Bridging the Theory and Practice Gap:
Key Issues in the Field of Women, Peace and Security
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# Table of Contents

**Introduction** ........................................................................................................................................... 5

**Conflict Prevention and Early Warning Monitoring** ........................................................................... 7
  - Integrating Gender into Early Warning Mechanisms ........................................................................ 8
  - Enhancing Conflict Prevention ....................................................................................................... 9
  - Institutionalizing Conflict Prevention ............................................................................................ 10

**Peace Support Operations** ................................................................................................................ 11
  - Increasing Women's Participation Based on Rights versus Efficiency ........................................... 12
  - Mixed-Gender and All-Female Peacekeeping Units ...................................................................... 13

**Management of Complex Humanitarian Emergencies** ..................................................................... 14
  - Women’s Unique Vulnerabilities and Needs .................................................................................... 14
  - Obtaining Sex and Age Disaggregated Data .................................................................................... 16
  - Engaging Women as Actors and Vital Participants ....................................................................... 16
  - Emergency versus Developmental Focus ....................................................................................... 17

**Political Transitions and Post-Conflict Statebuilding** ....................................................................... 18
  - Gains in Participation ..................................................................................................................... 18
  - Women in Political Transitions .................................................................................................... 18
  - Post-Conflict Transitions and Statebuilding .................................................................................. 19
  - Participation Gains and Women’s Political Empowerment ............................................................. 19
  - Post-Conflict Elections .................................................................................................................... 20
  - Women and Constitution-Making ................................................................................................... 21
  - Security Sector Reform ................................................................................................................... 22

**Transitional Justice** ............................................................................................................................ 24
  - Transitional Justice Overview ......................................................................................................... 24
  - Historical Lessons ............................................................................................................................ 25
  - Sexual Violence and Transitional Justice ......................................................................................... 25
  - Gender Mainstreaming in Retributive, Restorative and Reparative Processes .............................. 26

**Post-Conflict Reconstruction and Economic Recovery** .................................................................... 28
  - Participatory Development ............................................................................................................... 28
  - Foreign Aid, Gender Roles and Gender Relations ......................................................................... 29
  - Leadership, Local Capacity Building and Economic Recovery in Fragile Contexts .................... 30

**References** ............................................................................................................................................. 32
Introduction

The moment is ripe for a reinvigorated conversation between scholars, policymakers and practitioners that helps drive progress on issues critical to protecting and promoting women in peace and security efforts worldwide. While our understanding of the challenges and solutions inherent in such issues has grown significantly since the milestone UN Fourth World Conference on Women in Beijing and the adoption of the historic United Nations Security Council Resolution 1325, there remain significant gaps in theory and practice which, if closed, could better inform and impact policy-making. Moreover, as the body of evidence and analysis grows, we must continue to make progress in applying the research to practical efforts at the local, national and international levels.

The surge of academic research that was created by UNSCR 1325 has contributed significantly to a better understanding of the role of women in peace and security, but greater utilization of and communication with on-the-ground resources can lead to more informed action on country-specific situations. Meanwhile, policymakers often struggle to design best practices from sets of rarely similar cases, though access to evidence of long term trends or greater capacity to identify them can lead to more institutionalized policies. These two strands of work operate in the name of the same common goal, but suffer from a lack of access to the information-sharing and relationship opportunities that are salient to closing the theory and practice gap—meaning that those who need to benefit most from their work suffer too.

This paper attempts to facilitate a stronger connection between scholars and practitioners on some of the most important issues in women, peace and security. Improved communication and closer ties between these two critical strands could lead to more innovative strategies, better allocated resources and tangible results on the ground. The authors of this paper undertook an extensive survey of current academic literature in the field, and complemented it with reports by leading organizations operating around the world. The chapters included cover key challenges, highlighting gaps that exist in priority issue areas including: 1) Conflict Prevention, 2) Peace Support Operations, 3) Management of Complex Humanitarian Emergencies, 4) Political Transitions and Statebuilding, 5) Transitional Justice, and 6) Post-Conflict Reconstruction and Economic Recovery. Although these topics represent a mere subset of the universe of academic debates on women, peace and security research, the Institute identified these as prime for initiating a more beneficial working relationship between the worlds of academia and policy.

Some of the specific questions posed within the chapters include:

- How do we better tap into women’s networks for early warning system data collection?
- How do we increase women’s roles in preventive diplomacy?
- How do we institutionalize women’s roles in conflict prevention while we more broadly try to institutionalize conflict prevention itself?
- Do the status and conditions of women in volatile contexts serve as a precursor or indicator for impending violence?
- What does the inclusion of women in civilian and military positions achieve from an operational effectiveness perspective? Do specialized women’s units enhance security in ways that would not otherwise occur? Who benefits when women serve alongside men in peace support operations?
• Does promoting all-female peacekeeping units run counter to the mission of gender mainstreaming and integration?
• How do we encourage the collection of sex and age disaggregated data from conflict zones and increase the efficiency of data collection?
• When people are displaced, is it possible to balance providing emergency services with instituting long-term developmental programs?
• How do we encourage the inclusion of gender sensitivity and gender mainstreaming in transitional justice initiatives?
• How can women more effectively access equitable justice in strongly patriarchal societies?
• How do we respect cultural norms and uphold women’s rights as human rights?
• What is the relationship between conflict recidivism and women’s economic participation in post-conflict and transitioning societies?
• How can women shape the development of emerging democratic systems?
• Does increased representation of women in political offices translate to increased empowerment of women in post-conflict or transitioning societies?
Conflict Prevention and Early Warning Monitoring

Conflict prevention is a key pillar of the peacemaking process, addressing the basic security and protection of civilians and overall stability in a society. It often encompasses three phases of preventing conflict—before violence has broken out, during the earliest phases of violence, and preventing the resurgence of violence after resolution has occurred—and utilizes a number of structural and operational resources in its mission to protect. This chapter briefly considers the history of conflict prevention literature, and maps the progress of gender-based research in academia. It highlights challenges within early warning monitoring, enhancing conflict prevention, and institutionalizing conflict prevention, considering gender’s relationship with each. Three primary debates emerged over the best practices for incorporating women into traditional conflict prevention structures: how to integrate gender and early warning systems, how preventive diplomacy utilizing women can enhance conflict prevention effectiveness, and how to institutionalize women’s roles in conflict prevention.

In 1815 the Congress of Vienna was one of the first organized bodies to codify negotiations, neutral zones, and conflict resolution practices (Craig and George, 1995). Chapters VI and VII of the United Nations Charter authorize the peaceful settlement of disputes and the prevention of armed conflict outbreak via similar measures, and a number of UN Secretary-Generals introduced the concepts of “preventive diplomacy,” fact-finding missions, and early warning systems in the interest of preventing the outbreak of war (United Nations, 2001; Boutros-Ghali, 1992; Hammarskjold, 1960). Organizations soon recognized two primary types of preventive actions: operational prevention and structural prevention. Operational prevention captures the narrow, well-targeted, and short-term strategies available to policymakers in order to “contain or reverse escalation,” including early warning mechanisms, preventive diplomacy, and military force (Ackermann, 2000; Lund and Mehler, 1999; Ackermann, 1996), while structural prevention addresses the long-term initiatives necessary to prevent violence more generally—including human rights, good governance, and human security practices (Miall, et al., 2011; Annan, 1999; Carnegie Commission, 1997). Alongside these policy developments, a well-defined academic literature attempting to theorize conflict prevention emerged (Hampson and Malone, 2002; van Tongeran, van de Veen, and Verhoeven, 2002; Zartman, 2001; Jentleson, 2000; Bawens and Reychler, 1994; Munuera, 1994).

Women actively participate in conflict prevention. Throughout each phase of conflict, in each role, and throughout history, women exert their influence and contribute their experiences to the process of conflict prevention (Anderlini, 2000; Kolb and Coolidge, 1991; Brock-Utne, 1989; Weingarten and Douvan, 1985; Rubin and Brown, 1975). Traditionally, women are more active in structural prevention. Addressing “longer-term issues to reduce the potential for violence…[they] are particularly invested in ensuring armed conflict does not recur, because women shoulder a huge burden of responsibility in destroyed communities” (Conaway and Sen, 2005, p. 19). Women are expected to be structural prevention actors because they face a devastating alternative; they work to ensure good governance, effective justice, and growing economies because the other option is watching the people they support and nurture suffer.
addition, women are simultaneously becoming more active in operational prevention, taking short-term steps in realms like early warning monitoring systems to address conflict initiation and escalation directly and quickly (Conaway and Sen, 2005). Despite this, women’s participation in conflict prevention measures is often invisible and left unnoticed or unacknowledged in official processes at both national and international levels.

