

## *Reinventing Peace*

Across the globe, not only are the instances of armed conflict fewer in our day than at any other point in history, but the conflicts also tend to be less lethal. Yet, we do not live in a world at peace. War remains a reality for too many and too serious a threat to be dismissed. Further, the dominant patterns of conflict have changed: violence is more determined by non-state actors, globalized communications, commercial interests (licit or illicit), and sub-national disputes, proving remarkably intractable to the tools of conflict resolution. To respond to today's conflicts, we not only need new instruments and tools—we need a new vision of peace. Our challenge is to reinvent peace for the next hundred years.

This paper contributes to the goals of reinventing peace and improving understanding and means of addressing armed conflict by providing a synthesis of key theories, frameworks and research findings regarding gender, conflict, peace and recovery.

## OVERVIEW

This paper provides a synthesis of key literature, frameworks and research findings regarding gender, conflict, peace and recovery. Covering five broad topical areas, the authors also indicate where additional research and focus is needed:

**Gender as an analytical framework for understanding conflict-related violence (particularly against women and girls);** Culturally-inscribed notions of gender lie at the heart of much contemporary conflict.

**Gender and the impact of armed conflict;** While men, women, boys and girls experience similar phenomena during and after conflict, their experiences and levels of vulnerability are influenced by their gender.

**Gender and non-violent resistance;** Not only are broad-based, non-violent resistance movements more effective at achieving political ends than armed movements, this paper finds that organizations with a “gender-inclusive” ideology – i.e., one that promotes the rights of women – are more likely to use non-violent methods.

**Gender and peace;** A gender analysis of community peace-building would be valuable in understanding the capacities and strategies of local groups that are able to influence national agendas, and would be key to promoting an alternative approach to peace that is not simply top-down.

**Gender and transitional justice;** Too often, in the aftermath of conflict, crimes against women and children are given a lower priority and the crimes committed against them typically go unrecorded. Around the world transitional justice programs consistently fail to incorporate women and girls' specific needs.

## GENDER AS AN ANALYTICAL FRAMEWORK IN UNDERSTANDING AND ADDRESSING ARMED CONFLICT

*What is Gender?*

The International Committee of the Red Cross, a standard-bearer for much work on armed conflict, offers this definition of gender:

*The term 'gender' refers to the culturally expected behaviors of men and women based on roles, attitudes and values ascribed to them on the basis of their sex, whereas 'sex' refers to biological and physical characteristics.<sup>1</sup>*

This definition is used widely by national and international agencies and actors responding to armed conflicts and their aftermaths. Yet, to more deeply understand the ways in which gender shapes and is shaped by events and actors involved in armed conflict, peace and recovery, we need a more sophisticated gender framework for analysis and action. Therefore, this section presents an analytical framework for understanding and addressing armed conflict and its resulting consequences, with a particular focus on women and girls.

---

***Gender, at its heart, is a structural power relation that rests upon a central set of distinctions between different categories of people, valuing some over others.***

---

To begin, gender is perhaps most apparent in the social differences between females and males. These differences inform how individuals are viewed, and how they view themselves. The differences between males and females are learned and deeply rooted, but also cultural, contextual, and subject to change over time. Through interaction with other key factors – ethnicity, religion, class, sexual orientation – gender acts to critically inform identity.

Yet gender is more than people's identities. Gender is a social structure that is flush with symbolic meaning. Gender is a way of categorizing, ordering and symbolizing power, of hierarchically structuring relationships among different categories of people and different human activities in a manner symbolically associated with masculinity and femininity.<sup>2</sup> Gender, at its heart, is a structural power relation that rests upon a central set of distinctions between different categories of people, valuing some over others. Gender roles and relations organize authority, rights, responsibilities, access to resources, and life options along the lines demarcating those groups. Gender systems of power require political, social, economic, cultural, legal and educational institutions which actualize and underpin this distribution of power and, at times, justify unequal access and treatment.

*Gender Normative Violence against Women and Girls: The Impact on Armed Conflict and Post-Conflict Periods*

We now present the frameworks useful to understanding gender normative violence and its influence during and after conflict. Margaret Urban Walker proposes the concept of “gender normative violence” to denote the routine coercion, domination, violence, and silencing of women and girls. The claim that violence against women and girls is “normative” draws on several decades of feminist research.

Gender normative violence refers to the widespread phenomenon of men's domination of women and girls and men's aspiration to control women and girls' lives, including their productive, sexual, and reproductive activities and capacities and their speech and self-expression, from modes of dress to legal testimony to religious and political participation.<sup>3</sup>

This domination of women and girls is upheld and justified through social, moral, cultural, religious, political and economic norms. While the nature of male domination differs by classes, castes, races, ethnic or sexual groups, gender norms in most societies consistently situate women and girls in unequal and lower positions compared to men and boys of similar social classes.

There are several consequences of gender normalized domination and violence that are particularly significant for deepening our understanding of conflict and post-conflict situations. First, because some forms of violence against women and girls are naturalized, the kinds of violence and resulting harms women and girls suffer during war have often been overlooked and historically (still true today, to some extent) have not been recognized as major violations of humanitarian or human rights law.

Second, male control over women and girls' production and reproduction during times of ‘peace’ can result in situations during armed conflict where even taboo forms of sexual violence are deemed legitimate (by perpetrators) as an effective military strategy, a reward, ‘right’ and/or form of bonding among males.

Third, during war, much of the violence against women and girls perpetrated by males is male-directed and, at least in part, justified and motivated by notions of masculinity. Feminist theorists have clearly demonstrated that while maleness is biological, masculinity is a social status that has to be affirmed by oneself and others. In this way, violence against women and girls is used by male perpetrators to demonstrate their power over women and girls, as well as over their victims' husbands and fathers and symbolically over the larger social/cultural/religious/ethnic/class community. Conversely, the ability to protect one's females from the violations of other males symbolically conveys the masculine power of the defending group.

---

***Feminist theorists have clearly demonstrated that while maleness is a biological construction, masculinity is a status that has to be affirmed by oneself and others.***

---

### *Continuums and Ruptures of Gendered Violence during War*

The theory of gender normative violence has been important to recognizing the links between every day, ‘routine’ violence against women and girls, and political violence.<sup>4</sup> There is thus a ‘continuum of violence’ that traces from peace-time to war-time. However, such theories must be complemented by a better understanding of how and why particular kinds of violence are performed, and how such violence results in discontinuity. Gender rules and roles are not incidental to war-time violence; indeed, gender critically informs and provokes the kinds of violence armed actors utilize in their attacks on women and girls.<sup>5</sup> Gender violence should be understood as the intentional rupturing of gender roles.

We have to pay attention to the shattering experience of discontinuity, the sense of enormity and outrage, or the terror, despair, and social ruin of victims in many actual instances of violence in conflict.<sup>6</sup> Studying, representing and addressing violence requires an ability to discern the gendered discontinuity and ruptures when they occur, recognizing them not as an amplification of an earlier manifestation but as a break, something that should be scrutinized for the new meanings and realities that are being produced. In doing so one is better able to think through both the short- and long-term implications for how women, men, girls and boys and their larger communities and societies are being (and will be) affected by violence in conflict zones and throughout post-conflict periods.

