA as a priority in policy making was often delayed and not given precedence vis-à-vis other departmental processes. The effort of going into the usually complicated analysis of presumably *gender neutral* policies seems disproportionate to the outcome, especially for policies or programmes with second order impacts:

“The Paper Burden Reduction Initiative and we think ‘ok, well whatever.’ If we have two people—2.6 people, who can go do something about it—of those two, we’ll pick the one that has the obvious gender impact to put our resources on [...].”⁴⁵¹

Certainly there are various policies with little or only very hard to establish gender impact, but it became the rule rather than the exception that GBA was defeated in the ever-present competition for departmental resources, corresponding to a lack of political will. The general statement of how “it had fallen by the wayside to some extent”⁴⁵² was given in all but two interviews. The falling off was mostly attributed to a lack of top-down commitment and guidance within the departments and the government of Canada as a whole:

“If you don’t have that leadership, then you are pretty well doomed down at the working level. Because there are so many priorities, so many changes of direction during the course of any year and GBA is the first thing that’s going to fall off the priority list to be replaced by other more “urgent” priorities. And if you are lucky, GBA will be considered for the next year’s work plan.”⁴⁵³

Again and again, political will and top-down support were cited as necessary for the success of GBA: “If there is no political will from senior civil servants who are high in the administration, deputy ministers and stuff like that—if there is no political will it won’t go very far.”⁴⁵⁴

Because of the Federal Plan for Equality and Canada’s constitutional commitment, GBA is being put on the agenda again, but in many cases it is not followed through. For some public servants the lack of leadership and GBA commitment is a result of the influence of (unsupportive) politics on guiding departmental priorities: “They say that politics shouldn’t be affecting departments, but it does. This is a general statement, don’t use my name [...].”⁴⁵⁵ Politics can even impact directly on supposedly impartial policy advice and obscure unwanted *truths*: “If one government like the conservative party have certain priorities, well if you

450 | CAN3, Interview.

451 | CAN5, Interview.

452 | CAN5, Interview.

453 | CAN6, Interview.

454 | Louise Langevin, Interview.

455 | Interview statement by a Canadian interview participant; for confidentiality reasons not even revealed under the acronym structure, since many statements under the same acronym could render the person possibly traceable.

have a submission that promotes a programme that is contrary to the views of the reigning party, well... ”⁴⁵⁶

Other interviewed officials attributed the lack of action on GBA to the idea that gender equality in Canada has already been achieved. The statistical evidence can tell different stories, of improving or worsening situations for women. Perceptions about inequality and equality are distorted: Inequality pertaining to men and equality gains by women get recognised and validated, while inequality pertaining to women gets blocked out or de-validated. The result is what I call *imaginary equality*, which poses a challenge to raising awareness and justifying resources spent on GBA:

“The other thing I would say is a challenge, and not within this department, but within Canada, and I’m speaking from a personal perspective—is there’s an assumption that women are fine. If you’re talking about women, you know women have made huge advances, why are we still talking about women, you know?”⁴⁵⁷

“It’s a lack of understanding. Also I think it’s a lack of commitment. I think there is that perception that women have already obtained equality in Canada, so not much needs to be done. They would rather look at maybe family policies, look at poverty, other issues that are also related to gender, but not gender specifically. So like integration of immigrants, you would rather look at other issues than look at gender.”⁴⁵⁸

“[T]he concerns of the Canadian public are not necessarily GBA based. I don’t blame the government; it’s more a societal question.”⁴⁵⁹

Since the public service at best mirrors society and is accountable to the general society, similar to the mainstream in society, bureaucratic actors do not always perceive gender equality as relevant to their work. In addition, the openness and willingness of individual actors to employ GBA does not only depend on their value system or position in society, it may also depend on the overarching value system of the department and the analysts working in it, with *hard policies* and *hard science* traditionally being less open to gendering their subject of research or to GBA’s *soft* methods and approaches:

“There was a lot of resistance. There was a general perception that [name of department, A.S.] is a department that deals with hard core economic issues which are ‘gender-neutral’ and that gender equality was not an [policy field of department, A.S.] issue.”⁴⁶⁰

“They are telling me, oh we do impartial research you do feminist research [...]”⁴⁶¹

Different departmental cultures produce and are based on different scientific cultures. In a certain sense, the processes of rendering gender as inferior—as

456 | CAN1, Interview.

457 | CAN5, Interview.

458 | CAN7, Interview.

459 | CAN3, Interview.

460 | CAN6, Interview.

461 | Michèle Bougie, Interview.

something else, the “other” to the normal *neutral* ways things are done—silence it, make it unspeakable and subaltern in a normative bureaucratic culture.⁴⁶²

Closely related to that insight is the role that scientific background and education have played in the individual readiness to accept GBA as a viable and evidence-based tool. Different fields of education, e.g., quantitative *hard* economic, financial studies and sciences in contrast to *soft* social sciences and humanities, determines outlook and preferences based on familiarity and academic cultures. The example of the Statistics Canada’s Target Groups project, created for publishing data on women,⁴⁶³ is telling. Despite its outside success and the demand for its publications, the project was internally and financially marginalised in favour of quantitative modelling methods, a demonstration of departmental competition for what constitutes the trusted and *right* evidence-base:

“There is an internal contradiction within Statistics Canada, a debate; a lot of senior people prefer highly analytical analysis, modelling and all that kind of stuff. And unfortunately I think target groups have been the poor stepsister of that kind of philosophy and so when people needed other resources to fund the analytical resources they kind of took them away from target groups. Which is unfortunate, because my sense is that far far far more people use that kind of data that target groups was producing than those fancy analyses. But it was their background and that’s what they interested in and that’s the way it went.”⁴⁶⁴

Public policy research perpetuates the academic marginalisation of gender studies as well as the de-valorisation of its results—to such an extent that being occupied with gender research could turn out to be a career killer. Statistics Canada’s attitude toward the Target Groups project, in fact toward any work on data on women, resulted in a lack of engagement or reluctance of employees to engage in this line of work. One interviewee “wouldn’t touch it with a ten foot pole,”⁴⁶⁵ not wanting “[...] to be pigeonholed into that kind of thing.”⁴⁶⁶ In general, working with GBA usually has very low reputation and departmental standing, which is particularly harmful in an administrative system, which often validates achievements with appreciation, visibility and status, instead of with monetary rewards. Even in the cases where gender analyses were performed, the gender experts reported that their studies were met with a lack of interest and their analysis not taken seriously or were dismissed without scientific substantiation:

“When I sent copies of the document to senior policy colleagues for review and comment... their feedback was disappointing. [...] those who did read it seemed to find inaccuracies in parts of the data with no examples or explanation of specific ‘inaccuracies.’ General

462 | The concept of the subaltern was introduced by in postcolonial theory by Gayatri Chakravorty Spivak, pertaining to the silenced, racialized women of the South (Spivak/Harasym 1990; Spivak et al. 2008).

463 | Statistics Canada/Target Groups Project 2006; Statistics Canada 2007; Statistics Canada/Almey 2007. For more recent data see (Statistics Canada; Williams 2010).

464 | Colin Lindsay, Interview.

465 | Colin Lindsay, Interview.

466 | Colin Lindsay, Interview.

commentary appeared to reflect that the document may have only been skimmed over rather than carefully read.⁴⁶⁷

Often, GBA is quickly dismissed as being unscientific. This quotation also illustrates that owed to the distancing of analysis and evaluation units from gender research and GBA, departmental gender units are still in charge of actually carrying out GBA, where in fact they should just serve as a resource and training centre since GBA practices are not yet mainstreamed. As such, GBA finds itself on the frontlines of internal competition for resources and legitimacy, which are awarded to quantitative tools, enjoying more credibility than qualitative tools. GBA however, is not a qualitative or quantitative tool per se, but rather the use of scientific methods depends entirely on the analysts employing it. Due to a lack of quantitative data, GBA allows for and calls for qualitative elements, in addition to quantitative data.

The de-valuing of GBA is also seen in the widespread resistance to the name *gender-based* as being too narrow and *passé*.⁴⁶⁸ In general, sex and gender do not seem to be *sexy* topics for public servants, and complaints from the Canadian interviewees are similar to those heard in the international arena against gender mainstreaming: It is too broad, conceptually unclear, and for non-English speaking countries, too English, too foreign and not transferable.

However, it is important to remember that reluctance to applying GBA is multi-factorial. GBA is applied under many different conditions, it takes place in many different, multilevel and multi-agent environments, often under time-pressure and under hidden agendas. While different levels of decision making might support GBA, others might not. It is important to recognize the constraints that departments are operating under, rather than labelling complaints as outright resistance or refusal to accept the need for gender analysis tools. GBA application remains uneven or hard to predict simply because of this multi-factorial interaction of enabling and disabling conditions:

“The most interesting is, when [...] the minister of a department has the political will, but the senior official, the deputy minister has not, than that leads to interesting dynamics. And I have seen that. Or you have the political will with the minister and the bureaucratic will with the deputy minister, but it would be the analyst who'll refuse to do it, because they don't see the relevance to their file or they don't have time, because hey I got to get this briefing note done in two hours. Do I have time to start researching a gender perspective?”⁴⁶⁹

Time pressure and work overload, completely unrelated to political or personal stands, are also often named as reasons to avoid GBA as yet another duty or task:

“It's seen as something that you have to do on top of your regular work, that it's something that is not a priority.”⁴⁷⁰

467 | CAN6, Interview.

468 | See sub-chapter 3.4.1.2.

469 | Michèle Bougie, Interview.

470 | CAN3, Interview.

“Civil servants have a lot of work, they have to do this, they have to do that, they really move when they are forced to.”⁴⁷¹

Analysts are bound into departmental structures and Weberian bureaucratic logics, which obviously don't prioritise GBA (yet) when enforcement from the top echelons of the department is missing. Although GBA is supposed to be implemented top down, in reality many departments structure the process from bottom up in an often unfavourable, unwelcoming department environment. Gender experts try to motivate senior officials to take on the role of a gender champion and to persuade top management to show more commitment to the application of the GBA tool. In some departments, it “was difficult to find someone to champion the whole notion of gender mainstreaming,”⁴⁷² in others the position remained vacant. Nevertheless, gender experts continued “to knock at senior management doors until they open up and accept it.”⁴⁷³

Some gender experts raised concerns about the success of their own work, which they thought was structurally set-up for failure. Gender units who must act without top-down support and who must try to convince lead department management as well as single analysts of the relevance of GBA are forced into the role of the *gender police*. Even when a sincere commitment to GBA was officially acknowledged in departments, gender experts often ran into another challenge: They not only had to explain the relevance, but also had to negotiate the ultimate goal of gender equality in the department and with respect to particular policy or programme objectives. Gender equality in relation to the analyst's individual work as well as the overall department's mandate was not always understood: “For the most part I found that understanding exactly what gender equality represented in policy terms within the department didn't seem to be easy for people to identify with in their line of work.”⁴⁷⁴

The capacity and habit of gendering general policy issues was not very widespread among Canadian analysts, which resulted in a lack of understanding of its relevance to their own work, as well as for the overall department. The inability to see the gender relevance often occurred under the assumption that general policy and programme making was gender neutral. Not being prepared to challenge this assumption was one of the biggest and most often cited problems with GBA tool implementation. One reason some interviewees gave for policy analysts not acknowledging GBA relevance was the “perception that it is a feminist issue.”⁴⁷⁵ Others hesitated to politicise the reluctance by claiming GBA is simply “not seen as central, they don't do it.”⁴⁷⁶

At bottom, there is a general lack of gender awareness on the part of analysts. Meta-analysis of larger issues, especially, makes it hard for analysts to understand the full gendered implications of their programme and policy making, as one interviewee noted that:

471 | Louise Langevin, Interview.

472 | CAN6, Interview.

473 | Marchel Williamson, Interview.

474 | CAN6, Interview.

475 | CAN3, Interview.

476 | Jennifer Payne, Interview.

“There is a need to kind of establish the linkages between departments, because people are kind of working in silence and kind of establish linkages, you know, when you are talking about poverty it is important to understand that there is a gender component of poverty. When you are talking about education it is important to know that gender should also be taken into consideration and people tend to be very, I guess gender neutral would be the word to use, they don’t, they are just trying to look at the issue at large and not really address specific things related to gender.”⁴⁷⁷

The compartmentalisation of government is yet another factor hindering the wider application of GBA. Exchanges and dialogue on gender relevance should not be limited to departments and their gender experts, but could also be widened to teams and inter-departmentally. Without the infusion of gender expertise in combination with a wide range of policy issue expertise, it is difficult to gain a comprehensive insight into all possible effects and their interactions. Tools like GBA are merely a bridge to compensate for the absence of multi-disciplinary teams with multiple perspectives. Still, gender neutrality remains the default state. According to an interviewee, some analysts are quick to say: “‘Well, this policy is fine, it won’t have an impact,’ and you say, ‘well, show me proof.’ then, they can’t always pull the proof out, you know what I’m saying? So, that would be a challenge.”⁴⁷⁸

Such practices in claiming rather than substantiating the gender neutrality of policies have not yet been widely challenged in Canadian departmental gender equality governance, which results in a continued and insufficient perception of the potential and purpose of a proper GBA process: “There were pockets of resistance, not everybody is open to do GBA, people think it is just checking a box, kind of like employment equity, there is not a very broad understanding of what GBA really means.”⁴⁷⁹

Instead of realising its potential to contribute to more equal gender relations, GBA is also often misunderstood as a tool to view women’s issues only and therefore is easily dismissed and deemed irrelevant:

“So, you do run into people saying, ‘Well, women aren’t an issue here. This isn’t a women’s issue.’ and in some instances, it’s true: it’s an issue for men. That’s my approach—is that that’s a gender issue so let’s talk about it.”⁴⁸⁰

In trying to make a stronger case for GBA, even academics admit that it is difficult to develop a capability to see beyond issues of direct discrimination, to unveil the indirect, more structural reasons for inequality. People without a feminist education or point of view will find it even harder to recognise, because “stereotypes are so subtle, [...] it’s a system of discrimination, you don’t see it, because it is in the structures.”⁴⁸¹ In turn, this leads to a lack of relevant, policy field related case studies, which makes it harder to argue the case for GBA. As a result, after many years of *assumed* implementation, GBA still remains on the level of pilot projects. GBA is drawn into a vicious cycle of

477 | CAN7, Interview.

478 | CAN5, Interview.

479 | CAN7, Interview.

480 | CAN5, Interview.

481 | Louise Langevin, Interview.

expected relevance and outcome delivery, but there is little to be shown in terms of practice and relevance that would encourage further GBA practice.