As women’s roles in conflict prevention have become clearer, three primary academic debates emerged over the best practices for incorporating women into traditional conflict prevention structures: how to integrate gender and early warning systems, how preventive diplomacy utilizing women can enhance conflict prevention effectiveness, and how to institutionalize conflict prevention whereby women are agents of the process. The following subsections consider each debate and the role of gender within it.

**Integrating Gender into Early Warning Mechanisms**

The notion of predicting conflict via a number of interacting and continuously evolving variables has inherent problems, but also has enormous potential. While consensus still eludes scholars, variables and structures that contribute to peace or conflict are slowly emerging in the literature (Gardner, 2002; Davies and Gurr, 1998; Gurr and Harff, 1996). In addition, there is broad agreement within the work on early warning mechanisms that successful overall de-escalation (rather than variable-by-variable de-escalation) is the desired outcome of any measures, and country-specific approaches are essential to achieving success (Cockell, 2002; Lund, 2002). Where early warning monitoring theory struggles to develop the most is in the issue of response. Criticized as lacking coherent, consistent, adequate, and complete response options, early warning systems theory gets mired in debates over when a warning is “enough” to merit intervention and what that intervention should entail (Schmeidl, 2001; Jentleson, 2000; George and Holl, 1997). In other words, studying the potential impact of early warning systems in an ad-hoc manner can be interesting and informative, but by definition it fails to contribute to preventing said conflict. Therefore, scholars continue to try to navigate the space between potentially crucial preventive variables and when they can or should act upon such variables.

Gender’s relationship with early warning systems has two primary dimensions. The first emphasizes training men and women on how to use gender analysis to monitor variables and develop responses that incorporate gender-sensitive factors (Schmeidl and Piza-Lopez, 2002). The second focuses on incorporating women within early warning systems—utilizing women, their networks, and their organizations to improve the preventive action process (Schmeidl and Piza-Lopez, 2002). Gender is most commonly incorporated in line with the former; there are a number of variables designed to capture how gender relates to the security of a state, captured via multidimensional information on inequality, oppression, and social hierarchies (Hudson, et al., 2008/2009; Schmeidl and Piza-Lopez, 2002; Tickner, 1999). Building upon theories of development, scholars draw connections between gender and variables including gross domestic product (GDP) per capita, child mortality, levels of government corruption, and the level of social welfare in a given state (Hausmann, et al., 2007; Mason and King, 2001; Chen, 1995; Jacobson, 1992; Rathgeber, 1990; Sen, 1989). Furthermore, several scholars identify ties between women’s roles in society and the likelihood that a state uses military action to settle disputes, including the percentage of women in parliament, the percentage of women in the labor force, and female fertility rates (Caprioli, 2000). Greater research and a more sound
understanding is required on how the status and conditions of women in volatile contexts can serve as an indicator for worse things to come, including violent conflict. Perhaps the most telling of these indicators is the level of systematic discrimination against women in strongly patriarchal societies as well as the levels of violence, in particular domestic violence, against women—and the extent to which such crimes go unpunished in settings where political and economic troubles are already brewing. Yet, a number of scholars continue to argue that there are a host of more traditional early warning variables—including the history of peace in a state, the likelihood of that state to work with others, the level of democracy in a state, the wealth of a state, and the predominant religion of a state—that better define the parameters of early warning systems, implicitly suggesting that gender’s relationship with predicting conflict may be marginal (Miall, et al., 2011). There remains a lack of consensus over how and which gender-analysis variables to incorporate into early warning systems. Meanwhile, very little research considers the second strand of gender’s relationship with early warning—how projects utilize and incorporate women’s networks and organizations to develop and implement early warning systems. Such organizations serve as “intervening factors” that can dramatically decrease the likelihood of conflict, but have attracted little comprehensive research (Schmeidl and Piza-Lopez, 2002, p. 16).

Enhancing Conflict Prevention
There is a fundamental debate within the literature over how to enhance conflict prevention. Scholars agree that preventive action must be multilateral, coordinated, varied, and multifaceted in its instruments; that it requires the support of one or more major international actors; that at least a portion of the domestic population supports it; that it builds capacity for long-term prevention; that there are clear resources for short-term to long-term action; and that there is “a clear and predictable mandate” (Ackermann, 2003, p. 343; Ackermann, 2000; Jentleson, 2000; Annan, 1999; Carnegie Commission, 1997). Yet, such a far-reaching list does not allow much room for analysis and improvement. Only one explicit recommendation has been developed to that end: policymakers must adopt context-specific approaches for each conflict prevention process (Ackermann, 2003; Cockell, 2002; Lund, 2002; Beyna, et al., 2001). Scholars and practitioners may not know what sufficiently guarantees success in conflict prevention, but they know that country-specific tailoring is necessary.

Gender advocates focused on enhancing conflict prevention emphasize a specific strand of those processes: preventive diplomacy. As previously noted, preventive diplomacy began as a primarily United Nations-emphasized idea not bound by gender. Yet, by arguing that women are uniquely tailored to certain negotiation tactics, some scholars and practitioners have not only established preventive diplomacy as a key element of any conflict prevention process, but they have also elevated women as the actors ripe to execute such strategies. Women talking directly to women opens access to a wealth of information that may otherwise be excluded from peace negotiations and conflict de-escalation processes (Cahill, 2013). They can serve as platforms for women’s voices, particularly in highly conservative societies where men and women do not freely associate (Rahman, 2012). The general argument is that the presence and representation of women in conflict prevention and conflict resolution processes, especially in official chambers, is crucial to ensuring that women’s unique needs are addressed, but inadequate research exists as to the ways in which women can voice concerns and solutions that are representative of whole communities.
Institutionalizing Conflict Prevention

Another key debate within conflict prevention analysis and practice is over how each becomes institutionalized. How does conflict prevention and its associated strategies become routine as part of a broader national and international landscape? The debate centers less on competing ideas and more on obstacles. For instance, as seen with the advent of, confusion over, and often frustration with the Responsibility to Protect (R2P) initiatives at the United Nations, trusting states to decide the legality and viability of preventive action can often lead to no action at all (Ackermann, 2003). Even beyond legal hesitancy, issues of capacity and resource availability—and who is going to lead any preventive intervention—become complex and difficult to resolve, all while a crisis continues. Some authors suggest highlighting regional organizations as gatekeepers of preventive action (Ackermann, 2003), emphasizing the sophisticated preventive instruments of the Organization for Security and Cooperation in Europe (OSCE) in monitoring, fact-finding missions, and structural prevention (Zellner, 2002; Flynn and Farrell, 1999; Ackermann, 1998) and on the newer but quickly growing efforts of the European Union in these same areas (Eavis and Kefford, 2002; Rynning, 2001).

Within the debate over how to institutionalize conflict prevention practices in the international system, a smaller debate over how to institutionalize gender into conflict prevention exists. Only six percent of country-specific resolutions on issues of women, peace and security specifically refer to women’s roles in conflict prevention (PeaceWomen, 2012). Yet, relative to institutionalization the most prevalent argument maintains that the “aim is not simply to draw attention to the plight of women and other vulnerable populations during conflict stages,” but to improve mechanisms for early warning monitoring programs that benefit whole societies (Schmeidl and Piza-Lopez, 2002, p. 7).

As conflict prevention research grows and considers key challenges within the methods, effectiveness, and durability of its practices, it fails to fully capture the role of women in these processes. The broad practices and theories of “conflict prevention” often supersede the majority of attempts at a gender focus, and beg the following questions: How do we better tap into women’s networks for early warning system data collection? How do we increase women’s roles in preventive diplomacy? How do we institutionalize women’s roles in conflict prevention while we more broadly try to institutionalize conflict prevention itself?
Peace Support Operations

Peacekeeping missions play a central role in the United Nations, from the United Nations Truce Supervision Organization (UNSTO) in 1948 to the nearly 70 other missions around the globe conducted since. Overtime, these peacekeeping missions have evolved from initial truce supervision and ceasefire maintenance efforts to complex operations supporting the cessation of violence and the peaceful resolution of conflict. Today’s peacekeeping operations provide security, protect civilians, facilitate political processes, establish disarmament, demobilization, and reintegration programs, and promote human rights. Beginning in the 1990s, the United Nations began calling upon troop-contributing countries to increase the number of women present in military peacekeeping units (Hudson, 2005; Stiehm, 2001). Since then, female involvement has expanded and gender-training programs have been implemented as part of pre-deployment peacekeeper training, though slowly and with mixed results (Hudson, 2005; Mackay, 2003; Stiehm, 2001).