### *Significant Dimensions of Violence against Women and Girls during Conflict*

Men, boys, women and girls experience many of the same phenomena during armed conflict: loss of livelihoods and assets, displacement, physical and mental injury, torture, the death and injury of loved ones, sexual assault and enforced disappearance. Nevertheless, how they experience these phenomena during and after conflict is influenced by their gender roles. When we take these factors into account, we see that conflict affects men, boys, women and girls in different ways because they:

- Are differently embodied;
- Symbolize different things to their communities and those that attack them;
- Are targeted differently and their injuries have different social and livelihood impacts;
- Have different responsibilities in their families and communities and thus end up in harm’s way differently; and
- Have different livelihoods, access to the cash economy, and ability to claim, own and inherit property, all of which impact the resources they can access to aid their survival and recovery.

Women and girls are marginalized within most societies. That, coupled with the violence of conflict and its gendered dimensions, can often lead to increased vulnerability and to particular kinds of loss, violence and harms. We can clearly see the trends in women and girls’ reduced access to resources, livelihood inputs and basic services; increased family and social responsibilities; restricted mobility; unequal access to protective services and legal mechanisms; and inadequate political power at local and national levels.<sup>7</sup> All of these factors influence women and girls’ ability to survive and recover from armed conflict.

Violence against women and girls during armed conflict is here organized into seven key categories. Beyond serving as a rough taxonomy, this is intended to help us think through short- and long-term effects of violence for individuals, their households and larger communities.

### 1) Male Exchanges through Violence toward Women and Girls

As noted above, much of the violence directed at women and girls during armed conflict regards males communicating with other males, as well as women and girls, about their masculinity (and or the presence or lack of other males' masculine abilities). Gang rape is one particular example of how men challenge each other's 'manhood.' Strategies of control, domination, humiliation or protection of women and girls by men and boys are a means by which males acknowledge or challenge other males' possession, protection and control of females. This is a fundamental way in which males establish hierarchies of power and status.<sup>8</sup>

### 2) The Symbolism of Gender and Punishment of Women and Girls' Gender Transgression

Gender is a symbolic system that infuses women and girls (and men and boys) with cultural, religious and political meaning. In many cultures, women and girls through their bodies and behaviors represent families, ethnicities, cultures and, at times, nations.<sup>9</sup> When women and girls' sexual purity defines the honor and integrity of social groups, the violation of their bodies by outside forces serves as a direct attack on and 'staining' of the entire group. Men who fail to protect their women and girls have failed in their masculine duties and will more likely attempt to avenge this by subjecting women in the opposing community to like treatment.

### 3) Sexual or Reproductive Coercion, Harm, Torture or Mutilation

Much reported sexual violence has instrumental purposes -- to terrorize, subjugate and demoralize women and their communities, and to punish women (or their male family members) for political or autonomous activity. Violence afflicting women and girls includes abuse, torture, terror and mutilation that is specifically sexual in nature, or that targets females' reproductive and sexual parts, not infrequently causing irreparable damage and reproductive disability or inability. In addition to rape and other sexual abuse, sexual mutilation, forced prostitution, sexual slavery, forced pregnancy, forced abortion, forced sterilization and sexual torture are reported in many contemporary conflicts. Rapes include gang rapes, rapes with objects, rapes by animals (usually dogs and rodents), public rapes and sometimes men forced to rape women and girls who are related to them. Armed actors may engage in rape opportunistically or as part of a systematic practice of sexualized violence.<sup>10</sup>

---

***When women and girls' sexual purity defines the honor and integrity of social groups, the violation of their bodies by outside forces serves as a direct attack on and 'staining' of the entire group.***

---

Sexual violence is a highly taboo crime in all cultures, where victims are often stigmatized in their families and communities. Thus, many victims are extremely reluctant to come forward or disclose their experiences. While, in many situations, reported sexual violence seems to be almost exclusively directed at women, sexual violence against men also occurs and probably suffers from even greater underreporting.<sup>11</sup> This is a topic that requires further exploration.

#### 4) Targeting Mothering

“The vulnerability of women to forms of torment and torture because of their maternal hopes, attachments, and responsibilities deserves’ specific focus.”<sup>12</sup> Diverse forms of reproductive coercion and violation are a part of many contemporary conflicts. Forced pregnancy, forced abortion or sterilization, and forced cohabitation/“marriage” with the almost inevitable result of pregnancy are among the forms of reproductive abuse reported in contexts of conflict. Such physical and psychological violence has potentially irreversible social and economic consequences.

Furthermore, women's maternal roles and attachments can be exploited to produce anguish and terror. The mental and emotional torment visited upon mothers who failed to prevent beatings, torture, abduction, enforced disappearance or killings of their children and dependents can be significant and long-lasting, as can the resulting social and economic consequences.<sup>13</sup>

#### 5) Women, Productive Labor and Property

Women are pivotal to the labor force: They are essential to the survival and wellbeing of their families and communities. Women also hold and control property and resources and are a major force in many local economies. Yet often by law, custom and/or religion, women do not enjoy control over property and wealth comparable to men of a similar class. Violent upheavals that disrupt and transform traditional divisions of labor, power and ownership, or that involve displacement or relocations, often result in dramatic losses for women economically, or in women's being unable to assert rights and access to property.

The combination of war, war-related injuries, displacement, and various kinds of loss – of breadwinners, assets, employment, educational opportunities, etc. – impoverishes households, at times to a fatal degree.<sup>14</sup> Women, girls and their households thus emerge from the conflict significantly poorer, with substantial loss of assets, weakened livelihood systems, in poor physical and mental health, with family members disappeared, injured, killed or dead, and with more children to care for, as many households take on war orphans or children from extended families unable to care for them.<sup>15</sup>

#### 6) Women and Social Capital

Women are often seen as vital to the production of social capital, which is in turn critical to the daily maintenance of communal life. “Social capital is defined as ‘the rules, norms, obligations, reciprocity and trust embedded in social relations, social structures and a society’s institutional arrangements that enable its members to achieve their individual and community objectives’.”<sup>16</sup> Both men and women are utterly

dependent on, and contribute to the production of, social capital embodied in formal institutions and informal networks.”<sup>17</sup>

Women, through labor as well as maintenance of day-to-day cooperative relationships and informal social networks, are indispensable to the maintenance of this order, both materially and socially. This makes women prime targets during conflict, where the goal is "the disruption of social arrangements, activities, and institutions that give people a sense of belonging and meaning" is served by targeting women for killing, social disgrace, and communal exclusion.<sup>18</sup>

### 7) Gender Multipliers of Violence

The multiple dimensions of suffering faced by women and girls – physical, psychological, spiritual, economic, social and cultural – and their already marginalized status in households and societies means that some serious crimes actually make women and girls more vulnerable to subsequent human rights violations and or abuses. These factors are called gender multipliers of violence and harm. They predictably play a role in causing additional exposure to violence both during and after conflict.<sup>18</sup> In South Sudan, for example, the widows of liberation martyrs are often assaulted or threatened with violence in order to drive them away from demanding their late husbands’ entitlements. In Nepal, the wives of the disappeared and their children are frequently chased off their husband’s land.

