Gender, inclusion and political settlements

Implications for peace processes
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This article brings together findings from four years of research on gender, peace and political settlements as part of the Political Settlements Research Programme. Research has looked at Northern Ireland, the Democratic Republic of Congo (DRC), Bougainville, Nepal, Liberia, Timor Leste, Colombia, Bosnia, the Occupied Palestinian Territories and Cyprus.

Political settlements describe how institutional and political power is organised, maintained and exercised in a society, and who is included and how. Political settlements discourse has increasingly shaped statebuilding and peacebuilding policy and practice. A variety of academic and practitioner-led approaches were used to explore the gender assumptions implicit in this discourse in terms of whose and what type of inclusion matters in securing ‘inclusive’ political settlements more conducive to sustainable peace – such as the conflation of ‘elites’ with men and the distinction between public and private spaces, particularly when talking about violence. The article further explores how peace processes have provided space for reform of gender norms, and how women and groups traditionally excluded from political decision-making have promoted their inclusion in conflict contexts and in post-agreement transitions.

The research speaks to a core question for this publication: how can more inclusive peace processes balance short-term goals of ending violence through the accommodation of warring parties against long-term goals to renegotiate a social contract that represents and meets the needs of wider society? It helps uncover the different ways in which exclusion in conflict contexts is maintained by gender norms (the deeply held expectations of the roles and behaviour of women, men and other gender identities) and by violence and coercion. It further explores how peace processes and political, security and justice systems are shaped by these norms. The research sought to expand the understanding of ‘gender’ beyond a conflation with the category of ‘woman’, to look at different gender roles and experiences. It shows that there are multiple spaces for challenging gender inequality: formal and informal, public and private, national and subnational.

The research built on two key concepts: Catherine O’Rourke’s ‘gendering political settlements’, and Christine Bell and Jan Pospisil’s ‘formalised political unsettlement’, both of which observe that the root causes of violence including challenges of gender inequalities are rarely fully addressed in any peace process. Instead, the disagreements at the heart of the conflict are transferred into a set of political and legal institutions that ‘contain’ conflict rather than establish
shared values – often perpetuating the historic exclusion of particular identity groups, especially women. Yet this ‘unsettlement’ also points to the potential for new processes that support accommodation, representation and meaningful participation of different identity groups and post-agreement reforms that can address outstanding issues to open opportunities for change.

The research generated findings in three areas:

> Women’s representation and influence in peace processes, agreements and implementation: greater understanding of the different spaces in which women may be ‘included’; how and when their participation can be enhanced; and the complicated relationship between women’s participation, their influence on decision-making, and positive gender outcomes.

> International gender equality norms in political settlements: how women have used international norms around gender equality and inclusion to provide leverage in peace processes. This has had different types of impact although shifts in embedded gender norms have proven difficult.

> How peace interventions affect gendered violence: there are various forms of violence in conflict and post-conflict contexts. Some are more visible than others, notably gendered violence against women, which includes reconfigured forms of violence that emerge from new contestations over the political settlement, as well as more private forms of violence.

These three areas are explored in more detail below.

**Women’s representation and influence in peace processes**

Most of the contexts examined experienced negotiations and the signing of a peace agreement that provided for or facilitated technical measures for greater inclusion. We found that there are multiple opportunities to support meaningful forms of participation by women and other historically excluded groups and greater inclusion of gender issues in all phases of a peace process, from pre-talks through implementation. The moment around the negotiation of the peace agreement – the talks themselves and the periods immediately before and afterwards – is especially significant as space for inclusive change can subsequently shrink. In situations of conflict and in the early phases of peace processes, women and men take on different roles, such as women acting as combatants in Nepal or as primary breadwinners in Colombia. But this flexibility in gender norms does not necessarily endure, and progress towards greater inclusion can generate significant resistance from incumbent elites which needs to be anticipated and mitigated.

In each context, civil society organisations led by women and that promoted women’s rights were prominent in pushing for their inclusion in peace and transition processes at all levels. Along with other historically excluded groups, women have used multiple strategies and collective activism to introduce gender-related provisions into peace agreements. Evidence indicates this can positively impact the initial cessation of violence and expand the scope and complexity of peace agreements [see References]. Mechanisms, institutions and processes that have been used for gendered inclusion include: brokering local-level ceasefire and peace agreements in Bougainville and Colombia; contributing to the design of peace negotiations that incorporated their direct representation or advisory or observer status at the negotiation table in Colombia and Liberia; convening cross-conflict party meetings in Nepal and Northern Ireland; using traditional and new media; convening mass mobilisations in Colombia, Timor Leste and Nepal; and leading community and regional-level discussions and workshops in the DRC, Cyprus, Liberia, Colombia, Nepal, Northern Ireland and Bougainville.