Women have served as part of military peacekeeping units, civilian police officers and civilian staff members, though in limited numbers. From 1957 to 1989, women made up only one-tenth of a percent of the field-based military personnel in United Nations (UN) peacekeeping missions (Rehn and Johnson-Sirleaf, 2002), and as of October 2012, the percentage of female military peacekeepers was three percent (United Nations, 2012). For non-military roles the percentage of women serving tends to be greater, but at times still remains far from the “critical mass” of thirty percent participation—without which, many authors estimate, substantive progress in gender mainstreaming will be difficult to achieve (Jennings, 2011; Sion, 2008; Olsson, 2000). Women currently make up nearly ten percent of deployed UN police officers, half of the goal set by the United Nations in 2009. Women’s participation in the civilian components of peacekeeping operations is much higher—sometimes even greater than fifty percent (Jennings, 2011; Mazurana, et al., 2005).

In addition to its greater inclusion of female members, the UN introduced positions of gender advisors, special advisors, and special representatives of the Secretary-General—roles pertinent to increasing gender awareness and gender mainstreaming in peacekeeping missions. High-level officials, such as the Special Representative of the Secretary-General on Sexual Violence in Conflict and UN Women (which includes the mandates of previous entities such as the Office of the Special Advisor on Gender Issues and Advancement of Women), are situated to shape UN policy and organizational planning in a more gender-sensitive manner. In addition, the inclusion of gender advisors within the Department of Peacekeeping Operations (DPKO) at both headquarters and mission levels aims to increase knowledge of gender sensitivity and mainstreaming for UN peacekeepers on the ground (Puechguibal, 2003). While the UN has announced its efforts to increase gender sensitivity and women’s participation in all portions of its peacekeeping operations, there are factors that have limited its ability to enact these aims. Pertinent among these factors are the UN’s reliance on countries for troop contributions, the lack of women in national militaries, and a lack of utilization of female troops for external roles when they are deployed as military peacekeepers (Sion, 2008; Valenius, 2007; Karame, 2001).
Increasing Women’s Participation Based on Rights versus Efficiency

A key discussion in the literature surrounds how to most effectively spur greater female involvement in the military component of UN peacekeeping missions. Jennings (2011) notes how some advocates support a rights-based approach, arguing that the UN should live up to its emphasis on diversity, representation, and inclusion by increasing the number of women deployed in its peacekeeping operations. Other authors, such as Valenius (2007) and Hudson (2005), echo this, emphasizing that such an approach is consistent with the values and rights the UN is obliged to uphold. Gender diversity and a more balanced representation, they argue, remains as important as inclusion efforts pertaining to race, ethnicity, or religion.

A second and arguably more influential approach argues that increasing the number of female peacekeepers leads to greater operational effectiveness. It holds that including women is not only the right thing to do but also it is the smart thing to do—women provide greater situational awareness, reduce tensions with the host community, engender trust, provide role models for local women, respond more effectively to gender-based violence cases, transform military culture, and reduce male peacekeeper sexual misconduct (Whitman and O’Neill, 2012; Bridges and Horsfall, 2009; DeGroot, 2001). In other words, the presence and participation of women in peacekeeping missions can contribute to operational effectiveness by helping to further mission’s pre-determined mandate and, at the same time, women are able to perform certain functions that otherwise, arguably, may be unfulfilled. DeGroot (2001) and Olsson (2000) describe UN operations in Guatemala, South Africa, and Namibia as “successful” and correlate this success with greater overall female involvement in these UN missions. However, there remain a number of authors who argue that these supposed benefits in operational efficiency, such as reducing incidences of peacekeeper-perpetrated sexual misconduct and transforming the “hypermasculine” military culture, are not substantiated by facts on the ground (Jennings, 2011; Simić, 2010; Sion, 2008; Valenius, 2007).

Greater research and analysis of women’s inclusion in peace support operations, particularly in military capacities, is required to measure impact and adapt current practices to mission mandates. Moreover, as other multilateral organizations such as the North Atlantic Treaty Organization (NATO) begin to prioritize gender mainstreaming in military operations like those in Kosovo and Afghanistan, greater research on best practices and lessons learned is required. When trying to investigate what NATO can learn from the UN as it tries to implement its newly launched action plan on women, peace and security, it is essential to better understand the relationship between operational effectiveness, gender mainstreaming, and gender balance in personnel composition. At the same time, lessons learned from experiences of national militaries, such as female engagement teams deployed by the United States, has the potential to shape and improve gender mainstreaming in UN peace support operations.

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1 A critique of this treatment, however, lies in the lack of quantification or qualification given by these authors to the term “success.” While correlating the “success” of UN peacekeeping missions with greater women’s involvement can facilitate greater women’s involvement in subsequent operations, it is equally important to define what “success” means. Without a precise definition, it is difficult to point to the specific value added by greater numbers of women in the mission.
Mixed-Gender and All-Female Peacekeeping Units

Another area of discussion addresses the desirability of all-female peacekeeping units as a model for greater female participation in peacekeeping operations. All-female units such as those fielded by Peru, Ghana, Jordan, Bangladesh, and India have been both highly visible and well recognized, as they exemplify how to integrate a greater number of women into peacekeeping missions while avoiding obstacles such as a lack of female-to-female support in such operations (Sion, 2008). They provide a highly visible example of substantive women’s participation and agency among the local population (Simić, 2010).

Yet, there remains no definitive answer as to whether the inclusion of women in peace support operations—whether as gender advisors, military officers or police offers—can ensure that issues like protection from sexual and gender-based violence are addressed, all while the presence of all-female units contradicts the gender mainstreaming agenda promoted by the UN in its peacekeeping operations (as well as its organizational culture as a whole). As noted above, promoting all-female units runs counter to the UN’s emphasis on diversity and inclusion. Articulating that gender (encompassing both men and women’s experiences and roles) should be mainstreamed into all parts of the DPKO’s operations means that gender cannot be compartmentalized as applying only to one group, in this case women (Simić, 2010).

There are few substantive arguments and data on the desirability and impact of a mixed-gender versus an all-female unit approach. However, this discussion is particularly timely, as several countries today consider promoting all-female peacekeeping units of their own. The work of US Marine Corps Female Engagement Teams (FETs) in Afghanistan, similar efforts undertaken by British forces, and the inclusion of women in varying capacities in national militaries demonstrate that practices exist emphasizing the role of women in military operations—lessons and models must be extracted to establish more arguments for greater inclusion of women in military peacekeeping units.

On the ground and in the literature, women’s roles in the military aspect of UN peacekeeping missions continue to grow. However, their participation rates remain objectively low and women do not yet participate at the rate and levels advocated for by the UN and others. UN articulated goals of “doubling the number of female service personnel every year for a few years” (Bridges and Horsfall, 2009, p. 121) and for women to constitute twenty percent of UN civilian police officers by 2014 remain unlikely to be fulfilled. Discussions surrounding the most effective arguments for women’s involvement in peacekeeping operations generally fall into two camps: either an instrumentalist (i.e. greater effectiveness) or rights-based (i.e. the UN ought to live up to its emphasis on diversity and inclusion through fielding a gender diverse peacekeeping force) approach. Furthermore, there remains limited consensus regarding how best to integrate women into peacekeeping missions, especially in light of examples like Indian and Bangladeshi all-female peacekeeping units. Communication between academics and practitioners on these issues can produce substantive change in the articulation and design of effective data collection.
Management of Complex Humanitarian Emergencies

The literature discussing the connection between women and humanitarian emergencies emphasizes both the specific vulnerabilities and needs of women in emergencies as well as their possible positive contributions to relief efforts. While the majority of research emphasizes how humanitarian emergencies, forced migration, and the refugee context uniquely and adversely impact women, there is also a strong recognition of the positive roles women can and should play in such situations. Many of the practical benefits women can contribute in designing responses and delivering care during humanitarian emergencies go underutilized. They are advocated for, but unimplemented—to the disadvantage of the vulnerable populations they aim to help.

Women’s Unique Vulnerabilities and Needs

Much of the literature in this field draws attention to women’s specific needs and vulnerabilities in the wake of humanitarian emergencies. Although this particular frame for women in the peace and security context focuses on their vulnerability rather than their agency, discussing the specific needs of women in such settings also influences humanitarian efforts and policies aimed at empowering women. Drawing upon a gendered perspective recognizes that men and women face different challenges in the tumult of humanitarian emergencies, forced migration, and the refugee context (Cohn, 2013).

According to the Office for the Coordination of Humanitarian Affairs (OCHA) (1999) and the Inter-Agency Standing Committee (IASC) (1994), a complex emergency is “a humanitarian crisis in a country, region or society where there is total or considerable breakdown of authority resulting from internal or external conflict and which requires an international response that goes beyond the mandate or capacity of any single agency and/or the ongoing United Nations country program.” As such, complex humanitarian emergencies are often characterized by: extensive violence and loss of life, massive displacement of people, widespread damage to societies and economies, need for large-scale and multi-faceted humanitarian assistance, hindrance of the provision of humanitarian assistance by political or military constraints, and significant security risks for humanitarian actors (OCHA, 1999; IASC, 1994).  