## GENDER AND THE IMPACT OF ARMED CONFLICT

This section provides an overview of several key gender dimensions on the impact of armed conflict, including gender and political economies and livelihoods within conflict, gender-discrimination and death during conflict, and gender and sexual-based violence.

### *Gender and the Political Economy of Conflict*

The academic literature on the political economy of conflict is innovative and still evolving. At present there is an understanding that in the post-Cold War era, and the sharp decline in Superpower patronage, the nature of conflict has evolved. The majority of today’s armed conflicts are internal, do not entail state armies directly fighting one another, and are funded by illicit trade, banditry and international terrorist networks. Civilians are actively targeted. Today’s conflicts often have a strong ideological conflict, and ethnic or sectarian divisions are critical to driving and/or enabling violence.

Questions of national sovereignty persist, but are becoming more complex, not least due to the growing number of armed ‘humanitarian’ intervention and the US use of drones. Most of today’s armed conflicts are fought by factionalized and divided armed groups. Today’s conflicts often occur on states’ peripheries

---

***The majority of today’s armed conflicts are smaller, do not entail state armies directly fighting one another, and are funded by illicit trade, banditry and international terrorist networks.***

---

and may not necessarily be a serious threat to the state, but often have a cross-border element. And they involve fighting over access to key resources and livelihoods and specifically target livelihoods.<sup>19</sup>

---

***The shortcoming of much of the new wars literature is the paucity of gender analysis.***

---

These topics are being explored in the academic literature. Nevertheless, much of the theory about war is outdated in terms of its causes and mechanics, and this has prompted the rise of new theories of conflict that situate today's wars in a highly fluid, globalized system. According to Thompson, the "distinguishing characteristic of new conflict theory is that

post-Cold War conflicts cannot be fully understood in terms of the breakdown of systems – but should be analyzed as indigenous strategies for adapting to globalization."<sup>20</sup> The new political economy of war suggests that insurgents are not seeking to capture the state per se, but rather seeking to construct alternative political and economic spheres – funded by transnational illicit and licit networked commerce – that allow them to thrive. Insurgencies perpetrated by non-state actors must thus be seen, at least in part, as not simply political programs, but as way to capitalize on weak states and the resultant growth of parallel and shadow economies that are globalized.

The shortcoming of much of the new wars literature is the paucity of gender analysis. In general, not enough is understood, from a gender perspective, about why insurgencies are organized and fighting in different ways, the political economies of the conflict from the local to global levels, and the ways in which livelihoods are targeted and underpin war economies. However, there are important exceptions. Cynthia Enloe's work joins other analysts who note that violence against civilians is not a by-product but a deliberate and necessary strategy of the conduct of contemporary wars.<sup>21</sup>

Carolyn Nordstrom examines economic links (from local to international) that operate during war. Nordstrom's analysis incorporates women as key actors in the political economy of conflict. Her analysis connects rural women, business, smuggling and the international economy, drawing analysis to how tiered systems of relationships (at local, regional, and international levels) function to sustain and motivate war. Nordstrom sees women as participants, rather than simply victims, who are making the best of given circumstances, and operating within a global system.

As Angela Raven-Roberts makes clear, we need to not only understand what happens to women within the political economies of war, but why? Why, for example, do women die at much higher rates than males after conflict (a question we answer in the following section)? Raven-Roberts' gendered analysis of political economies of war emphasizes the historical and contemporary, local and global, political and economic relations that form, produce and reproduce violence, as well as the ways in which wars magnify and reshape gender identities. She highlights the necessity of bringing together historical and contemporary causes and factors to make clear the gendered connections to global economic, social and political processes that justify war, create economic gains and sustain political power.<sup>22</sup>

---

***Nordstrom sees women as participants, rather than simply victims, who are making the best of given circumstances, and operating within a global system.***

---



Raven-Roberts has also contributed important work analyzing the gendered impact of war on livelihoods. Conflict fundamentally transforms livelihoods systems: asset stripping, illicit trade and the reconfiguration of local economies create new vulnerabilities (and, in some cases, new opportunities). Any analysis of livelihoods in conflict requires a gendered analysis because livelihoods are deeply gendered at community, household and individual levels. This is particularly evident in the sexual division of labor, and the gendered control of and access to key resources and assets. Often only men can own land, inherit property, or gain credit from financial institutions. Often only men can represent ‘the family’ to get welfare or relief benefits.<sup>23</sup>

War can severely disrupt traditional gendered divisions of labor within livelihoods systems. Generally this burden falls on women and children. Children can be forced into more intensive productive roles. Girls may be forced, at a young age, into arranged marriages. When husbands or fathers are dead or gone (having fled, joined fighting forces, etc.), women are often left in situations where they cannot access credit, defend their land or houses (including from relatives), carry out the increased required workload, access or

maintain assets needed to survive, or feed, clothe, provide medical care for and house their children and dependents. Numerous studies have shown the significantly negative impact of the loss of social networks on displaced and refugee populations and their ability to survive. These negative impacts generally fall more heavily on women and children.<sup>24</sup> For Raven-Roberts, these women are not merely passive victims. They are, in fact, actors attempting to navigate disrupted livelihoods systems, and are striving to do so while constrained by limitations imposed on their gender.

When formal economies, social networks, and traditional divisions of labor are eroded, people in conflict adopt new coping strategies. Informal economies evolve. Relying on bartering, trade in services or goods, and illicit activity, the lawlessness and poverty of conflict catalyze in the evolution of shadow economies. According to Raven-Roberts, the globalized black market becomes intertwined with the remnants of the formal economy, creating the conditions by which people are able to make a living. Unfortunately, and of key significance for gender relations, illicit economies often result in the commoditization of women and children, as evidenced not only by the growth of sex industries in conflict zones, but by arguments that women or children selling their bodies for money is “natural.” Of course the growth of human trafficking is not natural, but neither is it simply a by-product of war – rather it is “a key link in the chain of the gendered political economy that produces, sustains and is produced by war and conflict.”<sup>25</sup> Thus the political economy of conflict is perhaps necessarily militarized (and indeed, the militarization of any local institution may be taken as a sign of its overall dysfunction). The sex trade becomes an example of the reworking of gender roles – commoditized feminine sexuality, predacious and exploitative masculine – that is produced by and sustains the political economy of conflict.<sup>26</sup>

---

***When formal economies, social networks, and traditional divisions of labor are eroded, people in conflict adapt new coping strategies. Informal economies evolve.***

---

At present, much of the new war literature exists in parallel to the gender literature. In other words, too many of the new theorists of conflict fail to incorporate gender, and too many gender analyses do not connect their context-specific analyses to the “big picture.” Yet gendered analysis of political economies of war are essential not only for refining an understanding of how conflict is produced, reproduced and directed, but also how it impacts on gender-specific identities, roles and experiences. It is important that such analysis take into account not only the “crisis of masculinity” so often discussed in the literature and popular press (particularly in “youth bulge” countries), but that such analysis take into account the full spectrum of gender experience: from men to women, boys to girls. Practice has shown that “if we don’t understand the specific circumstances, experiences, roles, vulnerabilities, and capacities of men and women in war, we construct homogeneous strategies of response that do not address gender-based differences and generally tend to disadvantage women.”<sup>27</sup> If we fail to get our analysis of new wars and their gender impacts right, future interventions will be ill-conceived and inadequate.