Attesting for gender relevance through the establishment and reading of data can be a process prone to bias, as the following example shows. Although Statistics Canada is not a policy-developing department and does not conduct GBA itself, it is the data hub for the Canadian government. Through its publications, it draws attention to issues of gender inequality by presenting sex-disaggregated data and interpreting it. But the very decision about which data to collect and what to make of it lends itself to political *a priori* assumptions:

"It's the seniors one we get a lot of people saying well you should say, for example senior women who live alone used to be one of the poorest groups in Canada, those numbers went way way down. And we pointed that out and some people would say, oh you shouldn't make a big deal out of that because still 20 per cent of these people are poor, which is a fairly high number, and the other half of the population goes, oh you should really focus on this. You figure when you get half the people say one thing and the other half say another, you're probably pretty close to being right."⁴⁸²

The interpretation of data depends on the background, knowledge, intent and level of reflexivity of the respective analysts. Insufficient or tainted conceptualising of gender issues may result in the inability to interpret sex-disaggregated data correctly, resulting in wrong conclusions and re-enforcing of stereotypes. In this way, the evidence base itself of an evidence-informed policy and programme analysis tool like GBA might become a means of projecting biases rather than counter-acting them. Therefore, in the process of GBA implementation some gender experts saw it as their task to "make sure when they develop their policy, they are not building new stereotypes within their policies."⁴⁸³

What adds to the complexity is that GBA and its evidence base are in constant flux. Societal relations are never static. Rapid societal change on gender equality issues creates an additional layer of insecurity, requiring new strategies for developing gender-based analyses for different fields and varying issues in policy and programme making. What once was a women's issue yesterday (i.e., inequality in education in Western states), might not be a women's issue today:

"It's a moving target, so we constantly need to be horizons scanning and saying what's coming at us. You can see climate change coming, so what of the gender analysis, what are the gender issues of climate change or if the government says we are moving towards democratic development, what are the gender equality issues in democratic development, how do you integrate that?"⁴⁸⁴

However, dealing with permanent change and new, emerging policy issues is not unique to GBA; it is part of administrative business as usual and actually the core reason for conducting ex-ante policy analysis. In the light of the amount and extent of all these obstacles, it is unsurprising that the number of GBA case studies

482 | Colin Lindsay, Interview.

483 | Marcel Williamson, Interview.

484 | Diana Rivington, Interview.

conducted was limited. As a result, gender units often assumed the role of trying to find out about relevant initiatives in their departments. Gender experts stated that: “Our biggest challenge was getting access to things in order to provide input... it wasn’t necessarily the providing the input...it was just to know what was going on so that we could actually feed gender in [...]”.⁴⁸⁵

The GBA case studies that had been conducted were not necessarily available to department GBA units and gender experts. Interview participants were not in the position to quantify or have qualitative insight into GBA activity in their departments, and their access to case studies varied. As a result, gender units had little oversight of department GBA activities:

“So, I can’t say in numbers. [...] since, you would have to sit down and count up how many policies and programmes have gone through and actually review each one individually and say “yes” or “no”—“it has had GBA” And that’s not what we have the capacity to do.”⁴⁸⁶

“Other areas have done GBAs, but they never shared it with us. We know that they were done, but we don’t know to what extent, how big, how small, they have been doing it.”⁴⁸⁷

Not until the challenge function was written into the TBS guidelines update in 2007 and a step-by-step process for GBA was included in the departmental Management Accountability Frameworks was there a way of knowing how far departments progressed or lagged behind in GBA implementation:

“The goal was to make sure gender is mainstreamed throughout the department and that when policy developers are looking at their initiative they actually take gender into consideration. So, was that goal reached? I don’t know because there was never really monitoring done [...]”.⁴⁸⁸

Secrecy was sometimes given as a reason for not rendering analysis processes transparent and not including them in public reporting and monitoring mechanisms. The secrecy issue was mentioned in the 2009 Auditor General’s report concerning the inaccessible gender-analysis documents of the Department of Finance.⁴⁸⁹

In sum, in my study, I able to attest to a range in the amount of departmental GBA activity from “none”⁴⁹⁰ to pilot projects that never saw the light of day,⁴⁹¹ to one or a few activities that were used in in-house trainings,⁴⁹² to case studies such as those on climate change or the clinical trial regulatory review process at Health Canada,⁴⁹³ to numerous country studies in the Canadian International

485 | CAN4, Interview.

486 | CAN5, Interview.

487 | Monique Lucie Sauriol, Interview.

488 | CAN7, Interview.

489 | Where GBA documents were considered Cabinet confidence and not disclosed to the Auditor General (Office of the Auditor General of Canada 2009b, 9-10).

490 | CAN6, Interview.

491 | CAN7, Interview.

492 | CAN5, Interview.

493 | Sari Tudiver, Interview.

Development Agency.⁴⁹⁴ In general, the answers to questions about the amount and content of case studies indicated that—with the exception of GBA in the Canadian International Development Agency, the Department of Aboriginal Affairs and Northern Development Canada, and Health Canada—in the 13 years since its introduction in Canada’s federal policy and programme making, GBA has either not been applied at all or never rose above the status of pilot study:

“Yes, there was a pilot project here I think, I forget when it was, in 2002, to have it being part of the new employee kit. Unfortunately that pilot project just got put on the backburner, we never heard about it, it got started, but it never finished, it never gave a product. [...] When I left they had developed a case study on care giving that was supposed to be used on future GBA training. [...] It hasn’t be used yet.”⁴⁹⁵

3.4.1.4 Facilitation: “You Have to Keep Knitting”

As we have seen in the previous chapter, Canadian public servants stated a variety of obstacles and challenges that “were very hard to overcome,”⁴⁹⁶ preventing GBA from being institutionalised as a cross-cutting government practice. The many inventive strategies that Canada’s federal public servants found to counter the negative effects of gendered organisations and lack of support for, resistance to and marginalisation of GBA will be the subject of my empirical exploration in this chapter.

Among the concerns expressed by interviewees was the discontinuity or roll-back of GBA support structures, which hindered their ability to encourage and routinize GBA. Thus the “need to rebuild capacity”⁴⁹⁷ topped the list of urgent issues, along with the demand for a “steady commitment.”⁴⁹⁸ The existing gender champion system was seen as useful in securing the support of top management, as in the case of the Department of Aboriginal Affairs and Northern Development Canada, where:

“The assistant deputy minister is the champion for GBA and it happens to be our assistant deputy minister. He is also the senior assistant deputy minister, so he is like the boss of all the other ADMs [assistant deputy ministers, A.S.] kind of thing [...]. We wanted the deputy minister.”⁴⁹⁹

Albeit not succeeding on the very top, AANDC’s senior management has taken up the issue, and its GBA evaluation results speak for the efficiency of that approach. Top management support is seen as crucial to fostering employment of GBA by representing and communicating the direction and intention of the department. This role cannot be left to gender experts, who are low in—in fact often at the very bottom of—the hierarchy: “It’s not for me to say, no I don’t want to see that. [...] Yes

494 | Diana Rivington, Interview. Since the branch offices are independent in working on GBA, it was not possible to quantify the exact amount of GBA case studies at CIDA either.

495 | CAN7, Interview.

496 | CAN7, Interview.

497 | CAN7, Interview.

498 | Diana Rivington, Interview.

499 | Monique Lucie Sauriol, Interview.

senior management. It's done on the decision making level where certain things need to be given more consideration."⁵⁰⁰

One of the main criteria for GBA success was to "mainstream the gender equality specialist and have one in each branch."⁵⁰¹ Despite the rhetoric of mainstreaming, the gender dimension is not firmly (and may never be completely?) entrenched in the bureaucratic culture and its policy advice. Specialised departmental gender experts and units and other gender support structures are therefore needed to not only stimulate, but also to accompany, GBA application with regard to its quality assurance. Those departmental experts with gender expertise are essential for continuing the dialogue with GBA sceptics and colleagues from more distant disciplines, in the attempt to create allies and supporters:

"The economic line, right, the hard line economists. There's always the challenge of explaining the issues of equality are one of the development goals. For many people, they see poverty reduction is really economic growth and that you don't need to put in special measures related to equity etc. etc. So this is a continuing dialogue."⁵⁰²

Creating and maintaining departmental networks for GBA, preferably with key actors in high positions, was the strategy most often used in the pursuit of sustainable structural practice: "It's about having key people and [...] nurture and find them."⁵⁰³ Another strategy was to "link [...] policy issues and keep the GBA aspect on the radar for people higher in the decision making chain."⁵⁰⁴ As one interviewee succinctly put it, "you have to keep knitting [...]."⁵⁰⁵ This finding confirms the central role of network relationships in Claire Annesley and Francesca Gains's study on the substantive representation under the UK Westminster model's core executives.⁵⁰⁶ It also substantiates the power of such indirect modes of governance.

In most cases, Canadian departmental gender experts were left with no other option than to network informally or formally as a soft mode of governance, since hard implementation structures such as GBA action plans or a even a legal GBA duty were absent. With a soft legal commitment, enforcing GBA was not a viable option. Instead, the tool was presented as a useful and enticing means to enhance understanding for policy issues at stake and gaining new insights, rather than just another thing to do.

"We do talk about GBA as an analytic framework that challenges the way you construct an issue and gets you to think about it differently and think about different pathways of either association or causality. And so definitely, we present GBA as a way to refine your understanding, to challenge assumptions."⁵⁰⁷

500 | CAN2, Interview.

501 | CAN7, Interview.

502 | Diana Rivington, Interview.

503 | Sari Tudiver, Interview.

504 | Jennifer Payne, Interview.

505 | Jennifer Payne, Interview.

506 | Annesley/Gains 2010.

507 | Sari Tudiver, Interview.

Seen from this perspective, GBA has the benefit of increasing openness to the tool. It is also seen as adding to the quality of research. Most public servants interviewed agreed on the importance of employing a *good governance* framework and on the usefulness of GBA for better, more target group oriented policy and programme making. Some mentioned the need to stress “the limitations of not using sex and gender analysis”⁵⁰⁸ and the importance of rendering gender aspects as another part of scientific quality assurance and of fostering learning.

The use of the “learning frame” as a counter-strategy was meant to put a halt to the departmental *othering*⁵⁰⁹ of GBA, by integrating it into the quality management of research. *De-politicising* equals *de-othering* gender, which seems to have been an effective way of raising acceptance. It helped prevent departments and individuals from seeing gender as a political or ideological system rather than just another perspective on evidence, or just another departmental and professional duty to fulfil (like publishing all government documents in both official languages French and English):

“Well I’m supporting my boss who is the GBA champion that takes a lot of my time and I do deal often with the SWC on various matters, including the indicators, and I work with [name of SWC’s employee] on GBA. I’ve been made aware and sensitised to gender issues. But to me it’s just like official languages as I also deal with official languages because my boss has some responsibility for official languages. So to me it’s all part of the same equation, I don’t see gender differently than official languages. Like, they are different lenses but the same approach to them.”⁵¹⁰

Despite these framing efforts, not all public servants were eager to adopt gender as just another lens or criteria of excellence. Beside soft framing strategies, more and more hard measures were requested and deemed relevant for GBA sustainability. One way of ensuring GBA stewardship was already employed successfully—democratic control through parliamentary oversight:

“But we’d be under scrutiny of parliament of the standing committees as well for sure, NGOs, stakeholders. Everybody expects that we do [GBA, A.S.], there is no imprisonment term, [...] but if we don’t do it there would be political consequences for sure.”⁵¹¹

An increased involvement of external actors such as movement representatives, stakeholders and other lobby organisations in the practices of public policy analysis, would benefit the update of GBA in government. The political consequence of not conducting GBA might consist in being ordered in front of the parliamentarian the Standing Committee on the Status of Women (FEWO) as a single department or overall governmental strategy. Or a department might be subjected to oversight via audits or reports, as in the case of the 2005 GBA report⁵¹² and the 2009 audit,⁵¹³

508 | Sari Tudiver, Interview.

509 | Othering is explained in chapter 2.3.2.

510 | CAN1, Interview.

511 | CAN3, Interview.

512 | Expert Panel on Accountability Mechanisms for Gender Equality 2005.

513 | Office of the Auditor General of Canada 2009b.

both initiated by the FEWO Committee. The FEWO Committee concluded that in addition to an absence of GBA in departmental practice there was also “no systematic committee process to apply GBA to legislation.”⁵¹⁴ The FEWO Committee rapporteur said in the same background paper that in:

“Gender-sensitive parliaments, the work of legislators must promote gender equality across the country and must serve as an example to society. While the development of legislation and budgets is based on long-standing rules, practices and processes that may include outdated concepts of gender equality (or none at all), legislators must adapt their work to keep pace with changing realities. For many parliaments, including Canada’s, the evolution towards applying principles of gender sensitivity to everyday work has been slow. A great number of legislators, however, have shown through examples internationally and nationally that they are ready for the challenge.”⁵¹⁵

Together, the parliamentary initiatives have resulted in the adoption of the departmental action plan on GBA in 2009, with the Privy Council Office and the Treasury Board Secretariat together with Status of Women Canada taking the challenge to the departmental level.⁵¹⁶ Without pressure from and political oversight of the FEWO Committee, the Canadian government would not have been able to get the central agencies “on board.” Until 2009, appearing as a good, responsible actor in performing government duties such as gender equality, by reporting in front of the committee, was the only incentive in place.

3.4.1.5 Organisational Capacity: No “Rigid Application”

The application of GBA in the Canadian federal governments was fluid. Interviewees said it was not “a rigid application,”⁵¹⁷ not a general “way of thinking,”⁵¹⁸ not “a recipe.”⁵¹⁹ In any case, application was not systemic: As one interviewee stated, “it just kind of depends on the personalities.”⁵²⁰ It was not possible from my empirical sample to quantify the extent of GBA tool application: The interviewed representatives, although often gender focal points in their departments, did not have oversight and were not informed about all departmental GBA activity. However, in combination with the results presented in the Auditor General’s report, it is possible to paint a more complete statistical picture: that is, GBA has managed to influence policy options, but only by a very small margin, and there is no clear picture as to the quality and accuracy of assessment. For the most part, it appears that gender aspects either were not considered or did not affect policy design, as can be seen in the following table¹³. Since I had no access to single policies and their respective GBA analyses, my findings add the general activity in two departments to the Auditor’s report without the possibility for quantification.

514 | Mund-Revard/Parliamentary Information and Research Service 2012, 4.

515 | Mund-Revard/Parliamentary Information and Research Service 2012, 5.

516 | Privy Council Office et al. 2009.

517 | Diana Rivington, Interview.

518 | Monique Lucie Sauriol, Interview.

519 | Louise Langevin, Interview.

520 | CAN4, Interview.