Humanitarian emergencies exacerbate already unequal social structures, and women, along with other disadvantaged groups such as the elderly and disabled, suffer disproportionately (Shah, 2006; Schwoebel and Menon, 2004). Specifically, women often face increased risk of sexual and gender-based violence (Eklund and Tellier, 2012; Aoláin, 2012; McKay, 1998), exclusion from decision making processes regarding family movements (Martin, 2004; McKay, 1998; Benjamin and Fancy, 1998), and increased economic and social demands as men are forced to flee or join armed forces and traditional sources of income are no longer viable (Clifton and Gell, 2001; McKay, 1998; Benjamin and Fancy, 1998; IASC Working Group on Gender and Humanitarian Assistance, 1998). And yet, the high level of violence against women in refugee and internally displaced person (IDP) contexts is an issue that is not adequately documented nor buttressed by a strong evidence base. As a result, the ability and willingness of operational agencies designed to

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2 This paper uses the terms “complex humanitarian emergency” and “humanitarian emergency” interchangeably.
protect the most vulnerable persons during crises are undermined. Focused research is required to understand the relationship between relief organizations’ mandates to protect and the populations for which said mandates were designed.

As an emergency moves from an acute stage to a more prolonged setting, women and their families often flee their traditional homes and settle in camps. Depending upon the final location of their flight, they are referred to either as refugees or IDPs. The UN Convention Relating to the Status of Refugees (1951) provides a definition of a refugee as a person who:

Owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, unwilling to return to it.

This definition has been extended by the Organization of African Unity to cover any person “who owing to…events seriously disturbing to public order in either part or whole of the country, is compelled to seek refuge outside his country of origin” (Martin, 2004, p. 3). Alternatively, IDPs are defined by the Guiding Principles on Internal Displacement (Martin, 2004, p. 4) as:

Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights, or natural or human-made disasters, and who have not crossed an internationally recognized State border.

Whether classified as refugees or IDPs, women continue to face increased risk of sexual and gender-based violence, in addition to increased rates of domestic violence. This can often be due to the frustrations men feel from being unable to economically provide for their families in refugee and IDP settings, as well as camp registration practices that issue cards to male heads of households, necessitating women to stay with abusive husbands in order to receive their share of food and supplies (Aoláin, 2012; Human Rights Watch, 2003; Benjamin and Fancy, 1998). Furthermore, as gender roles change and families move from often close-knit communities to larger refugee communities, women face an uncertain social environment, where they are not able to rely on traditional networks such as neighbors and extended family to access child care support and basic needs such as food and water (Aoláin, 2012; Eklund and Tellier, 2012; Benjamin and Fancy, 1998). Women are also vulnerable to adverse health outcomes. Poor camp design, social practices emphasizing feeding men and children first, and women’s unique reproductive and gynecological needs leave women ignored and/or under-prioritized in the humanitarian emergency context (Martin and Tirman, 2009; Mansaray and O’Connor, 2002; Benjamin and Fancy, 1998; McKay, 1998).

Yet in contrast to these specific needs, there are positive contributions women can make when engaged by humanitarian and refugee actors. First and foremost, one cannot effectively design and implement programs for an entire population when fifty percent or more of that population is excluded from participating in both the design and implementation of said programs (Martin,
In this regard, women can serve as a reputable contact point, helping humanitarian agencies to determine communal needs and distribute programming and supplies to the most vulnerable persons (Wilber, 2011). Because women can play such a substantive role in delivering services during crises, there is also a call for greater women’s involvement in camp management structures. Not only do women in camp leadership roles benefit, but the entire camp population can benefit as well as a result of women’s perspectives in management and mitigation of complex emergencies (Martin, 2004; Human Rights Watch, 2003; Mansaray and O’Connor, 2002; Benjamin and Fancy, 1998).

Obtaining Sex and Age Disaggregated Data
Apart from the discussion of women’s needs and capabilities, the most resounding aspect of this literature calls for sex and gender disaggregated data (SADD). Nearly every source consulted demands greater collection of SADD, and many scholarly theses actually deal specifically with the dearth of SADD in the field (Mazurana, et al., 2011; Eklund and Tellier, 2012). Those demanding SADD reason that documenting the differences between men’s and women’s experiences in humanitarian emergencies leads to more effective program design and better allocation of resources to address specific needs (Mazurana, et al., 2011). However, as Eklund and Tellier (2012) and Mazurana, et al. (2011) demonstrate, this call remains largely unimplemented. While these efforts existed prior to the passing of UNSCR 1325, leading organizations still fail to consistently include SADD in all parts of their monitoring and evaluation processes (Mazurana, et al., 2011). Based on SADD’s persistent presence in the literature, a joint effort between academics and practitioners on this subject could prove especially fruitful.

Engaging Women as Actors and Vital Participants
One debate explored in the literature focuses on how to best engage women as actors and key participatory members in programming when they are rarely engaged in existing local public activities. Some seek to respect cultural norms, and initiate “culturally sensitive” programs such as sewing and handicraft income-generating activities for women in refugee camps, even when women indicate that they would prefer other options to sustain livelihoods (IASC Working Group on Gender and Humanitarian Assistance, 1998). Indeed, the heated discussion over religious and cultural values and their perceived incompatibility with “western” values and women’s rights in the latest Commission on the Status of Women (CSW) session reveals this debate’s pertinence to current efforts in the field (Tryggestad and Lorentzen, 2013). However, others, such as Clifton and Gell (2001), emphasize women’s human rights over “cultural” practices that curtail women’s freedoms, arguing that women’s empowerment in the aftermath of humanitarian crises does not impinge on a vulnerable society’s culture. Rather, Clifton and Gell (2001) attest that all individuals have certain rights, and effective program design necessitates the inclusion and participation of all parts of a population. Importantly, organizations such as The Institute for Inclusive Security have demonstrated that local acceptance and women’s agency need not be mutually exclusive, such as UNHCR’s work with Iraqi urban women refugees living in Damascus (Wilber, 2011).

Emergency versus Developmental Focus
A second important discussion in the field revolves around developmental goals in humanitarian or emergency relief. Here, there can be a great deal of local and organizational push back on
establishing long-term educational facilities, housing, farming opportunities, and land access for refugee communities (Clifton and Gell, 2001). On one hand, relief efforts focused solely on refugees can stir conflict between refugees and local communities based on perceived deprivation. Moreover, perceptions of unequal aid distribution are known to leave locals feeling that foreigners receive aid that ought to be directed towards the livelihood of locals (Clifton and Gell, 2001). Furthermore, many relief organizations cite financial and logistical constraints, summed up simply as, “we don’t do gender, we save lives,” so as to separate gender mainstreaming from the overall goals of relief and recovery for refugees and IDPs (Hines, 2007). In other words, there is a conflation of responsibilities and a misinformed notion that gender mainstreaming is separate and unrelated to saving lives and broader objectives related to protection of civilians and vulnerable populations.

Increasingly, the majority of forced migrants who flee their homes due to armed conflict and political upheaval end up remaining in camps or displaced from their homelands for an extended period of time (Martin and Tirman, 2009). Loescher, et al. (2008) note that nearly two-thirds of the world’s approximately 11.2 million refugees have been in camps or displaced for five years or longer. Thus, because camps may have to serve the needs of a population for many years, stopgap measures cannot sufficiently provide for refugees’ and IDPs’ long term needs and rights. They are quick-fix solutions that are often inadequate in terms of emergency care as well as long-term livelihood. There is also a growing recognition that the window of opportunity to foster structural-level change in a given society closes very quickly after an emergency; gender, and other developmental goals related to structural inequalities, must be included from the beginning if there is any chance of them being incorporated into a society’s social fabric (Clifton and Gell, 2001). Additionally, because humanitarian emergencies highlight a country’s underlying structural inequalities, any response effort needs to account for these structural challenges, along with the immediate impact of conflict, forced migration, and refugee status (Schwoebel and Menon, 2004).

The literature on women’s unique vulnerabilities and needs during and after humanitarian emergencies is quite robust. While this literature addresses the ways women can be positive agents in crisis situations, examples of programs and structures actually utilizing women and their potential contributions are much less prevalent. Sex and age disaggregated data can facilitate better program design and help increase women’s agency, but to date, a divide remains between words and actions. Along with these efforts, a greater emphasis on longer-term goals driving refugee protection and care, as well as locally developed programs designed to engage and accept women’s meaningful participation in the crisis context could lead to substantive societal change.
Political Transitions and Post-Conflict Statebuilding

Ending discrimination against women and ensuring equal opportunities to be involved in the political life of their societies has been an international priority for the last quarter century. Women’s active political participation not only strengthens governance and democratic systems, but also is critical to ensuring that broad-based development and long-lasting peace can be achieved. Over the last three decades, women’s political participation has increased, but as both academics and practitioners note, significant obstacles remain to women’s full political empowerment. Periods of transition—either through comprehensive changes in political systems or emergence from conflict—provide opportunities for women to make advances as the traditional power structures are being refashioned. This review briefly examines the roles women have played in political transitions and statebuilding in general, and delves into three critical areas for women’s empowerment: elections, constitution-making and security sector reform.