The use of technical affirmative action measures – including quotas and reserved seats – have helped to increase the representation of women and other excluded groups in formal decision-making mechanisms. For example, in Nepal, diversity targets set in the post-agreement Interim Constitution resulted in a Constituent Assembly with increased representation for Dalits [‘low caste’] from zero to eight per cent, for Janajatis [indigenous communities] from 25 to 36 per cent, and for women from five to 33 per cent.

The changes are cumulative, building on previous efforts that had led to a significant change. No one ‘remedy’ or ‘moment’ has been identified to ensure greater inclusion in peace processes and political settlements. And significant gains remain vulnerable to being rolled back. While changes to a political settlement create space for revising gender norms, many established gender roles and behaviours remain embedded, for example in informal, customary and faith systems or patriarchal, elite political institutions. An overarching challenge is that technical measures do not directly or rapidly lead to deeper shifts toward gender equality across society. The gendered nature of political settlements is therefore better understood and more evident over time. Inclusion efforts to support greater gender equality risk being mainly symbolic if they are not sustained or complemented by other initiatives that incentivise deeper changes in gender norms.

Women and other gender identities disproportionately experience conflict-related violence and discrimination.
Discrimination is multidimensional, involving interaction between gender and other power systems including age, class, caste, religion, ethnicity and ability. An intersectional approach is important to re-examine the structures of decision-making that can perpetuate different forms of inequality – legal, governance, economic, cultural and religious – and to identify groups vulnerable to multiple forms of violence and discrimination. An intersectional approach to peacebuilding begins with gender-sensitive analysis of the conflict that incorporates the various experiences of different ‘sections’ of society. This enables peacebuilding actors to target efforts that ensure all groups benefit more equally from peace processes.

For example, Colombia’s 2016 Final Peace Agreement incorporated significant inputs from civil society and is among the most gender-sensitive agreements in recent history. Mass activism and direct representation by civil society influenced the incorporation of gender provisions in the agreement, including on political representation, sexual and reproductive rights and economic security, as well as specific references to gender and sexual minorities, indigenous peoples and Afro-Colombians. Inclusive provisions in the agreement are intended to enable all Colombians to progress their interests through the implementation of the agreement and the peace process more broadly.

Our comparative research showed that donors and international organisations can support the meaningful participation of diverse gender, identity and social groups at all levels of peace processes, particularly where gendered inclusion has not had traction. This international engagement can take many forms, including economic and political pressure, solidarity, direct and indirect funding, capacity and network building, technical exchanges and advice, mediation and facilitation. Such engagement remains challenging, and international assistance can unintentionally exacerbate community and national level tensions, block direct participation, and sometimes aggravate pushback from elites and other power holders. But approaches to peace processes that prioritise stability without gendered inclusion, risk preserving hierarchical and patriarchal decision-making systems.

**International gender equality norms**

There is now a significant body of norms under international law for gender equality and inclusion in relation to conflict and post-conflict situations, such as the Women, Peace and Security resolutions of the UN Security Council and CEDAW’s General Recommendation 30 on women in conflict prevention, conflict and post-conflict situations. These norms exist across international humanitarian, criminal and human rights law and in Security Council resolutions. They can be significant in determining a clear agenda for gender inclusion in political settlements, in enabling political and financial resources for actors seeking to promote gender equality, and in underpinning activities by the international institutions charged with implementing, monitoring and enforcing them. Both the norms and institutions offer opportunities – and challenges – for ensuring women’s inclusion in political settlements.

International frameworks and standards provide useful leverage for inclusion in peace processes. Yet implementation has been challenging. International standards are often perceived as external, top-down and threatening, and these arguments have been used to defend the status quo and challenge agendas for change. Our research found that international frameworks need to be complemented by home-grown, bottom-up perspectives, priorities, approaches and activities.

Looking more deeply into the application of international norms and frameworks in practice, our findings suggest that local activists may be more concerned with their potential for influencing political elites’ behaviour than with their formal legal content. Especially as elites may lack capacity to meet formal requirements of the law in the midst of conflict, while non-state actors may be significant violators of these norms. UN Security Council Resolution 1325 and other international norms are also often invoked for their potential to help unlock resources (material and political) to support feminist and women’s organisations.

In post-conflict Northern Ireland, local feminist activists considered such norms almost entirely in terms of potential political resources, most notably underpinning local alliances and influencing local policy actors in institutions established by the peace agreement. Local activists were not unduly limited by the strict content of a particular international text; rather, they drew on the broad norm of women’s inclusion to underpin more tailored policy and political demands. In institutional terms, international norms also proved useful to women’s movements in finding international allies to support inclusion projects. Further international norm development that encompasses other excluded groups, allied to their strategic use by local actors in support of their own agendas, could provide useful pathways to inclusive change.