Table 13: GBA in Canadian Policy Making Based on the Interview Results and the Auditor General’s Report (2009)⁵²¹

Departments		GBA activity attested for in study interviews	GBA performed and integrated into policy options develop-ment	Rationale for not performing GBA documen- ted	Gender impacts considered but not documen- ted in policy options	No evidence of considera- tion of GBA	TOTAL	Evaluations on GBA
(all data until 2009)			Number of initiatives					Year
Auditor General GBA Report (2009) & Interviews	Department of Finance Canada		2	6	11	2	21	No
	Department of Justice Canada		0	0	5	5	10	No
	Health Canada	Yes	0	1	3	2	6	2001
	Human Resources and Skills Development Canada		0	0	6	0	6	No
	Aboriginal Affairs and Northern Development Canada	Yes	2	1	4	2	9	2008
	Transport Canada		0	0	0	11	11	No
	Veterans Affairs Canada		0	0	1	4	5	No
Interviews	Canadian International Development Agency	Yes						2008
	Statistics Canada	No						No
	Status of Women Canada	No						2009
		TOTAL	4	8	30	26	68	

In alignment with the Auditor General’s GBA audit findings, my interview results demonstrate that the readiness of departments to apply GBA is closely linked to a strong social policy mandate, such as in Health Canada, Canadian International Development Agency, and Aboriginal Affairs and Northern Development Canada. There was no evidence of gender budgeting activity, and departments that were primarily occupied with foreign affairs, economics, finances, and technical and infrastructure projects largely ignored their GBA duty. Two of these departments, Health Canada and Aboriginal Affairs, were tagged as good practice models in the

521 | Report chart based on “Exhibit 1.4: Gender impacts rarely influenced policy” (Office of the Auditor General of Canada 2009b, 16), and adapted by author as based on own interviews. Additionally CIDA, Statistics Canada, SWC as well as GBA activity added: Health Canada (Sari Tudiver, Interview); Aboriginal Affairs and Northern Development Canada (Indian and Northern Affairs Canada; Audit and Evaluation Sector 2008); Canadian International Development Agency (Canadian International Development Agency; Bytown Consulting; C.A.C International 2008); Status of Women Canada (Office of the Auditor General of Canada 2009b).

preliminary results of the interim report on the implementation of the GBA Action Plan:

“Some departments involved in the 2008 audit have rapidly become self-sufficient in performing and sustaining GBA, due in part to their longstanding involvement in GBA activities. They are ready to serve as models to other organisations.”⁵²²

The range of possible GBA applications is not limited to policies, services and programmes. The instrument could also be applied on a more strategic level to analyse departmental strategies, work programmes and expenditures from a gender equality (or diversity/GBA+) perspective—as is the case in the EU Impact Assessment system. In reality, however, GBA application was restricted to policy and programme making departments, which explains why neither SWC nor Statistics Canada could attest to any departmental GBA activity pertaining to their own departmental initiatives.

Since the Auditor General’s GBA Report and the adoption of the GBA Action Plan, Status of Women Canada has been in collaboration with the Treasury Board and Privy Council Office to exert oversight over and accountability for GBA—a process that started between 2009 and 2010.⁵²³ Status of Women Canada is supporting the two central agencies as well as “the departments and agencies involved in the 2008-2009 audit”⁵²⁴ to integrate GBA (now GBA+) more systematically into their practices.⁵²⁵ The duty of Status of Women Canada is to facilitate knowledge transfer; to refine, develop and rollout training and tools; as well as to technically assist line departments in drafting services, public policy, and programmes.⁵²⁶ In this process, advanced departments such as the Canadian International Development Agency, Aboriginal Affairs and Health Canada are striving to make GBA a standard and routine procedure and to integrate it firmly into their accountability mechanisms. Other departments with no or little GBA activity and capacity are put on a longer cycle of implementation: first a 12-month period to create an institutional framework, then a 6 to 12 month period for applying GBA to a pilot project.⁵²⁷

The requirements for a *good* organisational GBA framework were formulated and refined over the years and resulted in the internal *GBA Organizational Capacity Assessment* conducted by Suzanne Cooper⁵²⁸ for Status of Women Canada. According to this document, departmental implementation of GBA is supposed to set desired outcomes, standards and timeframes and to tie GBA to concrete and measurable results in departmental Gender Equality Policies or Action Plans. The GBA framework should link GBA implementation into departmental policies, operational plans and outputs to New Public Management strategies of results-

522 | SWC 2010b.

523 | SWC 2010b.

524 | SWC 2010b.

525 | SWC 2012h, 5.

526 | SWC 2012h, 5.

527 | SWC 2010b.

528 | SWC; Cooper n.d. See also subchapter 2.5.

based management.⁵²⁹ Implementation should ideally be realised within a certain period of time and consist of six core elements:

1. GBA departmental statement of intent or policy, usually resulting in a detailed gender action plan.
2. Nomination or establishment of a “responsibility centre”⁵³⁰ to monitor the implementation of the GBA framework and GBA implementation practices. This could be the office of the gender champion or an additional gender unit.
3. Availability of Status of Women Canada’s general “gender-based analysis guides, manuals, or other appropriate information”⁵³¹ for fostering GBA application. These should be custom-tailored and fit to the departmental purposes and policy fields.
4. *Mandatory* GBA training, which should be provided regularly or frequently to “all senior departmental officials and analysts”⁵³² as well as other appropriate staff, documenting and enabling the top-down responsibility.
5. Identification and integration of GBA in departmental reporting as well as the management accountability framework.⁵³³
6. Yearly self-evaluation and reporting on departmental GBA practices, along the criteria as established in Status of Women Canada’s Organizational Capacity Assessment in 2007.⁵³⁴

Some departments, like the central agencies, have only recently started to implement such GBA implementation frameworks.⁵³⁵ In 2008 eight federal departments and agencies had some elements of a department-wide gender equality framework in place, of which only two (Canadian International Development Agency and Aboriginal Affairs) had implemented all of the required six components, as seen in the following table 14.⁵³⁶

529 | SWC; Cooper n.d.

530 | Privy Council Office et al. 2009, 6.

531 | Privy Council Office et al. 2009, 6.

532 | Privy Council Office et al. 2009, 6.

533 | Privy Council Office et al. 2009, 7.

534 | SWC 2007.

535 | Office of the Auditor General of Canada 2009b.

536 | According to own research and the Auditor General’s 2009 report (Office of the Auditor General of Canada 2009b, 11).

Table 14: Organisational Implementation of GBA Frameworks⁵³⁷

Department (*1=yes; 0=no)	Departmental policy/commitment in effect*	Roles and responsibilities defined*	Tools and methodologies readily available*	Training recently and regularly offered*	Champion appointed*	GBA practices evaluated*	Components per department (Total No.)
Department of Finance	1	1	1	1	1	0	5
Department of Justice	1	0	1	0	0	0	2
Health Canada	1	1	1	0	0	0	3
Human Resources and Skills Development Canada	1	1	1	1	0	0	4
Indian and Northern Affairs Canada	1	1	1	1	1	1	6
Transport Canada	0	0	0	0	0	0	0
Veterans Affairs Canada	0	0	0	0	0	0	0
Canadian International Development Agency	1	1	1	1	1	1	6

In addition to departmental GBA frameworks, there are now three new pillars of centralised oversight on GBA practices:⁵³⁸ 1) The Privy Council Office watches for the role of gender in the submitted Memoranda to Cabinet, for which it has developed a guide for including GBA in the memoranda process in 2008-2009; 2) The Treasury Board Secretariat exercises checks, which now demand GBA evidence “where relevant”⁵³⁹ and questions departments on the lack thereof; 3) Finance Canada, in a challenging role, asks agencies and departments to take all relevant factors, including gender, into account when drafting and submitting a policy or programme for budget consideration. The effects of this new system of accountability on federal Canadian programme and policy making still remain to be seen. Certainly, GBA (now GBA+) in the Canadian federal government “[...] is not a recipe. It’s an art,”⁵⁴⁰ still waiting to be fully mastered.

537 | Report chart “Exhibit 1.3 Implementation of a GBA framework varied greatly in the departments examined” (Office of the Auditor General of Canada 2009b, 11), adapted by author in adding three not included departments (CIDA, Statistics Canada, SWC).

538 | SWC 2012h, 6.

539 | SWC 2012h, 6.

540 | Diana Rivington, Interview.

3.4.2 Responsibilities: “Here Is Our Policy, Have Fun”

Thorough GBA implementation in Canadian federal departments would require more than frameworks in the form of policies and action plans: It would require commitment, proactive support, and accountability. It is not a case of “Here is our policy, have fun.” The halt or delay in expansion of GBA is not surprising, since Canada itself lacked an active countrywide gender equality or gender action plan. Following the Agenda for Gender Equality⁵⁴¹ (the successor to the Federal Plan for Gender Equality), which expired in 2005 and has not been renewed, the federal government discarded a formal national commitment beyond the Charter of Rights and Freedoms and fell behind in its international obligations, such as those outlined in the UN Convention on Elimination of All Forms of Discrimination Against Women⁵⁴² and the Beijing Platform for Action.⁵⁴³ The 2008 federal budget was meant to remedy the absence of a national gender plan⁵⁴⁴ by allocating money and rectifying the rollback of previous advancements. However, according to Canada’s first GBA audit, this had not yet been realised.

The importance of having a gender action plan with clear objectives, as well as accountability mechanisms for binding and regulating organisational practices, has been emphasised widely in international gender mainstreaming literature.⁵⁴⁵ Such plans set the *traffic rules* for aligning a gender mainstreaming strategy and its tools such as GBA with the “vertically structured policy context.”⁵⁴⁶ In the case of Canada, such governmental policy frameworks come in two basic forms: 1) statements of intent and 2) legislative frameworks (the latter has been chosen as a model by Citizenship and Immigration Canada only).

A national equality strategy or gender action plan has a guiding function for departments. It allows departments to regulate and mandate all governmental branches and actors to follow the national lead in equality commitment: “All federal departments [...] made commitments to implement the 1995-2000 Federal Plan for Gender Equality.”⁵⁴⁷ Transferred to the departmental level, the national framework therefore has a trickle-down and harmonising effect, setting the rules for departmental equality frameworks such as roadmaps, action plans, and equality policies, thus guaranteeing the coherence and compliance with national constitutional and contractual obligations, including the application of GBA. National gender action plans can also mandate and trigger the creation of departmental action plans, increasing the likelihood of systematic integration of gender equality objectives in all policy fields and all levels of government, from the top down to the local branches: “They have it built into their country programme development framework that every project they do, whether it is in private sector development or health, must also contribute to gender equality.”⁵⁴⁸

541 | SWC 2000c.

542 | UN 1979.

543 | UN 1995.

544 | Government of Canada 2008.

545 | Baer 2005a; Benschop/Verloo 2006; Steinhilber 2008; Grace 2011.

546 | Meier/Celis 2011, 470.

547 | CAN6, Interview.

548 | Diana Rivington, Interview.

The mere existence of departmental equality policies, however, does not guarantee a smooth implementation of GBA; their implementation has to be proactively supported: “We don’t just want to say: here is our policy, have fun. We want to go beyond that now.”⁵⁴⁹ But if these policies, frameworks or action plans are insufficiently designed, if they are vague in objectives, timelines, roles and responsibilities, and if they do not prescribe accountability mechanisms,⁵⁵⁰ the gender support structures are weakened. The general absence of departmental gender action plans or policies is usually an indicator of low levels of GBA commitment and activity. Lacking is the requirement that “it needs to be a sustained effort [...]”⁵⁵¹

In Canada, departments could be grouped into three categories: a) Departments with current and updated gender equality policies, such as the Canadian International Development Agency, Aboriginal Affairs, Health Canada, and Citizenship and Immigration; b) departments with early, outdated gender equality policies that are not necessarily revoked, but not implemented either, and c) departments with expired or no gender equality policies. Some departments were even oblivious to the fact that they once had a gender policy.

The decline in departmental commitment had not been tackled in a systematic way at the time my field research was concluded. The organisational GBA framework names gender equality policies as one of six necessary components for anchoring GBA in organisational structures and mechanisms. However, there is no external government body or other entity insisting on accountability—monitoring the existence of, quality of, content of, and adherence to departmental equality plans.

When gender equality policies do exist, describing goals and objectives and providing clearly defined core definitions, roles and responsibilities, and timelines, follow-up and accountability features are often missing—preventing systematic implementation and equality outcomes. For this reason, departments in an advanced state of GBA implementation are in the learning process of designing their equality action plans more exhaustively. If any crucial elements, such as foreseeing accountability and monitoring mechanisms, are missing, the goals and efficiency of the plan are endangered. Take the case of Health Canada, its:

“Women’s Health Strategy has 64 commitments and various objectives, but there were no clear accountability mechanisms. [...] As a follow-up Health Canada issued its GBA policy document in 2000. This provided more clarification [...] in our understanding of GBA and guidance in how it can be used as a framework and a policy tool. And provided some general suggestions for mechanisms.”⁵⁵²

Canadian departmental equality plans also show that it is not sufficient to have a general equality mandate built into the department and government-wide

549 | Monique Lucie Sauriol, Interview.

550 | These elements are commonly defined as quality standard practices to enable results-based administrative action and align with quality criteria for gender action plans (Baer 2005a). For a collection of good action plans in the field of research, see (European Commission, Directorate-General Research, Directorate C—Science and society Women and science 2005).

551 | Margrit Eichler, Interview.

552 | Sari Tudiver, Interview.

administrative operations; nor is it enough to define equality as a vague goal without underpinning it with baseline data and measurable goals and indicators. Careful composition and the highest degree of precision in formulating such action plans are required. Although there are still no fixed sets of criteria for *good* equality governance through action plans, some crucial elements have crystallised.⁵⁵³ But there is also discord about whether goals and objectives should be focused and achievable or comprehensive and aspiring to a utopian future as envisioned by the rather vague term gender equality. In this discord there is agreement, however, that establishing hard, tangible goals with specific equality outcomes, timelines and responsibilities is a prerequisite for successful, steered, outcome-oriented implementation: “If we don’t at least take steps in that direction by setting some goals and start taking gender into consideration in our day-to-day policy work, then we will never get closer to whatever equality looks like [...]”⁵⁵⁴

Overarching plans are perceived as helpful instruments by analysts who want to integrate gender into their daily work, using it to guide and support their equality efforts, and to justify their use of resources in front of senior management. Not having such direction, goals, or indicators deprives employees of grounds for action and argumentation, and therefore endangers the success of framework implementation. As one employee put it, “I personally think we didn’t have a clear enough strategic direction integrated into [name of the department] priorities.”⁵⁵⁵

After all, GBA is not simply descriptive with regard to gender equality, but also a means to a particular end—gender equality in relation to the respective policy fields. It is important to remember that gender equality action plans are not gender mainstreaming results *per se*, although departments often present and perceive them as such. Rather they are strategic instruments to stimulate and regulate the integration and streamlining of all department action and policies, internally and externally, as pre-defined and in accordance with national equality objectives.

3.4.3 Training: “We Are Going to Decrease Your Comfort Level”

In the interview sample, all the participants acknowledged the importance of receiving training on gender in general and GBA in particular stating that “education is necessary but not sufficient.”⁵⁵⁶ Learning about gendered realities in society is still an uncomfortable process for many, and delivery of training was reported as being uneven. Enabling departments in GBA has always been done with a set of practices, one of which is gender training. Interviewees reported that most departments get gender trainings for their employees at some point in time, and for some even online self-training tools were made available. However, frequent, regular and systematic gender training was not provided in most cases:

553 | For first indications for establishing quality criteria for gender action plans, see the following survey results on the implementation and efficacy of gender action plans (Schneider et al. 2005). The study analysed 27 EU gender action plans and interviewed 16 gender experts responsible for the implementation of gender action plans. It is limited to the policy field of research and development however.

554 | CAN6, Interview.

555 | CAN6, Interview.

556 | Diana Rivington, Interview.