Gains in Participation
The world has seen a number of important international calls to action over the issue of gender equality in the political realm over the past 50 years. The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) calls on all states to eliminate discrimination against women in political and public life, to ensure the equal access of women to vote, and to allow women to “participate in the formulation of government policy and the implementation thereof” (CEDAW, 1979). The 1995 Beijing Platform, the Millennium Development Goals, and UN Security Council Resolution 1325 all reinforced the need to remove obstacles for women’s political participation and to “ensure increased representation of women at all decision-making levels” (Neutwirth, 2002).

Since these and other important agreements have been reached, the world has seen a significant increase in women’s political participation. According to the Inter-Parliamentary Union’s findings in 2013, women now represent over twenty percent of national parliaments globally, which constitutes a seventy-five percent increase since 1995 (Inter-Parliamentary Union, n.d.). The rates still remain low, and progress has been uneven. In the developing world, Latin America and sub-Saharan Africa have the highest levels of parliamentary representation, with Northern Africa among the lowest (United Nations, 2012). Many of the gains have been due to the adoption of quotas across the world (Dahlerup, 2013), but others note that there has been a broader cultural shift toward greater inclusiveness and gender equality (Inglehart and Norris, 2003).

Women in Political Transitions
Over the last thirty years, political transitions have taken place in a majority of countries in almost every part of the world—the exception, until recently, being the Middle East. Such transitions may involve a change between regimes without any progress towards democratic political systems, but a number of the transitions have involved shifts from authoritarian to more democratic systems (Diamond, 2006; Carothers, 2002). From Latin America to Africa, to recent
events in the Middle East, women and women’s movements have often been at the forefront of social and popular movements taking on authoritarian regimes. Political transitions can offer important opportunities for women seeking to implement changes to the overall governing framework and political system. Yet, women have had varying success in impacting transitions to ensure women’s rights and views are taken into account. There is a vibrant debate in the academic world as to what blocks women’s success. For example, looking at the case of sub-Saharan Africa, Tripp (2001) and others argue that regime type matters, with more democratic countries lending more openings, where as Goetz (2009) and others look to favorable local context and cultures. Especially during rapid transfers of power, women’s groups make gains only if they are already well-organized, otherwise a more drawn out transition process can allow women’s movements time to get organized (Waylen, 2003).

**Post-Conflict Transitions and Statebuilding**

Countries emerging from conflict can also be prime candidates for political transition and transformation. UN Women defines political transition as “a period of change from one political regime or system to another, often describing the process of emerging from conflict to peace, when there is a priority effort to create conditions for political stability, security, justice, social equality, and recovery” (UN Women, 2012, p. 1). Countries emerging from long-term conflicts have to engage in a process of “statebuilding,” which was once viewed narrowly as increasing government capacity to maintain security and deliver key services. The term has since seen its definition broadened considerably. As the Development Assistance Committee (DAC) notes, “Statebuilding is a deeply political process forged out of complex struggles over the balance of power, the rules of engagement and how resources should be distributed” (DAC, 2010, p. 16). Political statebuilding typically entails the design and management of an electoral process to determine who will rule, constitutional reform, establishing or rebuilding a system of rule of law, legislative reform and security sector reform—all of which have important implications for women.

Transitions from conflict “often present opportunities to strengthen women’s leadership, empowerment and rights in governance processes” (Lukatela, 2012, p. 1). The dominant trend in the aftermath of conflict has been the disruption of traditional gender roles and relations, creating incentives for women to demand greater rights and representation. As Tripp has found, legislative representation increases especially after intense, long-lasting major conflicts (Tripp, 2012). Countries emerging from conflict have achieved more gains in terms of participation, with averages higher than thirty percent (United Nations, 2012). These countries have also achieved the most changes in terms of legislative and constitutional reform. Meintjes reinforces that post-war shifts in gender relationships can translate into the disruption of gender relations, including at the local level, and women’s peace movements can channel their energies into ensuring gains for women (Meintjes, 2001). Post-conflict countries are also generally more aggressive than non-conflict countries in passing legislation pertaining to violence against women, property rights, and laws requiring quotas for women.

**Participation Gains and Women’s Political Empowerment**

Scholars have questioned whether the gains made in terms of laws and women’s political participation have led to longer-term progress in key issues of concern to women. Tripp notes that political transitions in many post-conflict regimes such as Uganda and Rwanda have resulted
in hybrid regimes, which may have some democratic aspects but are still semi-authoritarian (Tripp, 2012). Those regimes have taken steps to increase the number of women in parliament, courts, and the executive branch, but power may be so concentrated in one individual or group of individuals that the presence of women in parliament, the judiciary or the executive branch may not necessarily lead to longer term positive gender outcomes. While women may have representation in cabinets, they often are relegated to “softer” issues, rather than the core issues of defense, foreign affairs, and finance, and so much of the governance apparatus of the state remains insulated from women’s perspectives and concerns.

Tripp ultimately argues that the political effectiveness of women and their ability to make gains—and to move from participation to empowerment—depends on four major elements: 1) the strength of women’s movements, 2) the character of political competition within the country (the more democratic the better), 3) internal democratic processes within political parties, and 4) state capacity (2012).

**Post-Conflict Elections**

In post-conflict societies, elections can be used not only to build democracy but also to consolidate the peace process, encouraging adversaries to move from “bullets to ballots” (Kumar and Ottoway, 1997, p. 1). Conducted properly, elections can help initiate the new political order, as the process of choosing representatives confers legitimacy on the political system and the new government (Reilly, 2002). Women have played a significant role in a number of post-conflict societies, including organizing civic education campaigns targeting women, offered legal counsel to women informing them of their voting rights during elections, and engaging in other activist efforts during election periods (Sørensen, 1998). Successful cases of post-conflict elections in recent decades include Namibia, Cambodia, Sierra Leone, and Mozambique—all of which have some kind of constitutional provisions guaranteeing the right of women’s participation in the political arena (Kühne, 2010).

Thoughtfully designing an electoral system to discourage winner-take-all results and encourage power-sharing and coalitions can address many of the mistakes that were made in previous failed post-conflict elections, as well as ensure the adequate representation of women in political life (Lijphart 2004; Lijphart, 1991; Linz, 1990). Expectations tend to be high for such elections, and they must be seen as transparent and fair if further disputes and conflicts are to be successfully averted (Helgesen, 2007; Kumar, 1998). Ensuring sufficient administrative capacity during elections has particular relevance for women, as women are often marginalized in elections held in post-conflict settings due to a lack of strong judiciaries and other institutions to protect their rights (United Nations Office of the Special Adviser on Gender Issues and Advancement of Women, 2005).

Another key priority for women is to ensure that adequate incentives exist in the electoral or legal framework for women to be able to successfully run for office, including through the use of quotas. Women’s results tend to be the strongest in electoral systems that combine closed list proportional representation with an electoral gender quota that requires both vertical and horizontal alternation (UN Women, 2012). List quotas or reserved seats can also ensure adequate women’s representation. A prominent illustration of the efficacy of quotas is Uganda, which despite its war-torn history and low level of economic development ranks in the top 20 countries
worldwide for percentage of women parliamentarians—almost thirty percent in 2011—due to its system of reserving seats for female MPs (Tremblay, 2008; Inter-Parliamentary Union, n.d.). Even with quotas, however, it still is difficult for women to achieve equal opportunities to run for political office, because women’s entrance into political forays challenges existing power structures and upsets balances of power.

Voter registration in a post-conflict setting is often complicated by the need to address a number of disenfranchised people (including women) and internally or externally displaced populations. Nevertheless, the process of registering voters is of critical importance, as bungled registration efforts can have a disastrous effect on elections by reinforcing mistrust in an already tense post-conflict election environment.

In many post-conflict societies civil society is weak, and political parties take center stage in elections. Often the political parties are dominated by a narrow group of political elites, have not developed programmatic platforms, and have weak links to local communities, where women are typically more organized. But while parties in post-conflict societies can be fraught with these and other difficulties, opportunities exist for the advancement of women in political life. In Rwanda, for instance, more than fifty percent of parliamentarians are women, and it was female parliamentarians who established the first caucus to include both Hutus and Tutsis (Bastick, 2010; Inter-Parliamentary Union, n.d.). More broadly, Inter-Parliamentary Union surveys and studies regularly reveal significant achievements made by female parliamentarians in post-conflict societies in advancing a gender equality agenda (Ballington, 2008), although considerable barriers to full and equal participation still remain in many areas.