#### *Gender-Discrimination and Death in Armed Conflicts*

Armed conflict is not gender-neutral; in fact, it is deeply discriminatory.<sup>28</sup> Armed conflict directly kills and injures more males than females, since combatants are predominately male, but direct fatalities “do not provide a remotely adequate account of the true human costs of conflict.”<sup>29</sup> It is the so-called indirect consequences of war and armed conflict that have the biggest role in shaping people’s lives and livelihoods in the aftermath of conflict. There is increasing evidence that women and girls often bear the worst brunt of these indirect consequences.

The discriminatory nature of conflict is borne out by the literature. In a study of 14 ethnic conflicts and four non-ethnic conflicts that lasted at least 10 years, Thomas Plumber and Eric Neumayer found that interstate and civil wars (and in particular ethnic conflicts and conflicts in failed states) affect women more negatively than men.<sup>30</sup> They found that the direct and indirect consequences of armed conflict combine to kill more women, and/or kill those women younger, than their male counterparts. However, it is the indirect affects of war that are, in fact, the most deadly. In particular, the effects of militarized conflict include limited food and water access, poor sanitation and hygiene, weak or collapsed health services, and increased displacement, family dislocation, family stress and domestic violence. These effects have a greater impact on women. For example, when food access is reduced -- and males are generally given priority when rations are scarce -- women’s health deteriorates more rapidly as they are physiologically more susceptible to vitamin and iron deficiencies. Declines in health services due to conflict have a greater impact on women because of their reproductive and caring roles, decrease in obstetrical care, and increase in child and maternal mortality. In societies where women are already discriminated against in terms of accessing food, resources and services, violent conflict exacerbates such discrimination and can make it even more deadly.

The authors conclude that this reality requires a response by governments, the United Nations (UN) and humanitarian organizations that recognizes the indirect effects of the war and their impact on women and girls. They conclude there is a need to focus on strengthening healthcare infra-structure, enabling return

from displacement, helping to support women's food access and food security, and working to prevent domestic and sexual violence and addressing it affects when it does occur.

### *Sexual and Gender-Based Violence During and After Armed Conflict*

---

***It is not enough to know what is happening to men, women and children in war – and how those experiences differ – we should strive to know why.***

---

Sexual and gender-based violence during and after conflict takes numerous forms and is recognized in international law to include rape, sexual slavery, forced marriage, forced impregnation, forced miscarriage, forced termination of pregnancy, forced sterilization, trafficking, forced nudity, and other forms of assault.<sup>31</sup> This paper has already shown in its review of analytical frameworks how sexual and gender-based violence is instrumentalized in conflict.

Yet sexual violence is not ubiquitous during conflict.<sup>32</sup> For example, there is a common misconception that armed conflicts and wars in Africa (and elsewhere) always involve rape and sexual violence. A new study by the Peace Research Institute Oslo (PRIO) looked at all 48 wars and armed conflicts in Africa between 1989 – 2009, and all 236 armed forces and groups that participated in those conflicts, and found that 64% of armed forces or groups were reported to have used sexual violence, while the remaining 36% did not.<sup>33</sup> Furthermore, between 1980-2009, sub-Saharan Africa experienced the highest number of civil armed conflicts, and 10 of the total 28 armed conflicts (36%) showed evidence of the highest levels of wartime rape. During this same time period, eastern Europe had nine armed conflicts, four of which (or 44%) reported the highest levels of rape, thus making eastern European wars more likely than those in sub-Saharan Africa to feature massive levels of rape, during the 1980-2009 time period. Finally, the PRIO analysis showed that armed state actors are more likely than rebel groups to carry out high levels of sexual violence during armed conflict.<sup>34</sup>

At the same time, because of the high stigma against victims of sexual violence, actual rates of sexual violence are likely significantly higher than those reported, particularly when the victims are men and boys.<sup>35</sup> While women and girls face the brunt of much of the sexual violence committed in armed violence, female members of armed forces and groups can also be perpetrators of sexual and other forms of violence against both males and females. As noted earlier, there is a dearth of serious research into the phenomenon of sexual violence against men and boys during conflict and the impact of this violence (physical, emotional, social, economic and political).

### *Areas for Future Research*

More research is needed in order to locate ethnographic gender analyses within the larger framework of debates shaping academic understanding of contemporary wars. It is not enough to know what is happening to men, women and children in war – and how those experiences differ – we should strive to know why, and how these various experiences are tied to political and economic structures, opportunities and incentives at local, national and international levels. Political economy shapes conflict, and vice versa.

As Raven-Roberts writes, “armed conflicts not only feed off the power structures and inequalities that exist within societies; they also affect and sometimes reshape those power structures at the community, family, and household levels.”<sup>36</sup> War changes men and women’s roles, including marital relations and household burden-sharing, and the way that each looks to the other for nurturance and protection.<sup>37</sup>

---

**More research is needed in order to locate ethnographic gender analyses within the larger framework of debates shaping academic understanding of contemporary wars.**

---

Additionally, while econometric studies of rates of death and sexual violence during conflict are important, to really understand what is happening to whom, where, when, why and with what resulting harms and effects, there is a need to complement these large-scale studies with grounded empirical fieldwork among those caught in the conflict and among those institutions and actors responding to conflict. For example, if we know females are dying at higher rates, there is a need for in-depth research into the causes, what humanitarians and communities can do (and are or are not doing) to reverse this

trend, and the implications for the surviving societies. Furthermore, there is a need for more in-depth qualitative research on why state forces are more likely to carry out high levels of sexual violence, when they do so during the conflict, against which groups, why and what are the short and long-term results on victims, their households and societies. There is also a need to use gender analyses to help determine what factors influence certain armed forces and groups to use or refrain from using sexual and other forms of serious crimes (under IHL and international criminal law) against civilians, when and why. Finally, there is a need to connect the experiences of serious crimes of a sexual nature to other forms of serious crimes, and their impact on victims and their households socially, culturally, economically and politically, as well as on their ability to recover and participate in reconstruction efforts and to envision and take an active part in a (hopefully) more peaceful and equitable post-war society.