Some international assistance has been problematic. As discussed above, for example, international organisations rarely undertake gender-sensitive analysis. But where international institutional activities are shaped by a meaningful understanding of and commitment to international gender equality norms, they can help...
to re-balance local incentives by establishing the relationship between 'gender-inclusive peacemaking' and peacemaking per se.

**Gender, violence and inclusion**

There is a relationship between gender-based violence against women (VAW), including intimate partner violence (IPV) in conflict settings, and the limited participation of women in social, economic and political life. Addressing IPV, enhancing gender equality and tackling gender stereotypes are all important elements of inclusive peace settlements. For example, our research findings from Liberia and Timor Leste indicate that transitional justice processes that failed to ensure women’s inclusion led in turn to official truth accounts that overlooked gender-based violence and the ways in which unequal gender norms enabled such violence.

Violence against women during conflict is very much related to violence towards women before conflict. For example, many of the patterns of pre-conflict violence, such as sexualised assault by men known to women, or IPV, are perpetuated – by the same or by different actors. Although there are distinctions in how VAW is perpetrated during the conflict, violence is nevertheless grounded in pre-conflict societal norms. Pre-conflict forms of violence targeted at women become distinctive during conflict because of the way they are used tactically or systematically. In Liberia, for example, some women attested that men known to them prior to the conflict selected them for assault during conflict, as the men’s possession of guns and status as members of armed groups enabled access to the women in ways unavailable to them previously.

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The forms and scale of conflict-related sexual violence vary both within and across conflict settings. For example, conflict presents increased opportunities for state and non-state actors to enact these forms of violence, in particular with the breakdown in the rule of law offering implicit impunity to perpetrators. Further, in Timor Leste, new actors introduced by the conflict, such as Indonesian state forces and proxy militia, used sexualised assault, harassment and rape in attacks and during detention. In addition, the greater availability of legal and illegal arms led to their greater use in IPV during conflict.

In the post-conflict environment, the impact of – and connections between – organised armed violence and IPV should be considered in formulating policies relating to VAW. In Northern Ireland, membership of armed or paramilitary groups increased the power, control and impunity of perpetrators of IPV during the conflict. Our research found that subsequent disarmament, demobilisation and reintegration (DDR) processes to some extent closed off this power by reducing the number of legally and illegally held arms, as well as the potential to use armed group membership to intimidate victims into not reporting VAW. DDR therefore can have IPV-prevention dividends, and the findings suggest the value of prioritising these elements in negotiations on disarmament.

In Northern Ireland, a more representative, transparent and accountable police service has had a positive impact on responses to IPV. Our research found that during the conflict, the unrepresentative composition of the police force and
its prioritisation of conflict violence in operational activities discouraged IPV victims from reporting; after post-conflict police reforms, these factors reduced dramatically. The findings therefore highlight the value of institutional reforms to policing as part of an inclusive peace process.

Conclusion
The three areas of research – women’s participation and influence, international gender equality norms, and the gendered nature of violence in conflict-affected contexts – raise thought-provoking conclusions. Conceptually, the research points to the deficiencies in the analytical frameworks that currently shape peacebuilding and statebuilding interventions. In particular, the focus on elite bargains and particular forms of armed conflict ignore the multiple and complex ways in which exclusion and violence affect different identity groups, preventing some from influencing political decision-making, while ensuring others continue to shape it. As highlighted above, any international intervention committed to inclusion should be informed by robust gender-sensitive analysis, bringing an intersectional approach that examines diversity within excluded groups and supports targeted programming and policy. For example, disarmament negotiations could have additional IPV-prevention dividends if they incorporate approaches that deliberately address the connections between organised armed violence and VAW.

Furthermore, the research suggests that while there have been increased commitments in peace processes to broader societal inclusion, for example through peace agreements, constitutional reform processes, and other legislative and policy guarantees, deeper, longer-term structural change remains challenging – particularly change to gender norms. Formal commitments to inclusion as well as the local application of international norms have provided useful levers to support inclusive change. But international norms can be portrayed and perceived as part of an external agenda, opening them up to local criticism and resistance. Both international norms and formal approaches need to be accompanied by support to locally led, bottom-up actions that can better respond to intersectional dimensions of exclusion, for example to explore the role of informal, customary and religious structures in both facilitating and blocking inclusive change.

Research findings indicate change as cumulative. Participation does not immediately lead to influence, and initial efforts to broaden inclusion often face resistance from established elites. Sustained efforts can help to embed norms on gender inclusion, making them more difficult to roll back over time, and to make participation more meaningful and more than a numbers game. Support for inclusive transition can be more effective when it looks to the domestic forums in which norms and standards are set, such as constitutional processes or local governance structures, and to supporting local and national systems of monitoring change. Inclusive gains also have the potential to progressively open up space for other identity groups to build on. This requires attention to the development of coalitions, alliances, and learning between different groups and movements, and not just between international and national organisations.

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