**Women and Constitution-Making**
Constitution-making is a term employed by scholars and practitioners that refers to a “limited process in which a group of political actors engage in the drafting, discussion, and approval of a written document that intends to regulate the machinery of government, the relation between individuals and public authorities, states of exception and amendment procedures” (Negretto, 1998). The process of constitution-making can incorporate a wide range of goals: establishing a framework of governance, building capable and inclusive state institutions, maintaining order and stability, promoting human rights, and facilitating the participation of the public in the crafting of the new political order (Banks, 2008; Dobrovolsky and Hart, 2003; Hart, 2003; United Nations Rule of Law, n.d.). In post-conflict societies, this process takes on a special significance as it has the potential to improve the immediate conditions on the ground by bringing warring parties together to resolve disagreements through democratic politics (Benomar, 2004). Constitution-making after conflict can thus serve as “an opportunity to create a common vision of the future of a state and a road map on how to get there” (Samuels, 2006, p. 664).

Women participated either formally or informally in constitution-making processes in Colombia (1991), South Africa (1996), Eritrea (1997), Rwanda (2003), and Iraq (2005), and the new constitutions of Afghanistan and Iraq both incorporate explicit gender equality provisions (Irving, 2011). The Good Friday Agreement that established Northern Ireland’s devolved system of government in 1998 included specific references to women’s rights to full political participation and equal opportunities as a direct result of the formation and activism of the
Northern Ireland Women's Coalition (Dobrowolsky and Hart, 2003). Women continue to actively struggle for constitutional recognition in places where constitution-making is in progress such as Nepal, often through the courts (Langford and Bhattarai, 2011). In post-apartheid South Africa, the women of the African National Congress and other political parties allied under the Women's National Coalition in 1992 to push for constitutional principles of non-sexism and gender equality (Dobrowolsky and Hart, 2003). These efforts culminated in the election of a considerable number of women MPs (twenty-seven percent of elected members of parliament) who subsequently fought for legislation in the areas of reproductive choice, discrimination in land and housing, domestic violence, and workplace protection. Though their election and action did not guarantee influence, it marked a significant development.

Constitutional recognition of gender rights can play a role in making a difference in the lives of women, though the ultimate impact of such recognition can be more superficial than substantive. In Rwanda, for example, the constitutional provision for the equality of all Rwandans has been undermined in women's land rights cases involving widows and inheritance as a result of strong cultural barriers to such rights (Balikungeri, 2011). Similar land rights struggles are taking place in Guatemala, Sierra Leone, and elsewhere. Likewise, in places like Sudan and Sierra Leone, constitutional protections for women are either not enforced or are contradicted or nullified by other parts of the constitution itself (Glassborow, et al., 2011; Abdullah and Fofana-Ibrahim, 2010). In Cambodia, on the other hand, the participation of women in the drafting of a strong liberal constitution resulted in constitutional protections that enable women to flourish in the realm of civil society and community activism, where they are “active at all levels of government” (McGrew, et al., 2004, p. vi).

**Security Sector Reform**

Another critical area that bears examination is security sector reform. Security sector reform (SSR) refers to a cross-sector transformation of security systems that involves all security sector institutions, including militaries, police, intelligence services, government ministries, monitoring organizations, and judiciary and penal mechanisms (Anderlini and Conaway, 2004). SSR is acknowledged by scholars and practitioners alike as a critical component of establishing peace and security that, when implemented effectively, can be conducive to poverty reduction, good governance and reducing conflict recidivism (Egnell and Halden, 2009). Conflict prone states increasingly acknowledge that SSR is a key tool for consolidating legitimate authority in post-conflict reconstruction (Bastick, 2010).

For SSR to be truly sustainable and legitimate it requires inclusion of all stakeholders, particularly women. In reality, decisions about the security sector tend to be seen as the purview of militaries, police forces, political leadership and other sectors where women are underrepresented. These groups tend to view security in combat terms, and “militarized masculinity remains unquestioned” (Tripp, 2012, p. 40).

Traditional notions of security focus exclusively on the absence of violence en masse, critically leaving out sexual and gender-based violence that permeates many societies. As a result, when states emerge from periods of violent conflict, threats to individual security—such as violence against women—go under-prioritized or ignored altogether. This often sets the parameters of security sector reform, including demilitarization, demobilization, and reintegration (DDR)
programming. Human security theorists define security more broadly than traditional security, incorporating people’s ability to meet their basic life needs and, as a result, live a life in dignity with freedom from fear or want (Kaldor, 2007; MacFarlane and Khong, 2006; Paris, 2001). The concept of “human security,” however, is nascent in theory and practice and remains contested. While some focus on the “protection of individuals from risks to their physical and psychological safety, dignity and well-being,” others warn that too large or broad a concept renders it useless and ineffective for policymaking (Tadjbakhsh and Chenoy, 2007, p. 3; Paris, 2001). While scholars and practitioners continue to debate the “human security” concept, a renewed focus on individual security merits new research.

Women have taken up a variety of roles in SSR that have helped make the process more inclusive and responsive. Women’s groups have lobbied for a more inclusive discussion of security and provided expertise and experience to bear on SSR decisions. For example, in Nepal, women’s organizations have conducted training programs to engage senior military personnel on issues of women’s and children’s rights (Anderlini and Conaway, 2004). The Liberian women’s movement succeeded in broadening the view of human security during Liberia’s SSR, which led to the establishment of a Gender-Based Violence (GBV) Crimes Unit within the Ministry of Justice as well as other protection services in the national police (Bastick and de Torres, 2010). Women MPs and government ministers have drafted and lobbied for legislation on increased transparency and accountability on sexual violence and other key issues. In South Africa, women parliamentarians insisted that NGO input be included when formulating new security policy (Anderlini and Conaway, 2004).

In a post-conflict setting, SSR typically involves the process of disarmament, demobilization and reintegration. A number of academics have explored the issue of women fighters, and the non-combat roles that women have played in a conflict. DDR programs have not been designed to take into account the unique needs of women fighters as well as how to reintegrate those women who have played supporting roles in conflicts. Most of the literature has focused on case-studies, and there is a need to look across countries and regions to identify the roles through which women have been able to be meaningfully involved in SSR and DDR programs.

*While considerable gains for women's rights have been made in the areas of political participation and constitutional and other legal protections, there is a long way to go. Greater emphasis in the future to examine the long-term impact of these gains for the overall women, peace and security agenda will be essential. There is a need for more rigorous comparative research on how women in parliaments or in power make decisions, what barriers they face, and what strategies have proven successful. Furthermore, more research is particularly needed to identify the factors and structures that can ensure that women participate and impact security sector reform processes.*
Transitional Justice

Where a country’s history is marred by gross human rights violations and historical injustices, transitional justice mechanisms can help to form new bonds between groups of citizens and between citizens and the government. However, transitional justice suffers from a common problem found throughout peacemaking, peacebuilding, conflict resolution, and statebuilding: the exclusion of women’s voices in formal and informal processes that, ultimately, upholds gender inequity in post-conflict societies (Stromseth, et al., 2006). Further research is needed to build gender sensitivity into transitional justice practices.

Transitional Justice Overview

Peace agreements that fail to address accountability for crimes against humanity, including but not limited to sexual and gender-based violence, weaken the ability of judicial institutions to serve citizens effectively. Conflict recidivism rates, particularly in situations where peace agreements have been reached, demand practitioners rethink how to approach peace, justice, security, and social unity in fragile, transitioning, and post-conflict societies. Within this context, gender mainstreaming in transitional justice has taken center stage in the field of women, peace and security. While transitional justice has gained much traction in human rights discourse since 2000, there is still no universally accepted definition to frame scholarly and practical debates. Some scholars argue the word “transitional” is unnecessary, even misleading, distorting justice’s essence. Others argue that the term conceptually and practically distinguishes justice in conflict contexts from justice in stable settings (Bickford, 2004).

Transitional justice simultaneously focuses on the past, present, and future. Buckley-Zistel and Zolkos (2012) explain:

As a past-oriented practice, [transitional justice] addresses wrongs that have been committed during a conflict; as a present-oriented practice, it establishes a new ethical and institutional framework of post-authoritarian and/or transitional politics for interpreting the past and, through this, it seeks to prevent the future occurrence of gross injustices and violence. (p. 2)

Anderlini, Conaway, and Kays (2004) propose a narrower frame, claiming transitional justice only includes:

Short term and often temporary judicial and non-judicial mechanisms and processes that address the legacy of human rights abuses and violence during a society’s transition away from conflict or authoritarian rule. (p. 1)

Implementing transitional justice through “the protection of human rights based on gender equality” (Valji, 2007, p. 4), gendered analysis re-conceptualizes victimhood, atrocity, inequality, redress, and ultimately, justice, fostering more equitable societies. Moreover, gendered analysis requires greater female participation and leadership in designing and implementing transitional justice mechanisms.