"It's not necessarily systematic throughout departments, like some departments might have three or four branches taking the training, but none of the other branches in the department have ever even heard of GBA. So it's not systematically applied, even from a training perspective yet."⁵⁵⁷

The importance of covering an entire department, enabling all relevant actors to apply GBA, were raised by most interviewees, but efforts to include all branches in the training programmes were rarely successful: "One of the things that was noticed when we organised that trainings was, that people come, but not every part of the department comes."⁵⁵⁸ Not even the Canadian International Development Agency managed to reach all employees with gender training: At the time of the interviews, gender was one component in a streamlined general training for newly recruited employees, but CIDA had no extra resources for special gender trainings, or for general staff or employees who were not hired via the recruitment programme:

"Inside the new development officer programme, there is training. It's part of that. If you come in through this particular recruitment programme, you get the training. But if you don't, if you come to CIDA through some other mechanism, we don't have a training course to offer you, currently. It's on my list of things to do. But we used to have one, where we would offer a course twice a year in English and once a year in French. And we took 20 people at a time, because at CIDA there is a constant turnover in terms of recruitment, and if there were any spaces left over, if we had 16 people registered, than we would invite people from UNFPA [United Nations Population Fund, A.S.] or the NGO community and fill up the course and do it like that. But that's something we have to go back to and do it again."⁵⁵⁹

Other departments chose a similar route of mainstreaming GBA in general trainings to department newcomers. Despite mainstreaming efforts of gender in training, the Canadian International Development Agency is still unable to satisfy the training needs of all employees. The general module on gender in the overall introductory training to new recruits could also run risk of not satisfying specialists' needs, not leaving enough room for particular policy fields, and not being able to pick up on questions arising from practice. Another negative effect of the move to less focused gender training is the loss of specialised training expertise.

Apart from mainstreaming gender into general training courses, the formats of gender trainings varied from simple presentations to "three hour training overviews,"⁵⁶⁰ to online trainings, to full day or two-day training courses. Trainings were designed entirely in-house, partially in-house with the help or assistance from Status of Women Canada or other external consultants or academics, or entirely out-house by Status of Women Canada or external consultants. Delivery of trainings was either done by in-house gender experts or by hired external consultants, academics or in many cases representatives and gender experts from Status of Women Canada. Trainings might target senior management or general

557 | Michèle Bougie, Interview.

558 | CAN7, Interview.

559 | Diana Rivington, Interview.

560 | Michèle Bougie, Interview.

analysts and middle management, although most departments rolled out only one training format for all.

Participation in GBA trainings was voluntary, with the exception of two instances where gender was mainstreamed in obligatory courses. Recruitment for training was proactive, although some gender units offering trainings have obviously found ways of “persuasion”:

“It’s not obligatory. No one is obliged to take the training that I know of. But there is great suasion.”⁵⁶¹

“Our approach this time is that we’re targeting areas that we would like to see a strong GBA and a more specifically inviting one. [...] we’re sending out invitations, but we’re also opening it up to general interest. So anyone who’s interested in GBA is welcome to come to the training. And in addition to that, we’re inviting specific individuals that we think would be useful in terms of priorities for GBA within the department.”⁵⁶²

While key figures in the department were particularly encouraged to participate, the reasons given for actually attending were numerous, mostly based on personal interest, sometimes because it was required for the job: “They are either analysts and they have to do a GBA or they are curious about the issue or they heard about it.”⁵⁶³ On some occasions, already scheduled GBA courses needed to be cancelled due to low numbers of registrations. In general, non-mandatory training signalled a low level of departmental priority or interest in this kind of skill development. It is believed that by making specialised gender training on GBA mandatory, tool pick-up is enhanced: “We also created a training course, which we tried to get on the books as a mandated course for everyone, which hasn’t been successful yet.”⁵⁶⁴ At the time the interviews were conducted, Status of Women Canada envisioned making GBA training a mandatory part of the general policy analysts’ education in the Canada School of Public Service.⁵⁶⁵

With regard to frequency of trainings, two departments reported not having any gender trainings available, but most had offered some in the past and continued to do so. The average frequency was twice per year, but one department (Citizenship and Immigration) offered four to six gender trainings per year.⁵⁶⁶ Although there are continuous efforts to make and keep gender training available, some departments, such as the Canadian International Development Agency, abolished the training. Formerly, Status of Women Canada even offered a “train-the-trainer” programme, but the course was held only three times due to a lack of requests and a lack of demand for the already trained gender trainers. In general, the frequency of training was criticised as being one of the structural weak points in Canadian federal GBA implementation, especially in the light of staff turnover:

561 | CAN5, Interview.

562 | CAN5, Interview.

563 | CAN3, Interview.

564 | CAN4, Interview.

565 | Michèle Bougie, Interview.

566 | Michèle Bougie, Interview.

“What needs to be improved is the frequency of training as staff come and go, a lot of the expertise is lost. It is important for the department to hold these workshops on a regular basis (at least twice per year) to ensure that all policy and programme staff can access the basic tools needed to conduct GBA... Refresher courses are also good for employees who don't necessarily conduct GBA, but want to understand how to insert gender considerations into their departmental work.”⁵⁶⁷

Such declining interest in training and the lack of training continuity were seen by some as threatening the very substance of gender expertise; for them, earlier training efforts were seen as more thorough and having created a knowledgeable public workforce. Now they see their departments as being unable to sustain the effort and in danger of losing the expertise. The general need for gender training is, however, contested by some. One interviewee denied any need for training. When asked whether GBA training would be useful for policy analysts, the participant replied:

“No, probably not. I'm not quite sure what you would train them in. As I say, the majority of our staff is already female, so... I'm not quite sure, and certainly not on the social side. [...] on the social side, the common sense is that there is a great sensitivity here already to issues of gender. And it would be difficult to see where it would benefit a great deal. Now the economic side is a little bit more old school, it is more male based, but at the same time, that side deals much more with global issues. I don't know, my temptation would be to say no, it probably wouldn't be particularly helpful, but that's just my personal opinion.”⁵⁶⁸

The statement that “global issues” are irrelevant for a gender analysis and that the sex of the analyst is relevant to his or her understanding of gender-related issues, is in itself an indication of a lack of gender competency. But the doubts raised here with regard to the content and relevance of trainings do not represent the majority of opinions in the interview sample—other interviewees saw the gender trainings they had as very useful. However, as long as GBA is not a mandated and cross-cutting practice, the demand for training will remain limited, since public servants only spend time and resources on acquiring skills that they can and will actually put to use.

Overall satisfaction with training is contingent on the careful presentation of the content, which ideally is custom-tailored to the particular department's policy making and programming, including case studies stemming from relevant real-life, in-house cases. The tool focus on when and how to use GBA prevailed in all training sessions. Although handled differently in each department, the content of trainings widely invokes the good governance and better policy and programme framing. While politicising gender is carefully avoided in trainings, the power question cannot be entirely concealed; it gets mixed in with questions about seemingly stable gender categories and influences identity construction—often provoking resistance:

“We deliberately stay away from the feminist discourse of oppression and patriarchy and victimisation and misogyny and we deliberately don't use that terminology. But basically it really does come down to power and control, right. It always does and although we

567 | CAN6, Interview.

568 | Colin Lindsay, Interview.

never speak those words either, people know when their power base is getting shaken and people know when their control over things is getting un-grabbed, right. So whether they are consciously aware of it or not, there is reaction, because they feel that, [...] any kind of resistance to the idea of removing you from your complacent view of seeing the world and that includes destroying your stereotypes, because your stereotypes give you comfort. And if we're messing around with your stereotypes we are going to decrease your comfort level, there is going to be a backlash."⁵⁶⁹

As mentioned earlier, earning about gendered realities in society is still an uncomfortable process for many. In order to defuse resistance against gender issues and training, GBA is now being teamed with other training issues: "It's in-house, the training that we'll be going to give this week includes GBA, sustainable development and official languages, the three lenses combined together."⁵⁷⁰

Diversity concerning a variety of women and men, boys and girls, in different situations with different backgrounds, is always raised in the context the GBA tool. As a consequence, intersectional diversity aspects are included in the trainings, ranging from additive to integrationist ways:

"I have actually added something in the training."⁵⁷¹

"Well it's interesting you ask that, it's not just interesting, it's important and I think our understanding has evolved, [...] for example, considerations of diversity are integrated into recent presentations on cardio-vascular diseases and gender."⁵⁷²

Not all departments have the capacity, experience or resources to develop training content for their in-house trainings, which again places Status of Women Canada in a central role advising and collaborating with departments on training formats and content: "We worked with SWC to develop the curriculum and the training session [...]"⁵⁷³ Enjoying a high reputation and garnering appreciation for their tools that accompanies their new duty as a monitoring body, SWC still needs to adapt to new demands on trainings. Previously focussing on the handling of the tools, training formats must now be diversified and incorporate competencies for exercising GBA challenge and stewardship functions:

"There was pilot conducted in 2006/2007, but it was a full day training session and it was more aimed at what is GBA and from a perspective of guiding departments that do have programmes and policies, but it didn't necessarily represent the needs of our analysts in the sense that: they don't develop programmes, they don't develop services or policies. They are in the role of oversight. [...] we want to improve it as needed so it makes it very easy for TB analysts to pick up on a few clues regarding gender impacts and what are the consequences, and better understand it."⁵⁷⁴

569 | Michèle Bougie, Interview.

570 | CAN1, Interview.

571 | CAN3, Interview.

572 | Sari Tudiver, Interview.

573 | CAN1, Interview.

574 | CAN1, Interview.

Status of Women Canada has acknowledged the need for sustained training to be provided regularly on an annual basis to new and current analysts of the central agencies from 2009 onwards.⁵⁷⁵ In addition, the organization is supposed to partner with the central agencies in exercising the challenging role and supporting them in their day to day work, which can be interpreted as a coaching process and extension of training efforts. What Margrit Eichler once envisioned as an ideal state, is about to become a reality in Canada, at least for the central agencies: “You don’t dump something on somebody, you really work together with them, before, during and after. That would be my version of how to do it, in real life it doesn’t always work that way.”⁵⁷⁶

Since 2012 there is also a self-learn online training for all government employees and every interested person on the new tool GBA+.⁵⁷⁷ It strives to be accessible to anyone without much prior gender competency. It remains to be seen how effective online self-learn training courses are, and how extensive the training efforts of departments and Status of Women Canada, as one core element of the six GBA organisational implementation structures, will become. The effect of gender training on the quality and outcome of analysis is yet another unexplored area of research. In my research, I observed a general trend to online training in Canada, while an overall departmental commitment to actively engaging with gender analysis in-depth and in practical terms was not visible.

3.4.4 Resources: “We Don’t Have a Budget”

Although my sample did not allow for precise quantification of invested resources, interviewed officials were clear: GBA in Canada is under-budgeted and under-resourced, and budgeting varies widely from department to department. The Canadian International Development Agency has consistently earmarked “between four and five per cent”⁵⁷⁸ of its programme budget for gender equality programming, but believes this figure to be underreported. Other departments had “no idea” what their budget was.⁵⁷⁹

Where gender units and therefore budgets existed, funding was not necessarily fixed with secure financing for GBA activities. On the contrary: “There is always that roll-over, mostly because we don’t have a budget [...]”⁵⁸⁰ Departments without gender units or focal points invested “basically zero,”⁵⁸¹ and gender projects “never had a budget.”⁵⁸² Even well established gender units called their budget for gender equality comparatively “very tiny,”⁵⁸³ and many believed that: “For such a big department I think they should be doing more.”⁵⁸⁴

575 | Privy Council Office et al. 2009, 3-5.

576 | Margrit Eichler, Interview.

577 | SWC 2012d.

578 | Diana Rivington, Interview.

579 | CAN5, Interview.

580 | Monique Lucie Sauriol, Interview.

581 | Colin Lindsay, Interview.

582 | Colin Lindsay, Interview.

583 | Jennifer Payne, Interview.

584 | CAN7, Interview.

In general, interviewees were unable to identify the exact budget spent on GBA analysis, giving answers such as, we “don’t have a lot resources.”⁵⁸⁵ Departments were typically unable to specify budgets particularly for their GBA activity, since it was mainstreamed:

“It’s a really good question. Because the analyses are part of the regular activities the budget is not separated from the other activities. So I couldn’t tell you how much is spent per year on this.”⁵⁸⁶

“We want to entrench it in all our activities. So once something is entrenched in your day to day activities, well, it’s hard to pinpoint exactly how much. It’s part of the big picture. We do dedicate resources for training, ok.”⁵⁸⁷

Other reasons given for the inability to identify the financial support for GBA were an “inaccurate database on the various projects that we’ve funded,”⁵⁸⁸ or—most notably—the reorganisation of departments: “Another thing to remember is that we’ve reorganized in the department so this would be our first fiscal year in our new responsibility center.”⁵⁸⁹

When asked for whether they believed the budget or resources to be sufficient, however, a majority said no: “I don’t think it’s sufficient.”⁵⁹⁰ One participant even answered: “No. Is that a trick question?”⁵⁹¹ They recognised the importance of reliable funding: “What you need is money behind it [...],”⁵⁹² and many wished for a situation where they could say “Okay, let’s go do it! Awesome! Money? Wow!”⁵⁹³ In the absence of secure budgets for GBA, however, gender units have been very resourceful in their promotional activities. They have indeed learned to cope with very little or in fact nothing at all: “There have been things like the network events and lunches and that, but those are small. You know, like I mean, how much does it cost to hold—to get everybody to bring their lunch with them to a room. You know what I mean?”⁵⁹⁴

Although officially they would never state it as such, they have silently and defiantly accepted that GBA is not ranked highly among their department’s priorities, which is reflected in the continuous lack of funding: “If you could do anything and everything under the moon, you would throw all your resources at it, but at every level there are priorities. This is not to say GBA is not a priority...”⁵⁹⁵

With regard to staffing, it appears that very few people are working on gender issues in general. This includes those who are giving policy advice and assisting

585 | CAN5, Interview.

586 | CAN3, Interview.

587 | CAN1, Interview.

588 | CAN4, Interview.

589 | CAN5, Interview.

590 | CAN7, Interview.

591 | CAN4, Interview.

592 | Margrit Eichler, Interview.

593 | CAN4, Interview.

594 | CAN5, Interview.

595 | CAN5, Interview.

with GBA. A precise quantification of (wo)manpower in GBA was also difficult to obtain, because GBA is considered to be mainstreamed into overall policy analysis. In the interviews, five departments reported that “the infrastructure over time has eroded.”⁵⁹⁶ “As I mentioned previously, the [name of the gender unit, A.S.] no longer exists.”⁵⁹⁷

Gender mainstreaming efforts rely on continuity and a long-term perspective. Discontinued funding and a lack of gender experts endanger the sustainability of GBA in major ways. For example by the time employees finally started to be aware of the existence of their departmental GBA support unit, it got dissolved: “Now they know we exist—or existed.”⁵⁹⁸ Institutional roll-back was a wide-spread experience in Canadian federal departments following the introduction of NPM reforms:

“In the early to mid-nineties, I had five [...] colleagues [...] who left the department (1996-1998) and from 1999 to early 2003, I was the [...] manager with one junior staff until 2005 and I continued to work on my own as the official gender focal point.”⁵⁹⁹

Status of Women Canada is an example of how the restructuring of departments, often justified by the demands of New Public Management, affected capacity for good policy advice and planning. As a small federal agency, Status of Women Canada used to have 70 public servants of which 10 to 12 members of staff were working for the GBA Policy Branch before it got dissolved. After the introduction of the GBA duty in the new Treasury Board submission guidelines, this reduction backfired: “They just inundated us with requests and we didn’t have the resources to sustain it [...].”⁶⁰⁰

Where central gender equality machinery has been de-capacitated, departmental policy capacity has been unable to compensate, due to the downsizing, restructuring or dissolving of gender units, which hindered its effectiveness⁶⁰¹:

“It’s not sustainable. And it’s not systematic. And I can no longer undertake that role now that I’ve got this other role to play here.”⁶⁰²

“It’s not like you do one connection and then leave it and they’ll take it from there. Somebody has to be there keeping doing it [...].”⁶⁰³

596 | Jennifer Payne, Interview.