## **GENDER, MILITARISM AND MOBILIZATION FOR ARMED CONFLICT**

The analytical purpose of this section is to consider the amount of concerted effort it takes, and how power is wielded in those efforts, to construct and mobilize the militarized and gendered identities, consciousness and actions needed to create and maintain armed conflicts, and in particular armed forces and groups.

Cynthia Enloe, one of the world’s foremost scholars on militarization, defines militarism as “the step-by-step process by which something becomes controlled by, dependent on, or derives its value from the military as an institution or militaristic criteria.”<sup>38</sup> Enloe is best known for her careful attention to how everyday objects, actions and meanings become militarized and the far-reaching, damaging consequences of militarism. She shows that it takes a lot of power and effort to militarize (and keep militarized) any section of a society. As decades of feminist research have shown, militarization is highly gendered.<sup>39</sup>

Building off Enloe's insights, Dyan Mazurana's work shows that the militarization of any nation, insurgency and the communities that support them occurs in large part through the gendered workings of power.<sup>40</sup> Mazurana argues that it is in part through these gendered workings of power that both state armed forces and insurgent groups create new forms of authority, wealth, protection and legitimacy. Thus, armed forces and groups' relationship to masculinity and femininity is never a simple matter.

---

***Leaders of nations and non-state armed groups (NSAGs) count on the fact that certain sectors of a society from which new male recruits are militarized in ways that help spur those males to believe they are brave protectors of their families and cultures.***

---

Leaders of nations and non-state armed groups (NSAGs) count on the fact that certain sectors of a society from which new male recruits are drawn are militarized in ways that help spur those males to believe they are brave protectors of their families and cultures. Those leaders then carefully shape their male recruits' service in a way that affirms their desire to appear manly in the eyes of other fighters, their families, lovers and communities. War reinforces masculine conceptions of trustworthiness, suffering, hardship, strength, determination and fearlessness; particular notions of female identity and male/female relations are essential for re-asserting these concepts and strengthening their value within the nation or

NSAG and the communities that support them. Additionally, some NSAGs may believe that males who might consider joining an armed group can be further motivated if they see their sisters joining. If women are joining, the thinking goes, only the most emasculated of men would refuse.

Militarization also must appeal to women and girls on whom both state armed forces and NSAGs rely, and so such groups promise equality, liberation, enhanced worth, being taken seriously, and the opportunity to operate within an elite, respected force, redeeming oneself for past (often gendered) transgressions. In some state armed forces and NSAGs, women and, to a lesser extent, older girls play significant roles not only in providing material and labor support to the group, but as females they symbolize the depth of power and determination of the groups (e.g., that women "leave" their traditional roles and families and join armed forces or movements). Females may also be particularly important in sustaining the groups' claims on legitimacy and, hence, power. Adding women and girls into state armed forces or NSAGs -- especially as women and girls take public roles in combat, which is perhaps the quintessentially masculinized (and thus idealized) role -- means that male leaders have to tread carefully so as not to unbalance the fragile masculinity they have helped to create among their predominately male force. How women and girls appear, and in what roles, are sites of power struggles and debates within and among state armed forces and NSAGs.

Efforts by state armed forces and NSAGs to militarize the communities they rely on for support and recruits can be strengthened or undermined by how masculinities and femininities are constructed inside the armed force or group. In particular, gender must be militarized within these communities. All kinds of experiences need to be militarized to encourage male and female recruits to join -- danger, frustration, boredom, liberation, despair and determination. Perhaps two of the most important experiences that

armed groups need to engender and militarize in ways that draw young people to them are young women and men's experiences of humiliation and injustice.<sup>41</sup>

### *Women and Girls inside Armed Forces and Groups*

Enloe's writings over the last thirty years clearly show how state militaries and armed groups rely on females to maintain their forces and fight their wars.<sup>42</sup> Some of the earliest evidence of women's participation in armed conflict comes from the Celts and the ancient Romans, and historic accounts of girls' active participation goes back at least as far as the 5th century.<sup>43</sup>

There have been important shifts in how and why conflicts have been fought over the past decades, including how women and girls have been mobilized to participate in and support wars (as discussed above). Insurgent groups rise up for many different reasons. Though all wars have their specific contexts and historicity, in general, many of the wars fought in Latin America from the 1960s to today began as grassroots, popular uprisings against rightist politicians (and their politics) and the militaries that helped keep them in power and quash civil rights. In all of the wars in Latin America during this time period, women and girls played crucial roles within groups that took up arms to challenge the rightist states' violence.<sup>44</sup> In Africa from the 1960s to the 1990s, populations fought wars of independence against colonial powers and their local proxies, and in all of them women and girls played active roles.

With the end of the Cold War, some insurgent groups that had relied on the support of the Super Powers found their funding sources running out. Instead of abandoning their conflicts, they shifted focus to the extraction of natural resources and the creation of "shadow economies" to fund (even expand) their operations, as well as to build and maintain new forms of wealth and patron systems.<sup>45</sup> This is seen throughout the wars in Africa, Central Asia and Colombia in the 1990s and into the 21st century. In all of these cases, women and girls were central to the mobilization, maintenance, and abilities of the armed opposition groups, and have adopted various roles in support of militarized groups. For example, in the recent wars in Iraq and, to a much lesser extent, Afghanistan, women and girls mobilized to fight what they perceived as occupying forces.

This is not unusual. Over the last two decades tens of thousands of women and girls have been members of armed opposition groups participating in armed struggles in 59 countries (see Table 7.1).

Africa	Americas	Asia	Europe	Middle East
Algeria	Colombia	Afghanistan	France	Iraq
Angola	El Salvador	Cambodia	Ireland (Northern)	Iran
Burundi	Guatemala	India	Macedonia	Israel
CAR	Haiti	Indonesia	Montenegro	Jordan
Chad	Honduras	Myanmar	Russia	Lebanon
Cote d'Ivoire	Mexico	Nepal	Serbia	Syria
DRC	Nicaragua	Pakistan	Spain	Turkey
Eritrea	Peru	Papua New Guinea	Former Yugoslavia	Yemen
Ethiopia		Philippines		
Liberia		Sri Lanka		
Libya		Thailand		
Mauritania		East Timor		
Morocco		Uzbekistan		
Mozambique				
Rwanda				
Sierra Leone				
Somalia				
South Africa				
Sudan				
Sierra Leone				
Uganda				
Zimbabwe				

While insurgencies have their own goals and agendas, women and girls participate in armed conflict for many reasons. Some join willingly, others join when they believe no other options are available to protect and provide for themselves. Others are tricked or forced. In many instances, women and girls decide to join for a combination of reasons, including protection, grievance, or political ideology. Violence and injustice at the hands of state forces and dominant elites, as well as lack of security and fear for their lives, are also among the primary reasons women and girls join armed groups. Sexual violence perpetrated by state forces is another common reason. Economic and social factors, including access to food, shelter, education, revenge, escape from forced marriage, or abusive family relations, may also contribute to women and girls joining armed groups. In some instances, however, women and girls' entry into insurgencies is not a choice. In recent and current armed conflicts, women and girls have been abducted or forced to participate. Abductions of women and girls take place for several reasons; the most significant is

***We tend to underestimate how much concerted effort it takes, and how power is wielded in those efforts, to construct and mobilize the identities and consciousness needed to create and maintain an insurgency movement.***

that some armed opposition groups lack popular support, and abducted women and girls serve roles that are vital to keeping those armed groups operational.<sup>46</sup> Joining or becoming part of an armed opposition group is not a decision taken lightly. Once a woman or girl enters, it is extremely unlikely she will be allowed to leave while the conflict is ongoing.