Historical Lessons
The post-World War II (WWII) Nuremberg trials generally mark the first post-conflict transitional justice institution (Olsen, et al., 2010). The horrors of WWII, the creation of the United Nations and the adoption of the Universal Declaration of Human Rights (UDHR) reenergized the international community to institutionalize an international criminal justice system. The United Nations War Crimes Commission (UNWCC) intended to fulfill that dream, but political and resource constraints kept it from operating. Instead, the Allies established the Nuremberg trials in 1945, followed by a second international military tribunal in Tokyo in 1946 (Moshan, 1998). Neither of these tribunals, however, adequately attended to women’s needs and experiences. Rape and other forms of sexual violence retained their status as spoils of war and an inevitable happenstance of conflict. After being enslaved for sex by the Japanese, Korean and Chinese “comfort women” were ignored at trial. Although “the Allied Local Council Law No. 10, under which intermediate-ranking Nazi war criminal[s] were prosecuted,” included rape as a crime against humanity, the court never heard, nor did prosecutors bring forth, such charges (Copelon, 2000, p. 221). Neglecting women’s war experiences in transitional justice settings continued for decades until the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) were created (Cheldelin, 2011; Brownmiller, 1975).

Along with the ICTY and the ICTR, political, legal, and academic professionals helped launch the International Criminal Court (ICC) under the 1998 Rome Statute’s auspices. A historic step in engendering international human rights law and creating a legal and normative foundation for transitional justice processes, the Rome Statute did not defect to gender neutrality, but, instead, defined “gender” within its mandate. Nevertheless, those advocating for women’s representation in transitional justice institutions argued that the Rome Statute, albeit important, failed to concretely frame gender justice. Some argued that including gender-motivated crimes in the Rome Statute was “not enough to ensure gender justice” (Moshan, 1998, p. 155). Historically, “harms committed against women during armed conflicts [are] quite different than the crimes prosecuted by criminal tribunals” (Turano, 2011, p. 1065). This happens, in part, because women experience violence in deeply complex ways, along a continuum of gender-based structural, cultural, and direct violence.

**Sexual Violence and Transitional Justice**

Gendering transitional justice must address gender-based and sexual violence. As many scholars and practitioners note, sexual violence is often a tactic in warfare; women’s bodies morph into secondary battlefields—a hard truth seen in conflicts in the Democratic Republic of the Congo, Sierra Leone, Bosnia, Rwanda, Egypt, and Syria. Experiences of victims and survivors of sexual violence span from the most brutal penetrative sexual abuse to “lesser” sexual degradation, such as forced nudity. Thus, legal, social, and interpersonal difficulties abound when addressing sexual violence within transitional justice.

Importantly, the ICTY recognized female suffering during wartime, and elevated women as peacemakers and peacebuilders during reconciliation. Women’s advocacy groups, both national and international, helped secure a wide range of crimes and human rights violations, including those that disproportionately affect women, within the tribunal’s mandate. As Richard Goldstone, Chief Prosecutor of the Court, attests, appointed female officials, inclusion of female witnesses, and the cases ultimately heard at the ICTY helped classify rape and gender-based
violence as grave violations of international law, rather than simply war’s inevitable collateral damage (Mertus, 2008). The political and legal momentum flowing from the ICTY laid the foundation for future progress at the ICTR. There, a hallmark case, *The Prosecutor v. Jean Paul Akayesu (ICTR-96-4-T)*, hereafter referred to as *Akayesu*, represents the first time a transitional justice institution defined sexual violence.\(^3\) Today, transitional justice hearings still use this definition (Walsh, 2008). Although imperfect, both the ICTY and the ICTR planted seeds for later victories, such as the passing of UNSCR 1325, 1880, 1888, and 1889; the demonstrated commitments of the UN, NATO, and individual governments; and the continued inclusion—to varying degrees—of addressing sexual violence as part of transitional justice processes globally.

### Gender Mainstreaming in Retributive, Restorative and Reparative Processes

In theory, transitional justice—including criminal tribunals, truth and reconciliation commissions, economic reparations programs, and more—provides restitution to victims and survivors of horrific crimes. Transitional justice can offer legal and political mechanisms that facilitate accountability for perpetrators, justice for victims, and reconciliation and truth-telling for once-sparring groups. Transitional justice creates the opportunity to establish an accurate historical record of a conflict and to offer voice to the voiceless by acknowledging different narratives based on varied experiences that may include extreme physical violence or entrenched socioeconomic suffering and political marginalization. A major challenge in gendering transitional justice remains: “Women’s experiences of injustice during conflict are also a result of existing inequalities and as such are not necessarily the crimes that are codified in international human rights law” (Valji, 2007, p. 13). In other words, a broad continuum of gender inequality predates war, continues throughout conflict—even if manifested differently—and persists in post-conflict transitions (Lagon and Gittleman, 2012). Different schools of thought propose various models of transitional justice as mechanisms for achieving gender justice in transitioning societies.

Some suggest greater gender equality in post-conflict societies lies in inclusive rebuilding approaches. They call upon transitional justice to go beyond righting past wrongs and instead improve “basic economic and political conditions,” so as to hamper gender-based structural, cultural, and direct violence (Copelon, 2000, p. 236). Inclusivity, however, requires the systems perpetuating inequality (e.g., patriarchy) to change. Hamber (2007) and Aoláin (2009) recommend deconstructing patriarchal internationalized transitional justice, as it contributes to a masculine bias in both the language of transitional justice’s international legal framework and the narratives that dominate post-conflict decision-making.

De Greiff (2004; 2006), Rubio-Marin (2009) and Villa-Vicencio (2010), respectively, criticize gaps in redress between solely retributive or solely reparative transitional justice, as well as the ways in which imposed transitional justice creates new political problems or can re-tear the fragile social fabric of post-conflict societies. These questions pertain to gender mainstreaming in transitional justice, but also to the broader sustainability challenges around peace agreements.

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\(^3\) *Akayesu* described the crime in these terms: “Any act of sexual nature which is committed on a person under circumstances which are coercive. Sexual violence is not limited to physical invasion of the human body and may include acts which do not involve penetration or even physical contact.” (Walsh, 2008, p. 39-40)
Villa-Vicencio (2010) argues that hybrid transitional justice models or concurrent retributive, reparative, and restorative processes deliver more holistic justice. Rwanda presents an interesting comparative case study in this regard (e.g., the approaches of the ICTR, the Gacaca trials, and post-conflict economic development initiatives introduced by the Kagame regime). Bell and O'Rourke (2007) propose a feminist theory of transitional justice, prioritizing material reparations for women. Experiences in Cambodia, Bosnia, and Guatemala reveal that political symbolism (e.g., the erection of memorials) also can provide some collective restitution to female victims, survivors, and peacemakers.

*Women who are victimized and dehumanized during periods of armed conflict can regain some semblance of their dignity and identity by participating in transitional justice processes. An opportunity exists therein to alter the perception of women as perpetual victims in conflict-affected societies to instead support their agency. Participating as trial witnesses against perpetrators carries immeasurable value to women who suffered, either directly or by association (Page, et al., 2010). Similarly, officially recording one’s experience through a truth commission or receiving economic support to rebuild livelihoods also brings closure and restores agency, if only partially, to survivors.*
Post-Conflict Reconstruction and Economic Recovery

During conflict, economic challenges for women abound, as they often transform into heads of households (Greenberg and Zuckerman, 2006; Corrin, 2001). Yet, new opportunities also emerge in a society’s transition from conflict (Meintjes, 2002). While much hinges on the way development aid interacts with a society emerging from conflict, global financial institutions have come under fire for failing to “identify and address gender discrimination issues” in relation to aid distribution (Greenberg and Zuckerman, 2006, n.p.). Because research increasingly acknowledges that gender inequality “increases the likelihood of conflict and...is central to development and peace” (Greenberg and Zuckerman, 2006, n.p.), this section explores some prospects and pitfalls surrounding women’s participation in economic development in conflict-affected societies—paying special attention to how third parties expand or contract space for women in societies emerging from conflict.