597 | CAN6, Interview.

598 | CAN4, Interview.

599 | CAN6, Interview.

600 | CAN4, Interview.

601 | This development is to be seen in the larger context and parallel development of reducing in-house analytic policy capacity, as attested for by current policy analysis literature (Drummond 2011). Such positions complain about the “dismal” state of Canadian federal capacity for policy analysis due to the downsizing of departments in the 1990s NPM reforms.

602 | CAN4, Interview.

603 | Jennifer Payne, Interview.

Canadian policy analysis experts have noted that ex-ante analysis is under-resourced in general in Canadian policy making⁶⁰⁴ and that Ottawa's "funding role should be placed on a firmer basis."⁶⁰⁵ Unsurprisingly, almost all the interviewed policy officers felt that, in an environment of scarcity, an increase in resources was "not an option, at this point in time [...]."⁶⁰⁶ A few departments, such as the Canadian International Development Agency, have successfully managed to establish and stabilise their GBA and gender capacities. Although the agency is satisfied with the level of institutional support ("we also have more people working on gender equality than on health or education"⁶⁰⁷), they find it hard to hold on to their gender expertise, in particular pertaining to GBA, dealing with the disadvantages of staff turnover: "Oh, but we are having a lot of staff turnover, so we need to do more staffing. That's a constant thing. And I would certainly like to see a few a few more staff working on this issue [GBA, A.S.]."⁶⁰⁸

Especially the first generation of civil servants, who became femocrats and "are trained to do that [GBA, A.S.], we are losing them right now."⁶⁰⁹ Although one interviewee hints that there are always external specialists, like "academics, people in universities who can do this research also,"⁶¹⁰ internal GBA capacity remains crucial for not only assisting in and conducting, but also contracting and evaluating this research. Interviewees emphasised that adequate personnel and time are key to facilitating good policy advice via policy analysis. To draw a comparison with the situation in the field of environment and sustainable development, GBA is not exempt from the fact that "Impact Assessment will not deliver its objectives unless there is proper capacity to conduct it."⁶¹¹

3.4.5 Knowledge: "Putting a Face on That Population Base"

GBA demands both quantitative and qualitative data. Interviewees acknowledged that gathering such data could be a slow and complicated process, but that it was not an excuse for inaction. Data availability might enhance or hinder GBA implementation. Data collection starts with being clear about the need for sex-disaggregated and gender-specific data, although the difference between these types of data is not always clear:

604 | Dobuzinskis et al. 2007b; Drummond 2011; Sharpe 2011.

605 | Brooks 2005, 29; Commission on the Future of Health Care in Canada; Romanow/Romanow 2002, 128-129.

606 | CAN3, Interview.

607 | Diana Rivington, Interview.

608 | Diana Rivington, Interview.

609 | Louise Langevin, Interview.

610 | Louise Langevin, Interview.

611 | Network of European Environment and Sustainable Development Advisory Councils 2006, 5. Or to express it in the words of the Canadian former top ranking civil servant Don Drummond addressing the lack of visible analytic capacity in the public service for the field of climate change: "I think that is scandalous and I don't know how it can be viewed in any way as acceptable. I don't know how a government can stay this silent on the policy analysis front. I don't understand why the media and public have not criticised the policy vacuum more aggressively. Perhaps the analysis exists internally. We can't know this if we can't see it. [...] And that void leads to policy mistakes." (Drummond 2011, 343).

"I'd say we are at a stage of trying to understand the interaction between sex as the biological, the metabolic, the genetic processes, and gender as the social processes. How do we understand the interplay between those constructs? It's almost like we circled back a bit to say, yes women can't be reduced to their biology but we need to understand the biology much better than we ever did [...] of drug metabolism for example or how tobacco is metabolised for us to really understand the implications of smoking in young men, versus young women. So we need to figure out what processes we are talking about, when we are talking about sex and gender differences."⁶¹²

Some interviewees were content when data was broken down by sex and when GBA was conducted at all. In general, problems with obtaining sex-disaggregated or gender-specific, data (or not having enough of it) were not mentioned in the Canadian interview sample, apart from cases where access to data was limited due to possible infringement of private ownership and intellectual property rights. Indeed, collecting *sex-disaggregated* data seems to have become standard practice, especially for highly aggregated surveys: "Even before GBA became even an issue, all social data was collected with a gender breakdown. There is no data on individuals collected without a gender breakdown."⁶¹³

Surveys and publications of Statistics Canada, especially the census questionnaire, play a central role in development and enlargement of the quantitative sex-disaggregated data pool. It is the first stop for Canadian analysts, and Statistics Canada has a successful history of collaborating with Status of Women Canada and other departments in enhancing and custom-tailoring their sex-disaggregated data bases:

"The good fortune was working with Statistics Canada to modify the Census questionnaire to include gender-specific questions which would allow us to start building a statistical profile of women's work on [policy issue, A.S.] in Canada. I'm happy to say that since 1991, the [policy issue, A.S.] Population Census includes gender-specific questions, which to this day, is quite an achievement for a little Bureau and its ability to influence change."⁶¹⁴

Consequently, the work of Statistics Canada was widely appreciated by the interviewees, especially for its longitudinal data, special issue publications, and the compendium *Women in Canada*⁶¹⁵.

Along with such quantitative sources, analysts are able to consult departmental data generated in projects and research units in-house, but here problems with accessibility and harmonisation of data occur: "I mean we have a huge research branch, and each programme has its own data."⁶¹⁶ Although the Canadian departmental research and evaluation branches produce "sex disaggregated data yearly,"⁶¹⁷ it was noted that there is still some degree of irregularity, since they:

612 | Sari Tudiver, Interview.

613 | Colin Lindsay, Interview.

614 | CAN6, Interview.

615 | Such as, but not limited to (Drolet 2011; Statistics Canada/Turcotte 2011; Statistics Canada/Ferrao 2010; Statistics Canada et al. 2010; Statistics Canada 2007; Statistics Canada/Target Groups Project 2006; Statistics Canada/Almey 2007).

616 | CAN5, Interview.

617 | CAN3, Interview.

“Have found it challenging to demonstrate results because data collection is not consistently gender disaggregated [...] across the department. So, on some things, you may be able to collect that information. On some things, you can’t, because it was never asked for.”⁶¹⁸

In addition, international sources, such as the UN, Organisation for Economic Co-operation and Development, World Health Organisation, and World Bank provide data on Canada and data that can be used by analysts in comparative ways. Useful data is also produced in the applied research arms of national and international NGOs, in think tanks⁶¹⁹ and in independent scholarly studies.⁶²⁰ Analysts know about the option, even duty, to start gender specific data appraisals, if there should be a data gap for the policy issue at stake. The amount and nature of data used in GBA however, is very much at the discretion of the individual or team conducting the analysis.

The related indicators also depend on the project, programme or policy goal. Although Canada works along international lines and is influenced by international gender indicators and indexes, there remains considerable individual leeway in deciding which indicator shall be gendered. Analysts sometimes find it difficult to navigate between international and national indicators or no pre-existing indicators at all. They are confronted with an ever-changing situation for men and women in society and therefore the need to work research that is up to date, target by group and policy specific. This means they must take into account recent developments in their field and issues unique to Canada⁶²¹:

“It’s good to be aware of trends, [...] on various issues, including GBA. In Canada I do understand that there are various measures of gender or GBA, gender equality indicators, but that they are not necessarily homogeneous with international standards.”⁶²²

Some gender units—rather than leave it to the individual analysis to decide which gender-specific indicators to adopt—prepare relevant indicator sets for their policy fields to aid decision making for their analysts on issues that include gender impacts. In trying to establish such indicator lists, they themselves find it hard to determine the indicators:

“We’re still trying to figure this one out like we’ve given them the type of... a list of sample indicators. I don’t think my—my problem was when we were talking about this is that each one [...] has gender implications but they’re not written as such.”⁶²³

According to many of the interviewed experts, almost all indicators finally arrive at some sort of gender impact, if not directly than indirectly, and as soon as there are people involved. It is difficult for gender units to codify indicators. Gender units

618 | CAN5, Interview.

619 | CAN2, Interview.

620 | Louise Langevin, Interview.

621 | Like remote, rural or urban areas and indigenous issues: “Even in Canada, you can talk too about isolated regions, not just rural. The Canadian North has a whole... a whole set of issues that’s separate from the south of Canada, right.” (CAN5, Interview).

622 | CAN1, Interview.

623 | CAN4, Interview.

also do not have access to research on gender impacts in the various policy issues in order to justify their indicator choice. Policy analysts in the Status of Women Canada tend to recommend gendering all normally chosen *neutral* indicators.⁶²⁴ But again, data that would substantiate a particular gender impact may not be accessible, which often turns analysts away from conducting a proper GBA.

In data collection, the approach used by Status of Women Canada is to encourage analysts to gather issue-specific data in a broad sense, but there is “no one formula or method.”⁶²⁵ Some interviewees said they remind analysts of the value of qualitative data, where quantitative data is not readily available or does not make sense for a very specific policy problem or target group. Qualitative data is usually seen as inferior to quantitative data in mainstream positivist policy analysis. It is valued, however, by Status of Women Canada because it is easier and cheaper to collect, and it allows for participatory procedures and consultations that are seen as indispensable in the realm of GBA. Anecdotal evidence produced in consultations has been included in policy advice from the beginning of policy analysis. It inhabits a central role in data collection for GBA:

“We sometimes do qualitative small studies and they are very helpful where you have ten people and they can be excellent studies [...].”⁶²⁶

“Anecdotal evidence as well, there is a lot of anecdotal evidence through consultations. Research is sometimes tricky in terms of quantitative research, because sometimes you’re sampling size is so small that you are not sure of the statistical significance of your findings. So sometimes you have to complement the quantitative with qualitative, like the anecdotal and take it from there.”⁶²⁷

GBA specifically demands that analysts go beyond statistical figures.⁶²⁸ Consultations and qualitative sampling methods are recommended as pivotal instruments in order to get a complete a picture as possible of all the issues at stake and to allow for access to the policy problem by:

“Putting a face on that population base or acquiring a general understanding of their perspective and concerns on policy issues, how can we expect to conduct effective GBA or any other policy analysis and produce the kind of outcomes that are needed?”⁶²⁹

In this sense, qualitative data can even be superior to figures. In any case, it should be at least perceived as an equally valid and necessary means of data collection. Qualitative data is essential for building an authoritative evidence base for decision making—used to inform mixed-method research and to qualify and contextualise quantitative data.

How to account for intersectionality in data collection is a particularly complex exercise. While multi-variable analyses are standard practice, especially

624 | Michèle Bougie, Interview.

625 | SWC 2012i, 5.

626 | Margrit Eichler, Interview.

627 | Michèle Bougie, Interview.

628 | SWC 2012i.

629 | CAN6, Interview.

in quantitative research, intersectionality from a gender perspective raises new questions with regard to data collection and processing. Calling for more diversity in data sometimes serves as a strategy of resistance to GBA and a pretext for not including gender-specific indicators:

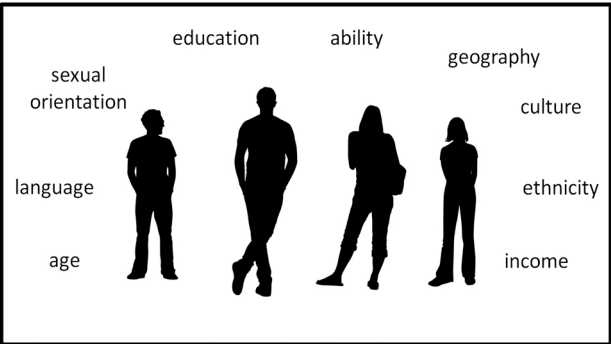
“I was in the meeting this morning and it was raised. You know. They were talking about indicators. And they said you can’t just limit this to a question of women. You have to consider all of these vulnerable groups that make—you know, men and women belong to these groups too.”⁶³⁰

Although the attitude expressed here seems to be more concerned with disabling gender issues than with enabling an analysis that is more specific in one variable, it represents a valid debate: whether to conduct a diversity mainstreamed gender analysis or a gendered diversity analysis? Such questions have not yet been and might not be answerable. In practical terms, some fear that *too much* diversity is overburdening the exercise of gender analysis, making it even more unlikely:

“Need for more data? Yes, I guess there is always a need for more data. I think there is sometimes data disaggregated by gender and then I don’t think they break it down even further sometimes like by sub-categories like aboriginal women, immigrant women. I think that some of the programmes in the department of [name of the department, A.S.] they just collect data from a women’s perspective or men’s perspective. They don’t break it down even further.”⁶³¹

Status of Women Canada’s approach here is to: sensitise analysts for a more careful, critical, intersectional interpretation of data, identifying the relevant identity factors at play; and to encourage mixed-method data collection of quantitative and qualitative data.⁶³² They suggested developing a non-conclusive list of identity factors in order to encourage analysts to use the *intersectionality model*, where aspects of identity are seen as socially constructed, dynamic or fluid, and interactive.⁶³³

Table 15: Identity Factors, Status of Women Canada (2012)⁶³⁴



630 | CAN5, Interview.

631 | CAN7, Interview.

632 | SWC 2012i, 9-10.

633 | SWC 2012i, 3. See also chapter 3.4.1.2 on intersectionality.

634 | SWC 2012j.

A more ambitious approach to intersectionality in GBA data was “to use sex as your primary variable and then everything else is your secondary variable from there.”⁶³⁵ With the inclusion of diversity analysis as part of the new GBA+ strategy, negotiations about multi-variable analyses and indicator settings become more complicated—and so does data collection. New privacy and ethical issues pertaining to research on still-stigmatised, vulnerable groups, such as gays, lesbians, bisexuals and transgender, are encountered:

“I don’t know how you could establish it as a factor? Does that make sense? Because if you don’t have the information, you can’t establish whether or not it’s important. And so unless a) I’m willing to ask the question and b) the person I’m asking of is willing to answer it truthfully... then I don’t have any information to decide if it’s significant or not—to the policy or programme I’m designing.”⁶³⁶

In sum, the process of data collection is complex. But the challenges and resulting lack of data cannot serve as a justification for inaction. One interviewee was concerned about how lack of data is used to delay decision making:

“Finally, another concern is where sufficient supporting data is lacking and how that fact is often used as a convenient excuse for not taking action on an important issue [...] resulting in an action being set aside until sufficient data is available.”⁶³⁷

The same gender expert demonstrated a high level of impatience with inaction, which was caused by the slow processes of evidence-based policy making: “Do we have to wait until all the data is in and analysed before we can do something?”⁶³⁸ Although this statement refers to systems of resistance to action on behalf of women in a particular department, it addresses the more general problem of data gaps in ex-ante policy analysis being used as political instruments to slow down or speed up decision making, depending on a politically desired outcome.

3.4.6 Accountability: The “Ultimate Utopia of Mainstreaming”?

Accountability incorporates oversight,⁶³⁹ which has two dimensions: Detailed oversight of the quality of individual assessments, which should more accurately be labelled *insight* into GBAs; and oversight of general GBA activity. Although Status of Women Canada calls the decade from 2002 onwards the era of building accountability for GBA, the interviews documented large accountability gaps in the year 2008. Without access to actual data and case studies, gender units and the central gender equality machinery cannot be certain that GBA was carried out, and if, according to which quality standards.