Women and girls' roles in armed groups vary. The majority of women and girls in armed groups carry out labor such as

cooking, looting, washing clothes, serving as porters, collecting water and firewood. Other roles include but are not limited to commanders, frontline fighters, spies, intelligence officers, weapons dealers, messengers, recruiters and political strategists. For women and girls inside armed opposition groups, there is rarely a clear separation among roles. One individual may perform several functions. However, most receive some military training and many participate in combat. Finally, although there is much talk of women and girls inside armed groups as “sex slaves,” such classification only applies to some females within a handful of insurgent groups over the last 20 years.<sup>47</sup>

When ceasefires and peace accords are reached, women and girls associated with armed groups are repeatedly excluded (and self-exclude) from official state disarmament, demobilization and reintegration programs. Many other women and girls do not want it known they were involved with insurgent forces, for fear of being stigmatized and ostracized by their families and communities. In most situations, women and girls “self-demobilize” back into civilian communities where they face numerous challenges.<sup>48</sup>

In conclusion, we tend to underestimate how much concerted effort it takes, and how power is wielded in those efforts, to construct and mobilize the identities and consciousness needed to create and maintain an insurgency movement. A feminist gendered analysis of state forces and armed opposition groups can help reveal where power is at play inside the groups and among the communities those groups rely on for support. It is important to understand that if women and girls (both inside the group and in the communities) cannot be effectively controlled to play the roles needed by the armed forces and group, it is questionable whether men’s participation can be assured.

### *Areas for Further Research*

As WPF recently noted in its seminar on “New Wars New Peace”, theories of state weakness, elite capture, greed and grievance can help us better understand the causes and methods of war, but may fail to explain in-country variation. WPF writes that, “The failure to understand the rationales, interests, and motivations of armed actors contributes to incomplete or failed peace negotiations and can undermine subsequent peace-building efforts.”<sup>49</sup> A gender analysis can assist in understanding both male and female rationales, interests and motivations. It can help track how and why insurgencies use males and females and how this shifts over time; to make gendered sense of their recruitment strategies and interactions within communities; to make sense of the increase in public acts of violence by women and girls in insurgent groups over the last decade; to investigate armed groups in which women and girls are purposefully kept out (of the public eye); and to understand the implications of these findings in a range of key outcomes (from DDR to reconstruction to peace accords to state-building).

## **GENDER AND NON-VIOLENT MOVEMENTS**

Non-violent movements have become a vital source for current thinking on politics and conflict, and findings have challenged many traditional assumptions about the utility of violence. Gene Sharp defines



non-violent resistance as “a civilian-based method used to wage conflict through social, psychological, economic, and political means without the threat or use of violence. It includes acts of omission, acts of commission, or a combination of both.”<sup>50</sup> Contrary to popular belief, the academic literature increasingly argues that a strategy of non-violence is more effective than violence in achieving policy goals. According to data analyzed by Stephan and Chenoweth, between 1900 to 2006 non-violent campaigns were successful in achieving their policy goals 53 percent of the time, whereas violent campaigns only had a success rate of 26 percent.<sup>51</sup> According to the authors, non-violence is successful as a political strategy primarily because i) non-violent methods enhance domestic and international legitimacy, resulting in broader support and participation, and ii) regime violence against non-violent movement is more likely to backfire on the regime, particularly where this results in loyalty shifts from the regime (e.g., by bureaucrats or security personnel) to the opposition movement.<sup>52</sup>

---

***Violence as a strategic choice is, in part, founded upon and sustained through the manipulation of gendered identities, institutions, systems, and symbols.***

---

These findings are critical to informing a gender analysis of contentious politics. As this paper has articulated, violence as a strategic choice is, in part, founded upon and sustained through the manipulation of gendered identities, institutions, systems and symbols. Men are situated as protectors on the “battlefield”: a space imaginatively, if not always geographically, separate from the home – and which is, by contrast, populated by passive, weak, and, in Pettman’s terms, “depoliticized” women and children.<sup>53</sup> Femininity is conceptualized as peaceful, with the archetype of the mother

as its justifying icon. Notions of feminine passivity, which had gained traction in academic (including some feminist) literature, have in recent decades been challenged. The home is not really separate from the battlefield: Wives and mothers encourage and enable husbands and sons to go to war. Furthermore, women and girls are not simply passively home-bound and may join men on the battlefield. However, women and girls, where they serve as fighters, have – generally speaking – neither up-ended the sexual division of labor nor acted, in any serious way, to “feminize” military institutions. Nevertheless, gender roles and ideologies critically inform our understanding not only of how violence is conducted, but also when and why groups opt for non-violent political action.

There is a growing literature on gender and non-violence. Just as gender analyses are increasingly informing work on militarization, conflict and the types of violence perpetrated during war and the means to address post-war periods, so gender also provides a critical lens for how and when non-violent methods of political contention are deployed. The choice between violence and non-violence is a function of goals, ideology and environment. Traditionally, an organization’s stance on violence or peaceful protest has been seen as an outcome of various ascriptions (such as religion or radical Leftism), as a contextual result of grievance politics, or as a mix of factors. Gender, however, has historically been considered a separate analytical category, one that does not necessarily contribute to how political resistance groups assert themselves. This is changing. Increasingly, gender make-up and ideology are seen to play an important, perhaps critical, role in informing political violence and non-violence.

In the past fifteen years, a number of studies have suggested some key findings around gender and non-violence. For example, gender-inclusive societies are much less likely to be violent, and female participation in governance can produce better economic planning, and lower levels of corruption.<sup>54</sup> Furthermore, a number of academic studies indicate that the inclusion of women in political life results in lower levels of political violence.<sup>55</sup> This is in line with earlier work, by Enloe and others, suggesting that patriarchal values contribute to militarism and an acceptance of violence as a political tool.

---

***To be clear, though, it's not enough for women to simply be involved, or to serve as members in political or armed movements, since they too are susceptible to militarism.***

---

To be clear, though, it's not enough for women to simply be involved, or to serve as members in political or armed movements, since they too are susceptible to militarism. For example, Holt finds that Palestinian women, while active participants in a liberation struggle against Israel, are constrained by a masculine Palestinian nationalism that sees women as vulnerable, requiring protection, and, by implication, occupying a symbolic – and therefore a necessarily auxiliary – status.<sup>56</sup> In other words, while women have played an active role in Palestinians' struggle, the roles they play are different from men's and tend to perpetuate gender-based power imbalances. As the Palestinian case also makes clear, women's participation in a political movement alone does not seem to limit violence per se.