Participatory Development
Paying lip service to women’s participation in post-conflict development is commonplace, but the rhetoric of economic recovery does not necessarily match reality. Despite some progress since the passing of UNSCR 1325, women’s voices, interests, and economic empowerment typically go un-prioritized in post-conflict reconstruction (Cornwall, 2003; Gaventa, 2002; Guijt and Kaul Shah, 1998; Mayoux, 1995; Mosse, 1994). A 2010 OECD study found that only one fifth of “aid allocated in the peace and security sector in fragile states integrates a gender equality dimension,” and “only [thirty-eight percent] of aid allocated to the governance sector in fragile states addressed gender equality” (Organization for Economic Co-operation and Development, 2010, p. 2). Similarly, a 2010 UNDP study discovered women’s limited access to post-conflict financing to rebuild homes, start businesses, establish economic self-sufficiency, and sustain livelihoods. The UN surveyed their own programs in Kosovo, Sierra Leone, South Sudan, and Timor-Leste, and found that the international community fails to design and support gender sensitive economic recovery programs (United Nations Development Programme, 2011).

Foreign actors impede their own effectiveness by wrongly assuming women do not want to actively participate in recovery. Cornwall explains, “The relationship between gender and participation,” defined by its self-limiting discourse, is “fraught with tensions and contradictions” (Cornwall, 2003, p. 1326). More importantly, aid organizations, misguided by “facile analyses and the use of images and stereotypes,” frequently act upon these misperceptions (Abirafeh, 2005, p. 4). While improving women’s representation in decision-making and development is essential for transitioning societies, it alone cannot build sustainable security. Cornwall emphasizes the need to: a) change power relations, b) appreciate and adapt to diversity of experiences, c) cease externally imposed formulas for participation without clear indicators to measure the relationship between women’s participation and the impact of that participation, and d) end the all-to-common “add women and stir” approach of gender mainstreaming discourse (2003, p. 1238).

When properly equipped, women can drive growth and help transform broken societies. As Grameen’s microfinance model highlights, women who access basic capital build businesses,
establish economic self-sufficiency, contribute to their communities, and take care of their families (Yunus, 2013; Khandker, 2005). Small and medium enterprises (SMEs) further exemplify how participatory economic models encourage female entrepreneurship. When seeking to stimulate economic participation, programs must ensure women can access: a) capital, b) markets, c) peer networks, and d) property rights and other basic legal protections (Yunus, 2013; International Labor Organization, 2010). Because women’s potential remains largely untapped in economic recovery, donors must understand how foreign aid can maximize the expanded space women hold in post-conflict societies as a means to secure sustainable development.

**Foreign Aid, Gender Roles and Gender Relations**

Gender mainstreaming in foreign assistance shapes how societies emerge from crisis. Those invested in the field of women, peace and security must consider how foreign aid can be both gender and conflict sensitive so as to not only meet the needs of women in fragile contexts, but to also economically stabilize affected states and deliver economic justice for affected communities.

Integrating gender into foreign assistance ultimately affects women’s participation as well as their protection within their respective societies. Evidence from Liberia, Afghanistan, Iraq and other places reveals that women’s access to aid drastically affects their agency in post-crisis development. Cahn (2006) succinctly summarizes how post-conflict societies are ripe for women to assume increased agency:

*Women may also benefit from war...the ‘gender dividend’...allows them to function in roles traditionally occupied by men. Women may perform non-traditional roles both within their communities and in the conflict itself, acquiring new skills and status as a result.* (p. 337-8)

In fragile contexts, female foreign aid beneficiaries are poised to become engines of economic growth. Cahn (2006) offers four key priorities when integrating gender into conflict-affected foreign assistance:

1. Proceeding upon the recognition that sustainable development requires gender equity;
2. Recognizing women’s rights to participate in all aspects of the transition;
3. Developing laws that respect and foster gender equity; and
4. Implementing a justice component that ends impunity and ensures accountability for crimes committed against women and girls during conflict. (p. 338; Hirpa, 2005)

Cahn reiterates the interconnectedness of women’s access to political representation, economic recovery, justice, and security, and, in doing so, alludes to Galtung’s seminal theory on the reinforcing nature of direct, structural, and cultural violence. Galtung (1969) warns:

*A research emphasis on the reduction of personal violence at the expense of a tacit or open neglect of research on structural violence leads, very easily, to acceptance of ‘law and order’ societies. Personal violence is built into the system as work is built into a compressed spring in a mattress: it only shows when the mattress is disintegrating.* (p. 184)
Addressing the inter-related nature of personal and structural violence in transitional development is critical to building sustainable security for women and their respective communities.

Abirafeh’s 2005 Afghanistan study echoes Galtung’s argument, pointing to knowledge-practice gaps regarding gender roles and gender relations. Abirafeh (2005) asserts that women in conflict-affected settings often occupy traditionally male roles, but goes on to argue, “Gender roles could change while gender relations might remain the same” (p. 4). This disconnect risks not only disempowering women but undermining the social cohesion, economic stability, physical security, and overall progress of transition. She maintains that both men and women desire agency in the socioeconomic changes that accompany transition (Abirafeh, 2005). Her interviews with local Afghan men and women reveal when development focuses on gender mainstreaming without considering the second and third order effects on both women and men, men increasingly feel marginalized and may act as spoilers, undermining female-focused capacity building efforts.

Alternatively, Abirafeh calls for a rights-based approach to post-conflict development, encouraging female participation that benefits the whole of society. This argument is derived from an approach put forward by Sen and Nussbaum’s theories on capacity building and rights-based empowerment (Sen and Nussbaum, 1993). They maintain that a person’s capability “corresponds to the freedom” a person ought to enjoy when choosing the type of life to lead, elevating a handful of basic rights above any cultural relativist argument (Sen and Nussbaum, 1993, p. 3). They attest that the cultural relativist claim is most concerning when applied to measuring the quality of women’s lives in relation to their capabilities (Sen and Nussbaum, 1993). Indeed, adapting to changing roles and changing relations in post-conflict societies is critical to not only economic recovery but to building secure states. The alternative, as history shows, is a return to armed conflict. Leaders who understand this are key to fostering durable peace.

Leadership, Local Capacity Building and Economic Recovery in Fragile Contexts

Leadership, functional governments, and economic security are particularly important in conflict-affected settings as these factors are salient to building durable peace. As societies emerge from conflict, data from the post-Cold War era illuminates how foreign aid surges into fragile contexts, only to be controlled by elites who exercise exorbitant control over the dispersion of said resources. Corruption is all too common in conflict-affected settings, which undermines the credibility of donors and aid-receiving governments. Donors, aware of these risks, look for opportunities to stimulate sustainable economic recovery. Empowering women by creating or increasing their access to foreign aid represents such an opportunity—though new research is needed to illuminate whether and how women can help discourage, prevent, and respond to corruption in post-conflict societies.

Generally, aid organizations champion local capacity building and “bottom up” approaches to development. This is especially true for women’s participation in economic recovery, as women hold untapped potential to spur growth in fragile contexts. As economic engines, women simultaneously support their country’s economy and its human development, improving access to education, nutrition, health, and more. In sum, when women thrive economically, their
families and communities prosper (Yunus, 2013; Khandker, 2005; Sen, 1999). Because women and their dependents are “usually the majority of the displaced and most vulnerable” after conflict, these women also “possess critical knowledge of local priorities and needs. Frequently they are better trusted by conflict survivors and less tainted by the conflict than men” (Koppell and O’Neill, 2009, p. 1). As a result, a paradigm shift in conflict-affected development is afoot: women are increasingly seen not only as beneficiaries of reconstruction but also as “essential partners in rebuilding after war” (Koppell and O’Neill, 2009, p. 1).

Leaders who support women’s economic vitality prove critical to sustainable economic recovery. Fostering women’s entrepreneurship helps rebuild post-conflict economies (Sørensen, 1998). Where women become heads of households, their ability to access financial capital, trading markets, vocational training, and peer networks becomes integral not only to their family’s survival but to the country’s economic strength. Moreover, when governments recognize women’s untapped potential to stimulate fragile economies, these leaders also remove a roadblock preventing women from equitably participating in society as a whole, thereby increasing women’s individual security en masse. Where political leaders neglect to encourage women’s economic participation, their countries pay heavy economic and human costs (Greenberg and Zuckerman, 2006). The field needs to comprehensively investigate this correlation.

Scholarship on gender-dimensions of post-conflict reconstruction recently began to acknowledge the relationship between economic stability and conflict recidivism. Some researchers suggest that measuring women’s societal status helps predict impending violence, and can thus support conflict prevention strategies (Schmeidl and Piza-Lopez, 2002). While many scholars and policymakers agree that gender inequality can increase the chance that conflict occurs (Greenberg and Zuckerman, 2006; Caprioli, 2000), important questions remain on how opportunities for men and women affect conflict resurgence. Greater comparative studies between countries, as well as between women’s economic participation models, are required to identify best practices and inform policy. Generally, the field needs to better understand the relationship between women’s opportunities in economic recovery and conflict recidivism. As research develops, scholars must improve their accessibility to affected communities and share their analyses with conflict-affected communities in an easily digestible manner.
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Transitional Justice


*Post-Conflict Reconstruction and Economic Recovery*