Many of the interviewees described the lack of real information on GBA in their departments:

635 | Michèle Bougie, Interview.

636 | CAN5, Interview.

637 | CAN6, Interview.

638 | CAN6, Interview.

639 | For a discussion on the underlying concepts of accountability, see chapter 1.5.4.

“Other areas have done GBAs, but they never shared it with us. We know that they were done, but we don’t know to what extent, how big, how small, they have been doing it.”⁶⁴⁰

“I don’t know. I wish I could tell you. I was hoping that I will be able to tell, I was trying to gather the information somehow, it’s very difficult for two reasons: I’m not the one who does [...] analysis and I’m not always part of everything that goes around the analysis. I don’t necessarily know when people undertake the exercise so that’s one. And two because of turnover, it may have been done but you know the people might have left. And also I have been there only for 11 months, so the people before me have some knowledge that I don’t. So it’s hard to tell you the numbers exactly what they could be.”⁶⁴¹

A number of reasons were given for this lack of transparency or visibility of GBA activity including turnover and poor communication about GBA activity with and between units. There was also some reluctance to come forward with examples of GBA because the analysis was either not completed or subject to departmental secrecy: “See, we have things going on right now but a lot of them still haven’t come out the other end so they can’t be spoken of yet [...]”⁶⁴²

Although the desire not to publish unfinished studies is understandable, it is difficult to see why branches and single analysts might fail to inform their own departmental gender units about their ways of conducting GBA. Without insight into the details of the analyses, it is almost impossible to evaluate if and how gender-based policy advice informs current policy making. It should be noted that this reluctance to come forward with GBA cases was not universal. Some departments were less hesitant to make their rudimentary case studies accessible to enable learning:

“The one that was more or less published and made available to all employees is the preliminary GBA on the five [...] programmes that we offer to First Nations, you’ll find it in the kit. It’s a preliminary GBA because it asks only the questions instead of answering them like how many women are head of a family as opposed to how many men. So they offer the first steps to the people working in the [...] programmes to do a full GBA.”⁶⁴³

Overall, however, the unavailability of information on GBA cases raises doubts about the reality of GBA practice in Canadian public administration. In the Auditor General’s GBA audit this impression was confirmed:

“The government’s approach to the documentation and availability of analysis is of growing concern to me. Most recently, this matter arose in our audit of gender-based analysis. We asked the central agencies to provide information that would demonstrate their review and challenge related to any gender-specific impacts of policy initiatives submitted by departments and agencies. We were told by officials of central agencies—the Treasury Board of Canada Secretariat, the Privy Council Office, and the Department of Finance—that discussions had taken place concerning gender-specific impacts of proposed policy initiatives, but that no record of these discussions existed, apart from what might be contained in confidential

640 | CAN7, Interview.

641 | CAN3, Interview.

642 | CAN5, Interview.

643 | CAN7, Interview.

Cabinet documents that we are not entitled to see. This is not acceptable. Departments and central agencies must be able to demonstrate support for decision making by preparing and keeping relevant documents. [...] I strongly urge the government to ensure that relevant analysis is documented and maintained in information systems. Should the analysis not be available to me, I must conclude that it was not performed.”⁶⁴⁴

As long as GBA assessments are not made public, it is impossible to fully appraise the quality of GBA. Researchers and practitioners across government departments and NGOs are robbed of an important source of knowledge and of potential case studies for the development of best practices. Clear audit trails are needed to record how science is used in policy making. Transparency of the evidence base is commonly regarded in policy analysis as essential to the process of securing successful partnerships in policy advocacy.⁶⁴⁵ In addition to issues of transparency, interviewees also talked about the need to improve top-down accountability for GBA:

“Although Canada signed on to those commitments, there was no accountability built into these commitments. So there was no requirement for any of the departments who had signed on to report back to their ministers or to Cabinet on the follow-up to the Beijing recommendations. There was no obligation to report back on the application of the GBA policy, all because there was no accountability.”⁶⁴⁶

Without accountability at and to the top, GBA has been left to the discretion of individual departments and analysts on the ground. GBA was envisioned as a “systematic process to inform and guide future legislation and policies at the federal level,”⁶⁴⁷ but delivery on the vision has been slow, incoherent and irregular. There was no coercion or urgency to acquire GBA expertise or conduct gender analyses. Even when proactively approached by Status of Women Canada and reminded of their GBA duty, departments could refuse (and have refused) to collaborate or acknowledge the validity and relevance of GBA for their policies and programmes: “So if the department did not want to work with SWC, they just didn’t, they shut the door on them. Because there was no impetus, there was no legislation, no mandate.”⁶⁴⁸

If departments did cooperate, the informational flows varied in depth, focus and data for assessment because the modalities were at the discretion of the departments. Since the impetus was to implement GBA in a way that each department could oversee the implementation for itself, Status of Women Canada, although the central governmental agency, had neither the mandate nor the means to check on the quality of analysis: “So it’s always voluntarily sharing. We don’t necessarily question any answer”⁶⁴⁹

Some departments with a proven track record of GBA initiatives have acknowledged that networking and collaboration with Status of Women Canada is desirable, beneficial, and indeed needed in order to achieve the overall goal of

644 | Office of the Auditor General of Canada 2009a.

645 | United Kingdom 2006, 64-65.

646 | Michèle Bougie, Interview.

647 | SWC 1995, 7.

648 | Michèle Bougie, Interview.

649 | Michèle Bougie, Interview.

gender equality: “I think the work we are doing is leading to gender equality, I think what they need to put more emphasis on is actually partnering with other departments or organisations such as SWC.”⁶⁵⁰ Other departments, however, were more reluctant, especially when GBA activity was low, to fully disclose their practices. Such government opacity most likely occurred out of fear of revealing performance deficits and resource and information gaps. External intervention into the departmental sovereignty is in general a foreign concept to bureaucratic structures and institutions and is doomed to fail, even when attempted to achieve government-wide goal, such as mainstreaming gender: “And we are talking ultimate utopia of mainstreaming, not the lip-service to mainstreaming where people say, I have mainstreamed it, and all they’ve done is to simulate it or hidden it.”⁶⁵¹

Because of departmental loyalty, Status of Women Canada has not been able to gain real insight into GBA practices. Subsequently, policy advisors at the agency found themselves in a quandary about how to untie this knot:

“There is also some resistance that some departments feel they worry we might take over their role inside their departments. So there is a little bit of territoriality there. Then it’s up to Status to really play that fine balance to say, no we are here to complement and support where you can’t cover off your department. We are not here to take over your turf.”⁶⁵²

Even where cooperation is successfully established, working arrangements can be fragile and are constantly in danger of being disrupted by staff turnover or being buried under departmental work schedules: “One of the impeding factors was staff turnover on the GBA file, so the constellations were constantly changing. This slowed progress in integrating GBA.”⁶⁵³ As a consequence, networking and awareness raising has remained Status of Women Canada’s most central and time consuming task—and actual GBA analysis has received less attention. After more than a decade of pursuing different avenues to stimulate GBA, interviewees linked the lack of systematic GBA implementation in 2008 to the absence of accountability mechanisms. According to the executive prerogatives under the Canadian (largely) Westminster system,⁶⁵⁴ bureaucratic oversight is reserved to the three central agencies, thus transferring the political agenda of the ruling government into bureaucratic processes: the steering and aligning of department agendas, staffing and budgetary resources with the central government.⁶⁵⁵ The integration of GBA into these processes and accountability structures are explained in the following two subsections.

650 | CAN7, Interview.

651 | Michèle Bougie, Interview.

652 | Michèle Bougie, Interview.

653 | Jennifer Payne, Interview.

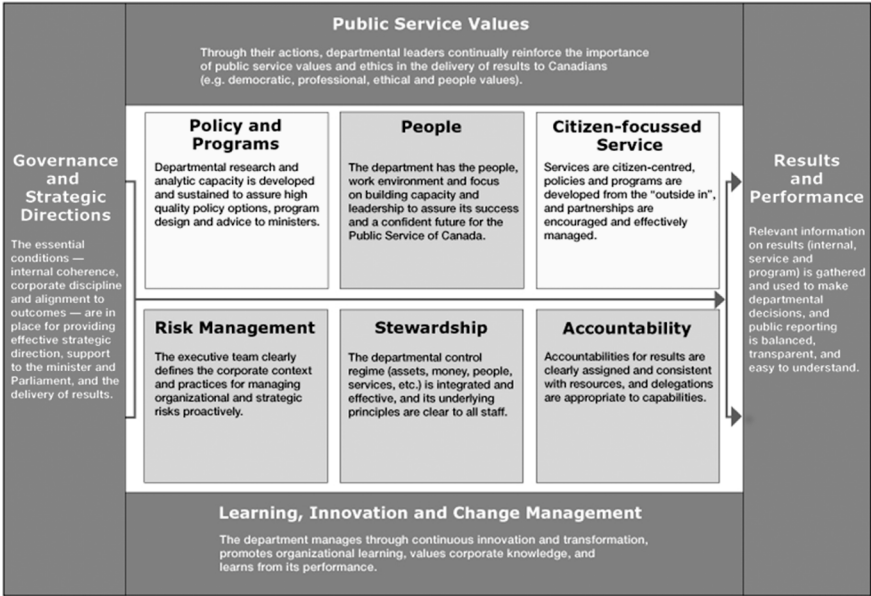
654 | Studlar/Christensen 2006.

655 | Aucoin 2010.

3.4.6.1 Gender-based Analysis: It Is “the Accountability Mechanism We Want to Get Our Dirty Little Fingers Into”

The Canadian federal government has introduced departmental performance measurement under the overarching Management Accountability Framework (MAF),⁶⁵⁶ established in 2003 and controlled by the Treasury Board. According to Mark Bovens, public accountability includes planning, organising, staffing, directing, coordinating, reporting and budgeting.⁶⁵⁷ As a results-based New Public Management technology of governance, the Management Accountability Framework pertains to all these activities. With the framework, Canada speaks of *stewardship* (instead of *controlling*⁶⁵⁸) as an “integrated and effective” “departmental control regime” exercised mostly, but not only, in financial terms (see following chart).⁶⁵⁹

Table 16: Ten Elements of the Management Accountability Framework (MAF), Treasury Board of Canada Secretariat (2011)⁶⁶⁰



In a five-year evaluation in 2008, the framework was found to be generally effective.⁶⁶¹ Many of its guiding principles lend themselves as access points for a sustainable approach to GBA.

One essential part of accountability is public reporting, which also includes reporting on departmental GBA activities:

656 | As introduced in subchapter 3.1.2.
657 | Bovens 2005, 202.
658 | In order to be internationally legible and connect to the (gender) controlling literature, I decided to continue to use the term controlling for various forms of internal bureaucratic governance through planning, steering, stewardship and answerability (Tauberger 2007).
659 | TBS 2011b.
660 | TBS 2011b.
661 | PricewaterhouseCoopers LLP/Interis Consulting Inc. 2008.

"The annual report is everything that we'll do in a year [...] there is two things: there is the annual report that speaks about the activities of the past year [Departmental Performance Report—DPR, A.S.] and there is the report, the RPP, the report on plans and priorities, that speaks about next year. So we have in both something on GBA, it's more elaborate in the annual report, but we still have a section in the RPP."⁶⁶²

Thus, reporting on GBA is linked to the central *Policy on Management, Resources and Results Structures*, in effect since 2005, and to the departmental *Programme Activity Architecture*, also sometimes called *Programme Alignment Architecture*.⁶⁶³ The Programme Activity Architecture is based on regular and extensive reporting on objectives, measures, indicators, timelines, responsibilities and deliverables ex-ante in *Reports on Plan and Priorities* that look three years in advance. Included are the ex-post *Departmental Performance Reports* that attest for the past fiscal year and on programme and policy evaluations.

As such, under the results-based Management, Resources and Results Structure (MRRS), all Canadian departments are required each year to provide information to the Treasury Board about planned and expended resources in financial and qualitative terms for the current year and three subsequent years. A responsible governance structure on decision making in the department is to be instituted and communicated.⁶⁶⁴ In order to evaluate effectiveness, quantitative and qualitative outcome indicators are to be established for measuring performance. The Treasury Board in turn provides feedback to the department's management by objectives and is allowed to ask for adjustments. In their initial document for the Management, Resources and Results Structure, all departments, including the central agencies, must determine the content for their Programme Activity Architecture, in which each department's programme portfolio is hierarchically linked to the department's desired strategic outcomes.⁶⁶⁵ In the Programme Activity Architecture, the department's strategic outcomes are laid out as its organisational chart, stating the activities that support the previously determined outcomes under the Management, Resources and Results Structure and how the department will guarantee implementation and accountability.⁶⁶⁶

The Programme Activity Architectures provide an overview of all departmental programmes and activities undertaken and are ideally aligned in their strategic outcomes, in a logical relationship to each other and with the overall mandate in the department and the politics of the governing party. Writing up a Programme Activity Architecture as the initial document puts departments in the position of having to plan, define and steer future programmes and policy initiatives. This step is followed by the department's policy statement, concerning its Management, Resources and Results Structure, which consists of three main components: a) Defined and measurable strategic outcomes, b) an outline of the current governance structure, including decision making mechanisms, responsibilities and accountabilities and c) an allocation of resources.

662 | CAN3, Interview.

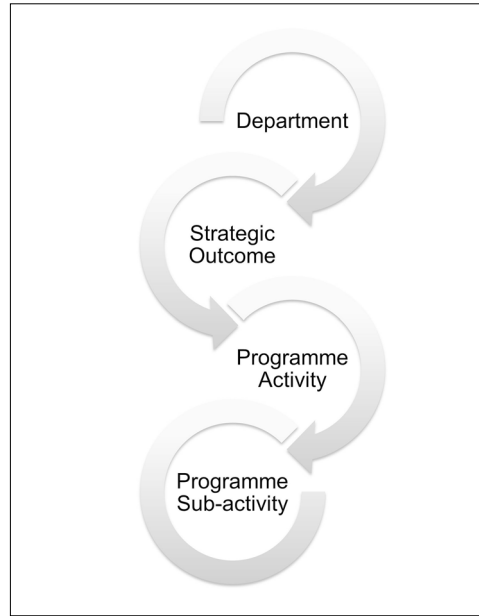
663 | TBS 2011c.

664 | Parliament of Canada et al. 2005, 1.

665 | Parliament of Canada et al. 2005, 1.

666 | Parliament of Canada et al. 2005, 2.

Table 17: Programme Activity Architecture, Canada



Integration of gender into this larger framework leads departments to the design objectives, measures, indicators and deliverables. Further integration of GBA into the Programme Activity Architecture and the Management, Resources and Results Structure would clarify all the above, as GBA would include responsibility for departmental and individual performance measurements, on which financial resources, in the form of programme budgets or performance-related salary components, depend:⁶⁶⁷

“Another way would be, every executive has to have a performance measurement, I believe it should be a requirement, it should be in the performance measurement each year. Just a basic question: how have you applied GBA this year? And there is no if, and or buts, it’s how. Period. Not if you did.”⁶⁶⁸

The Canadian International Development Agency was the first department to undertake such steps by establishing an accountability framework and integrating GBA into the departmental performance and reporting duties.⁶⁶⁹ According to the 2009 departmental GBA Action Plan, other departments are following suit.⁶⁷⁰ Including the GBA reporting duty in the Programme Activity Architecture and the Management, Resources and Results Structure renders the tool and its implementation visible, makes its inputs and outputs measurable, and integrates it in the overall government duty. Reporting (positively) on GBA is a powerful

667 | Under section 2 of Canada’s Financial Administration Act (R.S.C., 1985, c. F-11).