Rather, studies find that it is a group's ideology about broadening gender inclusion, such as advocating for an increased role for women in political life, that is the critical factor. This finding has important implications for better understanding the composition and strategies of politically active groups and their utilization of violent or non-violent action. Victor Asal and his colleagues have provided an important study of this type, focusing on Middle East political organizations and how their gender ideologies informed the likelihood that they engaged in non-violent protest (as opposed to the adoption of violent or mixed strategies). Looking at data covering 24 years and 104 ethno-political organizations, Asal et al. find that a gender-inclusive ideology makes an organization less likely to engage in violence, and more likely to engage in non-violent strategies and engagement.<sup>57</sup> The extent to which Asal et al.'s findings apply outside of the Middle East requires future investigation. More generally, further research on the role of gender inclusion – and exclusion – and the extent to which gender ideology interacts with other internal or external characteristics of political organizations may provide a fruitful avenue for further investigation.

In spite of such intriguing findings, we should not fall prey to the assumption that all non-violent movements are gender inclusive. The causal arrow may not cut both ways. While women's participation in, for example, struggles for national liberation often seems from the outset to be an example of gender inclusion – in which women play a respected, more equal partnership with their male colleagues than they had in peace-time – often the reality is somewhat murkier. Nonviolent movements have historically tended to replicate a sexual division of labor that locates women in subservient or menial roles for the male leaders of the movement.<sup>58</sup>

The apparent murkiness of this relationship – between non-violent political action and gender ideology – also reveals itself through the ways in which patriarchal regimes respond to different kinds of female activists. In her study of gender and nonviolence in the East Timorese liberation struggle, Christine Mason finds that women were overwhelmingly more likely to participate in non-violent than violent protest, and that these women faced gender-specific reprisals on the part of agents of the state, including sexual assault and harassment. However, interestingly, non-violent women resisters associated with the Catholic Church – nuns and novices, for example – were not harmed at nearly the same rates as more secular non-violent female resisters. Why? Mason argues it was in part because female Catholic resisters were perceived as less threatening to the regime and its soldiers. While women were central to the organization of the Catholic Church in East Timor, and were critical non-violent advocates, Mason writes that the Church “also indirectly disenfranchised women by supporting gender inequities.”<sup>59</sup> The Church echoed old beliefs about the sexual danger posed by women – a cross-cultural motif that women somehow debilitate masculine vigor – and therefore acted to corral women, to sanitize them. In other words, the Church functioned to make the threat less perceptibly dangerous. According to Mason, “women could be powerful and revered as ‘women of God’ as nonviolent resisters to Indonesian occupation, or they could be a threat to the fighting power through the sexual pollution of male fighters.”<sup>60</sup> Women of the Church, while acting to resist the predations of the state, fit into the “overarching patriarchal mould” of East Timorese society, and were therefore more acceptable to the State, even if subversive.

Whereas a gender-inclusive ideology serves to counteract violent tendencies, violence, on the other hand, tends to promote gender exclusion. According to Holt, routine and systematic violent conflict, conducted over a long period of time, places women at a disadvantage in determining the future of the state. Thus, violent protest itself has, along gender lines, an exclusionary character.<sup>61</sup> In other words, violent political action tends to promote masculinized militarism (and the sexual division of labor on which it depends), which in turn promotes violent political action.

---

**More research is needed to understand how and when gender-inclusive ideologies evolve, and what contributes to strengthening or undermining them.**

---

#### *Areas for Further Research*

More research is needed to understand how and when gender-inclusive ideologies evolve, and what contributes to strengthening or undermining them. For non-violent campaigns to be effective, the research suggests that they must be broad-based, decentralized, and cut across demography and geography. How important are gender and gender-inclusive ideologies to this notion of “broad-based,” and how might gender inclusion promote a cross-demographic movement? Is there a clear relationship between gender inclusion and a non-violent group’s success in achieving its goals? Do non-violent groups that adopt a gender-inclusive ideology uphold that ideology and enact it once they begin to achieve their political goals, why or why not and with what consequences? How might these results be contextually specific? How, when and what kind of external support of non-violent movements is helpful to them, or a

hindrance? Clarifying how and when non-violent movements evolve, where they succeed, and the extent to which this success is a product of a gender-inclusive ideology will be critical to further informing the relationship between gender and non-violence movements for social change.

## PEACE PROCESSES: WHAT KIND OF PEACE IS POSSIBLE?

Formal peace processes have the goals of ending armed conflict, creating sustainable political settlements and laying the groundwork for rebuilding war-torn societies. The cessation of hostilities and the demobilization of fighters is a prerequisite early on in peace processes, but, in the aftermath of conflict, the processes must also set a framework to build a modicum of trust between opposing parties, divide up the political and economic spoils, (re) establish (to some extent) the rule of law, account in some way for the harms suffered and begin processes of rebuilding societies. The reality is, however, that the elites who conducted, benefited from and backed the war are also, in many cases, those now charged with building peace and reconstructing war-torn societies— even as they very often lack the skills, temperament or even will to do so.

---

***War is not ended by people fighting harder and meaner.***

---

Diplomacy, international studies and security studies would have us believe that peace is (and can really only be) brokered at the formal level, by those responsible for running countries and wars. That people outside these systems (and particularly those most war-affected) are not sophisticated enough to run

wars or realize peace, and likewise they are not sophisticated enough to generate notions of higher justice, development, scientific breakthroughs, diplomacy or other advancements of civilization – rather, they are the beneficiaries of these advancements made on their behalf.

This paper takes a different view. War is not ended by people fighting harder and meaner. Carolyn Nordstrom reminds us that people stop war by creating peace.<sup>62</sup> People create peace step by step until war becomes impossible. Peace is not made by state leaders and structures, or by foreign diplomats. Peace is constructed at the epicenter of the violence, by those unarmed and most violated. Peace requires a belief that non-violent means can bring transformative change, even at the height of war. Peace requires strength of conviction to overcome the fear that breeds war. During the civil/international war in Mozambique, a displaced person made this observation,

*We must not recreate the war here in our lives, no matter how bad they are. This war isn't about ethnicity. We lose if we accept this. If we are to survive we have to fight this. We have to fight the idea the war-makers devise that hate and vengeance and ethnicity and division matter. That this war is real. That it has some kind of meaning we all get wrapped up in. The only way to survive is for us to reject these ideas, ignore the divisions, refuse to accept fighting as the solution. We defeat violence by not fighting. We sit here in the dirt and hunger with our brothers and sisters who speak any language, we share what little we have.*<sup>63</sup>

Yet war is extremely profitable (economically, socially and politically) to some and war economies represent a lifeline to many thousands more.<sup>64</sup> As Nordstrom writes,

*The habits of war die hard. They can carry beyond the front lines and into the fragile pulse of peace. If peace starts in the midst of war, aspects of war carry past peace accords to affect the daily life of society, until they are dismantled habit by habit. Such work is not easy.*<sup>65</sup>