668 | Monique Lucie Sauriol, Interview.

669 | As explained in chapter 3.3.1.

670 | Privy Council Office et al. 2009.

incentive in bureaucratic logics and closes the policy cycle. It is the main missing element for controlling GBA.

Interviewees stated that reporting has existed to some extent in some departments, but it “has been sporadic.”⁶⁷¹ Thus the main goal of these New Public Management informed structures lies in obtaining relevant information in a routine fashion, in order to hold public administration accountable to government and parliament for their financial and non-financial performance. Integrating gender into policy and programme design, objectives, etc., via a commitment in departmental Reports on Plan and Priorities translates into accountability for gendered outcomes and deliverables and would consequently require sustained GBA efforts:

“In our view we were quite happy with the policy box, because really when you’ve got the policy box, the rest just flows out from that. If you got your gender in your policy, if you are held accountable for gender in your policy development—it’ll trickle down into programmes, it’ll trickle down into research, it’ll trickle down into evaluation.”⁶⁷²

Ultimately, an improved flow of information results in transparent bureaucratic processes and output, allowing for better public stewardship. Quality and effectiveness of GBA predictions, as integrated into policy and programme making, can then be automatically be monitored via the indicator and performance evaluation systems. This is already the case with the Canadian International Development Agency’s Framework for Assessing Gender Equality Results,⁶⁷³ which introduced the gender marker as part of its programme evaluation and coding system. This allowed the department to easily access information on performance toward the departmental strategy of fostering gender equality: “And then when the minister says I want to see a list of all gender specific projects we can pull that out on the computer according to how it’s coded. We have a portfolio of all these projects.”⁶⁷⁴

All these results-based planning and reporting duties take place under the overarching Management Accountability Framework. In the past, performance indicators placed competing expectations on Canada’s federal administration. The number of indicators and reporting duties had increased to such an extent that a process of simplification and streamlining was already under way⁶⁷⁵ when the Status of Women Canada pushed for including gender as a horizontal issue into the Management Accountability Framework indicators set:

“So there you had MAF and all these DMs [deputy ministers, A.S.] going, too many indicators, we don’t want to be held accountable for all this, so three, four rounds of negotiating later now they are down to a minimum of indicators. So when we said, in negotiating the response, by the way, the accountability mechanism we want to get our dirty little fingers into is MAF—

671 | Monique Lucie Sauriol, Interview.

672 | Michèle Bougie, Interview.

673 | Originally from 2005 (Canadian International Development Agency 2005a), renewed in 2011 (Canadian International Development Agency 2011b).

674 | Diana Rivington, Interview.

675 | In its management response to the 2009 MAF evaluation, the Treasury Board Secretariat acknowledged the need to reduce the reporting burden and had decreased the number Areas of Management (AoM) from 41 to 21 at time of field study (TBS 2009).

oh my god TB [Treasury Board, A.S.], you don't understand, all of these fights we've had, we don't want more [indicators, A.S.]. So we said ok, fine—we won't create gender specific indicators [...] just present them in a disaggregated fashion!"⁶⁷⁶

Accordingly, Status of Women Canada's strategic attempt to introduce GBA accountability consisted of disaggregating indicators and data against which departmental performance and success would be measured. In choosing this strategy, SWC evaded political controversy, and sex-disaggregation has so far proven to be the most successful and wide-spread instrument of gender mainstreaming.

Canada's federal government has settled on 15 *Areas of Management* (AoMs) as indicators,⁶⁷⁷ as determined by the Treasury Board, to hold departments accountable for their overall performance. Introducing gender equality via data disaggregation as a cross-cutting, horizontal issue into all these 15 *Areas of Management* can serve a useful entry point into the Management Accountability Framework, ranging from inclusion into value and ethics (AoM No. 1), with gender equality being one of Canada's central values, to investment and the planning and management of projects (AoM No. 15). And, as the following quotation reveals, controlling for gender under the Management Accountability Framework can be combined with a diversity lens, based on controlling for multi-variables:

"So if the policy box has one indicator that says: alleviation of poverty, then in that indicator all we are asking them to do is, disaggregate it. And if this fiscal year your objective is a 20 per cent decrease of poverty, then your indicator for this year is, we have achieved a 20 per cent decrease in poverty, all we are saying is, just break down those 20 per cent in men and women and sub-population groups. So, two per cent aboriginal women, three per cent aboriginal men, you know four per cent women with disabilities, six per cent men with disabilities, immigrants, [...]—all the way down there. Your multi-variable analysis, basically give us all the sub-population groups broken down by gender. And that's it, we are not asking you to do a new indicator or a specific indicator, we just say: collect your indicator data in a way it is disaggregated."⁶⁷⁸

Until 2007, the three central agencies did not acknowledge their responsibility to hold departments accountable for Canada's value of gender equality.⁶⁷⁹ But in the aftermath of the 2005 *Evaluation of Three Components of the Agenda for Gender Equality* (AGE)⁶⁸⁰ and the *Expert Panel on Accountability Mechanisms for Gender Equality's* report,⁶⁸¹ the government's response to the Standing Committee on the Status of Women,⁶⁸² as negotiated by Status of Women Canada, has changed that perspective. Ever since, the Treasury Board has agreed to use the Management, Resources and Results Structure also as means of accountability for GBA:

676 | Michèle Bougie, Interview.

677 | TBS 2011.

678 | Michèle Bougie, Interview.

679 | Defined by SWC as a departmental strategic outcome against the following indicator of "full participation in the economic, social and democratic life of Canada" (SWC 2012j, 5).

680 | SWC 2005f.

681 | Expert Panel on Accountability Mechanisms for Gender Equality 2005.

682 | Oda 2006.

“So what we had to do then, was to work with TB [Treasury Board, A.S.] on this tool, so that they actually did get to the point which was by last fall [2007, A.S.], they actually got, yes the MRRS can be used for gender equality outcomes, if, and this is the crux of it, if the strategic objective and your activities in your RPP identify gender specific outcomes, but they have to be gender specific.”⁶⁸³

In Update 9.7.3. on GBA, issued as the guide for writing Treasury Board submissions,⁶⁸⁴ departments were reminded for the first time of an already existing duty, namely to identify “how public policies differentially affect men and women.” They were also reminded that they “are expected to include these considerations while performing their initial analysis, likely early in the process, at the MC [memorandum to cabinet, A.S.] stage for example.”⁶⁸⁵ Alongside the disaggregation of all indicators by means of multi-variable analysis, the systematic use of the GBA tool, based on the government-wide commitment, is now officially recognised as central and indispensable to good policy and programme making.

There are, however, some areas of the update that seem to contradict this support for GBA. For example, the update was meant to ensure that GBA along with other horizontal policy considerations was incorporated in the *initial design*, but the wording led to some misinterpretations: “Federal organizations should proceed with a last check to ensure their proposal is GBA compliant, and report their findings in the TB [Treasury Board, A.S.] Submission.”⁶⁸⁶

This “last check” phrasing could give departments the impression that it is acceptable to apply GBA as a general rule. Or it could be interpreted as a reminder to at least word the proposal in a way that it will be GBA compliant and not rejected. Another noteworthy point in the update is the inclusion of GBA in Chapter 9 “Remarks,” along with environmental sustainability considerations and risk analysis—signalling the marginal character of GBA. Also, in Appendix D: More Information on the “Remarks” Section, GBA and gender are not mentioned (unlike sustainability concerns and risk management). Instead, users looking for guidance on GBA are directly linked to SWC’s GBA+ website, where all steps and procedures are explained in detail.

In spite of these concerns, the explicit inclusion of GBA in the Treasury Board guidelines is a milestone in the history of Canada’s GBA implementation. Not only is GBA included in reporting cycles, thus providing greater transparency, but a monetary incentive for public servants is also included for the first time:

“So with MAF, [...] one of the criteria is their capacity to manage analysis, their capacity to analyse policies and programmes and solutions etc.—if they don’t comply with the various lenses, their score goes down. And I don’t know if you are aware of this, but in Canada deputy ministers and senior managers have bonuses based on their performance. For deputy ministers, the report card of the MAF will determine the bonus, so it’s all in their interest to make sure that they have a good report card, including the capacity to analyse.”⁶⁸⁷

683 | Michèle Bougie, Interview.

684 | TBS 2007b.

685 | TBS 2007b.

686 | TBS 2007b.

687 | CAN1, Interview.

Deputy ministers⁶⁸⁸ are the administrative heads of departments and the most senior civil servants. If their bonuses would at least partially depend on good GBA performance, the incentive would eventually trickle down into the department's day-to-day operations, making GBA practices more systemic, routine and sustainable. Success, however, depends on a precise quantitative and qualitative definition of *compliance* with GBA as well as on the proficiency of the central agencies in controlling for compliance:

“There would be activities specific to women, there would be resource allocation specific to women. So MRRS could pick that up because it's gender specific. But if this strategic objective remains we would work on alleviating poverty it becomes more difficult for the MRRS to pick up, if they are doing anything on gender within that broader objective. So what we are looking at now is, will MRRS be able to pick up an activity where the strategic objective is gender neutral?”⁶⁸⁹

Summing up, the three expected outcomes of a transparency initiative in public affairs are a) management for results; b) decision making for results and c) accountability for results. The benefits, but also the limits of GBA in results-based management procedures, where it competes with many other (disliked) New Public Management duties, remain to be seen.

3.4.6.2 Controlling for Gender-based Analysis: “It's Going to Be Easy for Government”

The previous section demonstrated how GBA answerability was introduced into the overall New Public Management accountability systems for Canada's public administration.⁶⁹⁰ The effectiveness and sustainability of such new equality governance arrangements will depend on a “delicate balance”⁶⁹¹ between the Status of Women Canada, the central agencies and the other departments. This chapter sheds light on the new accountability mechanism, which by challenging departmental GBA application, enables the central agencies to exercise a controlling function. The chapter also discusses the role of Status of Women Canada in accountability.

The interviews revealed that the process of negotiating the introduction of GBA into the Management, Resources and Results Structure depended on inter-personal interaction and on the credibility of individual Status of Women Canada employees who have earned a high level of trust for their work and their agency over the years:

“I talked them [TBS, A.S.] into it and this is the experimental part now, because now they're really in murky water and they kind of look at me as if I'm insane, but I've got them to go along with me on this and it's an experiment to see, if it will pick up gender related outcomes. So,

688 | In 2003 with the then new MAF, the Privy Council Office has also published a Guidance for Deputy Ministers.

689 | Michèle Bougie, Interview.

690 | Namely, the aforementioned Management Accountability Framework (MAF), the Management, Resources and Results Structure (MRRS) and the Programme Activity Architecture (PAA).

691 | Michèle Bougie, Interview.

because many of the departments will either treat their activities as either gender neutral or as mainstreamed.”⁶⁹²

The employee who made this statement is a senior policy and programme advisor for Status of Women Canada. Her remarks are an example of how valuable trust—engendered through long-term government employment, the establishment of lasting networks, and a high level of professional competency—can be. It shows how femocrats and institutionalised state feminism has managed to win over key players in government due to sustained efforts and built-up credibility. Such relationships will be key in the future. The new accountability for GBA represents a new mode of equality governance and is labelled an *experiment*. It is a novelty with little experience behind it, especially on the part of non-gender experts. To facilitate submissions required by the Treasury Board, policy officers there have followed the lead of gender experts from the Status of Women Canada in providing support, training and counsel to users in executing this far from trivial task.

But submissions to the Treasury Board are only the second stop on the way to getting spending and programme approval from the central agency. The first extra-departmental notification—after the ministerial approval of a new policy or law development in a particular department—is a Memoranda to Cabinet. This memorandum lays out the policy, programme or legislative issue at stake, its fiscal financial implications, and its rationale. The memorandum is submitted to the Privy Council for approval of the policy’s alignment with the overall political agenda of the current government. It is also provided to the Department of Finance, which insures the policy’s overall fiscal soundness in alignment with policy priorities and the national budget. Last but not least, the Treasury Board ensures accountability and transparency as well as alignment with the department’s Programme Activity Architecture and the Management, Resources and Results Structure.⁶⁹³ The Memoranda to Cabinet, as well as the Treasury Board submissions and other reports on departmental initiatives, thus ensure policy coherence and alignment with political objectives. These approvals are key for policy implementation in the line departments.⁶⁹⁴

Since 2007 the Treasury Board guidelines have updated the Privy Council Office’s *Drafter’s Guide to Cabinet Documents*,⁶⁹⁵ which addresses the development of Cabinet documents, such as Memoranda to Cabinet, aide-mémoires and presentations. A notation as to the relevance or non-relevance of GBA is now required in all these documents. In the Privy Council’s guide, GBA is called a consideration “[...] that **must** be referenced in the MR [Ministerial Recommendation, A.S.]”⁶⁹⁶ on whether to grant approval: “The MR **must indicate** whether or not the following considerations are applicable, [...] **gender-based analysis**”⁶⁹⁷ To establish a Cabinet opinion on this GBA requirement, the Treasury Board and the Privy Council or the Department of Finance rely on evidence-based proof on that GBA was conducted

692 | Bougie, Interview.

693 | International Affairs; et al. 2008.

694 | Privy Council Office 2011, 65.

695 | Privy Council Office 2012, 8; 24; 30. The GBA duty is maintained in its 2013 version (Privy Council Office 2013, 8; 25; 31)

696 | Privy Council Office 2012, 8. Emphasis by author.

697 | Privy Council Office 2012, 30. Emphasis by author.

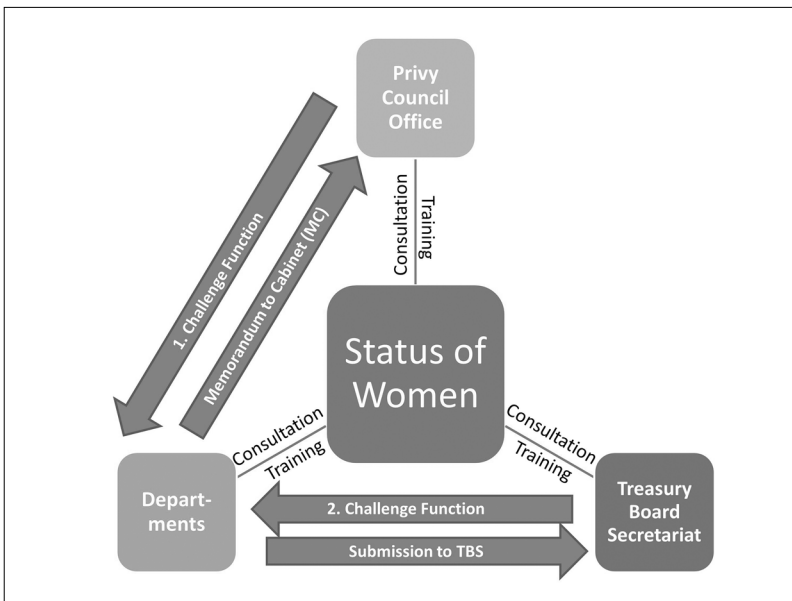
and that gender was found to be a relevant or not relevant aspect of programme, policy or service design:

“And the only way you can produce evidence is apparently when you have done a GBA from the outset of your policy development process right to the end of the process. Otherwise it’s meaningless. It’s like in a memorandum to cabinet where you say, oh gee we counted the word woman 6 times therefore GBA was done, which believe it or not until a few years ago, that’s what was happening at Privy Council Office.”⁶⁹⁸

The future direction for GBA is much ambitious. The Treasury Board and the Privy Council are attempting to detect gender relevancy in a period of transition from old GBA impunity to new GBA accountability. At the same time, the Status of Women Canada is assisting selected departments in including gender outcomes in their strategic objectives:

“I’m working on with two departments right now, at the end of that three years where they can create new PAAs, so I’m working with them to rearticulate brand-new PAAs in such a way that gender will become visible within the structure.”⁶⁹⁹

Table 18: The Central Role of Status of Women in Accountability for Gender-based Analysis (2008)⁷⁰⁰



698 | Michèle Bougie, Interview.

699 | Michèle Bougie, Interview.

700 | Sauer 2008c, 7. Graphic representation by author.

Canada's GBA application has been challenged from top to bottom and from the bottom up, with the Status of Women Canada in a central role to help departments stipulate the gender relevance within their policy and programme portfolios. Thus, the role of the Status of Women Canada has changed from that of *gender police* to *partner in crime*. It is finally the dependable internal government partner and GBA enabler it set out to be. It has succeeded in providing what Margret Page called "hidden leadership" within Canada's federal bureaucracy by "creating the conditions in which other actors might bring content to gender mainstreaming processes that they had designed and put in place."⁷⁰¹ In the interviews, Canada's federal gender experts were excited, hoping to see improved degrees of oversight as well as greater controlling for and more practice of GBA. Opinions varied however about the future impact of such administrative transformations. Some felt that putting the central GBA reporting duty in Treasury Board and Privy Council documents was not always suitable and that the effect would possibly be negligible: "Of course it is not always appropriate, it's one of the many lenses that we will keep in front of us and if it is pertinent to a specific case it will take a bigger place than with others."⁷⁰²

Others voiced doubts about the gender expertise of the Treasury Board, Privy Council and Finance Canada analysts who would be exercising the challenge function and felt that the Memoranda to Cabinet stage might be too late for a proper GBA to be conducted: "There is a difference between having a gender team actually do the challenge function, but I think when MCs [Memoranda to Cabinet, A.S.] are already written, it's at the end of the process, it should be implicated from the outset."⁷⁰³ Yet others believed that the exercise of challenging GBA applications will foster long-term GBA commitment and over time will trigger more and more profound analyses conducted *from early on*, because GBA will have to be built into the Programme Activity Architecture: "It's going to be easy for government, [...] to detect [...] shortfalls. Because, there is going to be greater transparency and greater disclosure."⁷⁰⁴ As such, this shift in equality governance is indeed evoking new hope in the transformative potential of integrationist approaches to gender mainstreaming.

Among the interviewees, legislating GBA was the most widely demanded activity for establishing accountability. Their expectation is that GBA law would be an equity result in itself would help enforce practice, supported by a system of tools, training, resources and penalties: "I think [...] that it has been included in our legislation that's definitely a result."⁷⁰⁵ A law was suggested for "the medium term" by an expert panel on gender equality in 2005.⁷⁰⁶ The draft bill recommended roles and responsibilities, an implementation process, tools, and even complaint and appeal mechanisms, and it was supported by the Standing Committee on the Status of Women and still is supported by some analysts.⁷⁰⁷ Such pooling focus on the *power-formative* character of law dates back to an early twentieth-century

701 | Page 2011, 334.

702 | CAN2, Interview.

703 | CAN7, Interview.

704 | CAN1, Interview.

705 | CAN3, Interview.

706 | Expert Panel on Accountability Mechanisms for Gender Equality 2005, 9-10; 30-35.

707 | Expert Panel on Accountability Mechanisms for Gender Equality 2005, 53-57.

engagement with the theory of law by one of the main founders of Germany's political science, Hermann Heller, whose work "Staatslehre" (State Theory)⁷⁰⁸ already pointed towards the "law-formative character of power."⁷⁰⁹ Calling for a law on GBA was mainly proposed by representatives of the Canadian women's movement and feminist law scholars to pressure the government to foster implementation and accountability.⁷¹⁰

"We proposed this law, because in other laws there is this same kind of obligation. To report on what's going for environment, what's going on for multi-culturalism, what's going on for citizenship. So there is this accountability, so if the civil servants can't be accountable, if they don't want by their own will to be accountable you have to force them. [...] When there is a law that forces them, they have to. Just like the law on bilingualism in Canada, they have to have bilingual post offices, even in Vancouver where nobody speaks French or very little. And if there wasn't this law in bilingualism in Canada, nobody would do it—we all know that. That's for the law, but I know the limits of laws. Law is only one instrument, one tool of change."⁷¹¹

There is a long way to go between recognising a need for change and actual legislation. For the moment there is no political drive to legislate GBA, so the legislative base remains Canada's constitution. Future research will have to examine the short-, mid- and long-term effectiveness of heightened accountability under the New Public Management paradigm and its effects on GBA practice and sustainability.⁷¹² As the brief exploration of the New Zealand case study in the next chapter shows, linear progress is not guaranteed and New Public Management mechanisms can be responsible for gains as well as losses.

3.4.6.3 Canada and the New Zealand Accountability Experience—Excursus

At the time of my field work, the Canadian experience seems comparable to the earlier experience in New Zealand. In New Zealand, there was at the beginning some level of disillusion and disappointment with gender analysis practices, first expressed by Katherine Teghtsoonian and later by Rachel Simon-Kumar and Margaret Wilson.⁷¹³ Then, in the early 1990s, New Zealand entered a phase of voluntary, ad hoc implementation (comparable to practices in Canada and Europe) and began a second phase of increased control, where ministries were required:

"That a gender analysis be included in papers submitted to Cabinet; and [...] the articulation, through the performance management frameworks of individual government departments, of explicit expectations, incentives and/or penalties designed to ensure the incorporation of gender analysis into routine policy work. All of these approaches have been pursued in

708 | Originally published in 1934, reprinted in (Heller/Niemeyer 1983).

709 | Dyzenhaus 2000, 40.

710 | The proposed GBA bill also foresaw reporting, compliance and audit procedures (Expert Panel on Accountability Mechanisms for Gender Equality 2005, 57).

711 | Louise Langevin, Interview.

712 | Especially of the new Action Plan on Gender-based Analysis (2016-2020) (SWC et al. 2016), after the second audit (Office of the Auditor General of Canada 2016).

713 | Teghtsoonian 2004; Teghtsoonian 2005; Simon-Kumar 2011; Wilson 2011.

Aotearoa/New Zealand, but their impact across government has been neither deeply rooted nor widespread.”⁷¹⁴

All paper submissions to the Cabinet Committee on Social Equity, the central controlling authority for gender analysis, were required to address gender impacts of the issue under consideration, a requirement outlined in 1991 Cabinet submission guidelines⁷¹⁵ (not unlike Canada’s updated Treasury Board guidelines). However, “results have been disappointing,”⁷¹⁶ and it was found that ministries often had not included a gender analysis statement at all. Where a gender analysis was included, it was of “poor quality” or had not been undertaken “from early on,” but was rather an add-on to fulfil the formalised prerequisite.⁷¹⁷ Unlike in Canada, the Cabinet or the central State Service Commissions at that time had not yet been involved in establishing and assuring accountability. But the New Zealand Ministry of Women’s Affairs still hoped to draw these central agencies into accountability for gender analysis.⁷¹⁸

Pointing towards other successful modes of New Public Management governance in New Zealand’s public service, in contrast to the failure of gender analysis, Teghtsoonian, Simon-Kumar and Margaret Wilson identified further obstacles to the cross-cutting implementation of gender analysis in New Zealand: a lack of political will and commitment⁷¹⁹ the dominance of a neo-liberal paradigm,⁷²⁰ and austerity measures⁷²¹. But the greatest obstacle was felt to be the norm of value-neutrality in public administration at large:

“Indeed, one of the central purposes of gender analysis is to dismantle the claims to neutrality which often mask the deeply gendered assumptions underlying, and impacts of, neoliberal policies and technologies of rule. At odds with many aspects of ‘business as usual’, gender analysis is more amenable to being framed as politicised [...].”⁷²²

714 | Teghtsoonian 2004, 275.

715 | Teghtsoonian 2004, 278. The commitment was renewed in the 2002 *Cabguide*, issued by the Cabinet Office in order to advise officials on the drafting of Cabinet papers. The *Cabguide* entails reference to the *Cabinet Circular* on gender analysis, equally published in 2002 (Wilson 2011, 208).

716 | Teghtsoonian 2004, 278.

717 | New Zealand; Ministry of Women’s Affairs 2002, 14; Wilson 2011, 208-209.

718 | New Zealand; Ministry of Women’s Affairs 2002, 15-16.

719 | Teghtsoonian 2004, 279; Wilson 2011, 209.

720 | Teghtsoonian 2005; Simon-Kumar 2011.

721 | Wilson 2011, 208.

722 | Teghtsoonian 2004, 279.

3.5 SUMMARY: “I CAN SEE A DIFFERENCE ALREADY”

GBA, as an *explicit* IA⁷²³ and *good* gender mainstreaming tool⁷²⁴, is the tool of choice for gender analysis for Canadian federal policy and programme making. It was officially embraced by the Canadian public administration, along with the demand for closer connectivity between the tool GBA and its strategic consequences by mainstreaming gender “in all politics and programmes.”⁷²⁵ In doing so, Canada wanted to support horizontal policy advice with the goal of producing an “integrated policy approach”⁷²⁶ to gender equality. Canadian tool practitioners attest to its implementation fitness and capacity to integrate intersectionality. They worried, however, about its up-take and organisational sustainability. Concerns were also voiced in Canadian feminist and policy studies about its lack of implementation on the one hand, and, once it was used, with negative “unanticipated results”⁷²⁷ on the other.

Departmental implementation structures for GBA vary greatly within the federal government of Canada. The findings of this study reaffirm Hafner-Burton’s and Pollack’s early assumptions that the openness or unreceptiveness to the instruments of gender mainstreaming depend on the ideological framing in the department—including its scientific culture—and on its senior management and top tier representatives.⁷²⁸ The micro-level input structure in this respect is as important as the meta-policy output structure of an organisation and its capacity to implement and carry out GBA. Policy frameworks and top-down support are decisive in setting the agenda; at the same time individual policy analysts are crucial as agents of change:

“For me personally by working for Indian Affairs I’m hoping to change the culture at Indian Affairs, I can see a difference already, I have been here eight years, I can already see a progression and it is always slow in the departments, for change, whether it would be GBA or sustainable development, it’s always a very slow process, but I can already see a change happening.”⁷²⁹

Between 1995 and 2007, GBA in Canada was implemented de-centrally, and it has not been subjected to quality or other means of control and accountability. The lack of consistency in implementation led Pauline Rankin and Krista Wilcox to the following critical statement, attesting to GBA’s limited results:

“Practically, [...] Gender-Based Analysis thus far has yielded modest accomplishments with respect to advancing women’s equality in Canada. Despite its promise as a breakthrough tool for improving public policy for women and men [...].”⁷³⁰

723 | According to the criteria established in (Podhora et al. 2013).

724 | According to the criteria established in (Lewalter 2010).

725 | McNutt/Hawryluk 2009, 120.

726 | McNutt/Hawryluk 2009, 121.

727 | CAN4, Interview.

728 | Hafner-Burton/Pollack 2002, 343.

729 | Monique Lucie Sauriol, Interview.

730 | Rankin/Wilcox 2004, 58.

At the later point in time when the field study was conducted, GBA in Canada was still not systematically integrated into Canadian federal policy and programme making. GBA activity was mainly found in departments governing the policy areas of international development, aboriginal affairs, health, and immigration. Beginning in 2007, however, GBA was to be found in an active, fluid process of evaluating and accounting for its practice or non-practice. This has ultimately led to the advent of GBA as part of bureaucratic accountability mechanisms, using New Public Management systems of administrative transparency and control as access points. The former “lack of obligation to conduct GBA; internal resistance; lack of shared responsibility”⁷³¹ was then replaced by making GBA “imperative”⁷³² in terms of policy integration.

This dynamic development after years of stagnation is a result of a complex multilevel system of equality governance. This system includes the Standing Committee on the Status of Women as the body of parliamentary control and Status of Women Canada as the central administrative actor and promoter of GBA. The system incorporates the legal and bureaucratic commitments to gender equality in Canada’s institutions and, via international treaties such as the UN Convention on the Elimination of All Forms of Discrimination against Women and the transposition of The Platform for Action in Beijing’s World Women’s final conference document.⁷³³ The *travelling concept* of equality governance of public policies through gender analysis originated in Canada, and it has now come full circle.⁷³⁴ GBA was found to be in a process of transformation from a not-much-applied tool to an omni-relevant gendering of governance processes,⁷³⁵ incited and fostered by informal modes of “hidden leadership”⁷³⁶ through Status of Women Canada’s state feminism.

GBA practices are on the path to being extended beyond *susceptible* departments of *soft* (social or health) policies, to touch upon ostensibly gender *neutral* policies and departments occupied with hard (economic, trade, infrastructure or financial) policies. The advancement toward sustainability of GBA implementation in Canada is a result of the emerging relations between government and non-government actors beyond the “public private dichotomy.”⁷³⁷ In a complex, multilevel interplay between democratic checks and balances, administrative New Public Management streamlining processes and personal interaction between individuals, the Status of Women Canada plays the central role. It incited accountability for GBA and supports the central agencies in their new GBA steering role.

In this process, public sector reforms under New Public Management have played an ambiguous role: They served as yet another entry point for GBA accountability, but they have also harmed and reduced capacities for GBA and policy analysis in general through their requirement for *streamlining* government. The

731 | McNutt/Hawryluk 2009, 118.

732 | McNutt/Hawryluk 2009, 121.

733 | Extra-governmental players such as women’s groups have not been subject to this research, but have also lobbied for increased GBA implementation.

734 | Baer 2009a, 102.

735 | Baer 2011b, 108-110.

736 | Page 2011.

737 | Baer 2009a, 105.

“complicated effects”⁷³⁸ of such normative changes in Canada’s administration, between NPM cutbacks and newly established GBA accountability mechanisms, remain to be seen. Advances in GBA are always in danger of disappearing in *neutral* policy making assumptions—as the New Zealand case demonstrates. In the hope of raising acceptance and increasing uptake, the new tool GBA+, emphasising intersectionality, has invoked a wider diversity frame on top of the gender equality frame. At the time of my research, GBA was not yet mainstreamed in Canadian public policy and programme making, and gender analysis was itself disconnected from current policy analysis literature.⁷³⁹ If Canada is not to repeat the New Zealand experience, much will depend upon the extent of impunity from or enforcement of GBA performance under the new accountability regime of the central agencies, but also upon the analytical strength and uptake of the new intersectional GBA+ tool.

738 | Baer 2011b.

739 | For instance, GBA or gender impacts do not occur once in a recent edited version on the state-of-the-art of Canadian policy analysis (Gorbet/Sharpe 2011).