### Women and Peace Processes

As Maha Abud Dayyeh Shamas, a Palestinian and executive director of the Jerusalem-based Women's Legal Aid and Counseling Service contends, "Peace is made between peoples and not between leaders. A process that should lead to a political solution and is sustainable and consequently permanent... should not be left to the confines of the generals, and should be transparent to the relevant societies." Speaking of the Palestinian-Israeli conflict, and the need for women to be part of the peace process, Shamas addressed the UN Security Council:

---

***If, as this report argues, conflict is conducted along gendered lines, then peace-building, to be successful, must function to address the structural, gendered systems of violence that underpin militarization and the political economies of war.***

---

*The participation of women in any future peace processes is essential to maintain connection to the realities of the relevant societies.... We want to approach peace-building in a way that will promote long-term stability. We want to explain to each other what it is like to live in Israel and Palestine, to develop transparent procedures so that any peace will be one between individuals and not politicians.... If we leave it only to men we get Israeli generals and Palestinians who will not be defeated and there is no room to negotiate.*<sup>66</sup>

Decades of feminist research have shown that women are key actors in building peace in conflict-affected societies. As family and community members, in the midst of conflict they deal on a daily basis with the ramifications of war, ranging from weak to non-existent healthcare and education systems, to helping each other within displaced and refugee camps, to responding to the horrors and daily drain of violence. As human rights and peace activists, women are on the front line of conflicts around the world, they possess a deep understanding of devastation of war and the long-term efforts needed to rebuild a more just society. Women in grassroots organizations are also well-positioned to understand and, at times, represent the needs of conflict-affected populations – before, during and after the fighting.<sup>67</sup>

If, as this report argues, conflict is conducted along gendered lines, then peace-building, to be successful, must function to address the structural, gendered systems of violence that underpin militarization and the political economies of war. Furthermore, as noted in the previous section on gender and non-violent movements, gender-inclusive ideologies are vital to restraining violence and promoting peaceful means of civil action and political change.

### *Getting Women's Rights and Priorities on the Peace Agenda*

Women and men who support women's rights and gender justice who participate in reaching political settlements can make significant impacts on the peace process that result in changed political processes and structures. Importantly, research finds that women's groups often more effectively represent and voice women's priorities and concerns, and indeed are more likely to do so, than women within negotiating delegations, who are bound to their particular party's interests. Research shows that as participants in peace processes, women expanded and re-defined agendas. They brought to the fore issues military leaders and high-ranking politicians might ignore, such as addressing the destruction of livelihoods, the dearth of schooling or healthcare and the local effects of post-conflict trauma. They helped ensure victims' voices are heard, particularly those 'invisible victims' – including the elderly, women, children and the mentally ill – who have suffered deprivation, impoverishment, physical and emotional injury, enforced disappearance and/or sexual violence. They brought a different perspective to post-conflict military policies, such as DDR programs, focusing not only on the men and women who must be disarmed, but on the communities who must re-absorb them. They were also more sensitive to household and family challenges, such as the spike in domestic violence that often occurs in post-conflict environments.<sup>68</sup> Finally, they were effective in keeping women's rights, experiences and priorities on the peace agenda.

Unfortunately, and quite important to note, the gender-just gains made in peace processes were not always long lasting or institutional in nature. This is because to realize many of the gains made in peace accords for civilians, there must be sustained engagement by civil society and committed members within the government and development partners to make real the gender-just components of political settlements. Otherwise, there is a very real risk that implementation of peace processes becomes owned and controlled by governments, and civil groups with legitimate claims and stakes in the process are kept out.

---

***Unfortunately, and quite important to note, the gender-just gains made in peace processes were not always long lasting or institutional in nature.***

---

Research has shown that critical to successful women's civil society mobilization around peace processes was the ability of the women's groups to build powerful coalitions that broadened the base of their support and facilitated access to formal structures. In some cases this involved proactively re-engaging already strong civil society ties, as well as developing relationships with male decision makers, negotiators or advisors. In other instances, building the right coalitions involved reaching out across religious and class/caste divides in order to broaden the base of support.<sup>69</sup>

In recognition of the key contribution women can make to the resolution of conflict and the creation of lasting peace, UN Security Resolution 1325 specifically calls on all actors for the inclusion of women in negotiations, peace-building and post-conflict reconstruction. However, 10 years since Resolution 1325 was passed, a study from UNIFEM found that women's participation in peace processes remains one of the most unfulfilled aspects of the women, peace and security agenda. Their review of 31 major peace

processes since 1992 shows a low number of women negotiators (9 percent), with little increase since passage of SCRes 1325 in 2000. Only 4 percent of women were signatories in peace processes, and women were completely absent in chief mediating roles in UN brokered talks.<sup>70</sup>

Why, after a decade of explicit recognition that their presence makes a positive difference and should be supported, are women still essentially absent from peace processes? There is a range of reasons. More often than not, women's exclusion from peace negotiations is a result of logistical and political challenges. During and immediately after a conflict, women's groups and activists may be focused on providing immediate relief and in helping to reconstruct their societies and thus do not actively

---

***Why, after a decade of explicit recognition that their presence makes a positive difference and should be supported, are women still essentially absent from peace process?***

---

organizing around peace process negotiations. This is a consequence of their position on the frontlines. Facing acute post-conflict crises, their work may emphasize local needs and the provision of necessary services. Unfortunately, while focused on local survival and recovery, and given the exclusionary nature of formal peace processes, women's groups are often unable to make their voices heard before major deals have already been negotiated. Consequently, peace negotiations may result in trade-offs – such as amnesty for war crimes, or so-called 'reconciliation' over justice – that directly contradict with the priorities and rights of people in local communities and put forward serious challenges to what kind of peace will actually be possible in the post-conflict period.<sup>71</sup> Women's absence from peace processes is also an extension of their marginalization within social and governmental institutions. Elites in government and armed opposition groups deploy a range of justifications and means to keep out women who represent victims and civil society actors. Where participants in peace negotiations are selected based on seniority within civilian or military institutions, the lack of women filling upper ranks contributes to a deficit of female representatives at the negotiating table. Male policymakers and political elites may further deny women space to participate because women's groups lack a formal elected position, or because they are seen as representing too narrow an issue (a peace negotiation is not the space to discuss "women's rights," such elites often argue). Elites have also argued that peace is "gender-neutral" and that the issues of concern to women are the concern of everyone, and therefore male leaders can represent women as effectively as a female leader could.<sup>72</sup> However, according to Sanam Anderlini,

*The exclusion of women, particularly those representing civil society organizations, results from systemic flaws in the structure and process of peace negotiations. Just as conflict prevention structures were designed in the era of international conflict, peace negotiations are also modeled on processes to end interstate wars. Herein lies the problem. International peace negotiations are largely focused on ending wars between countries<sup>73</sup>*

In a traditional framework, peace processes were negotiated between states or armed groups seeking to overturn the state by the top civilian and military leadership, soldiers were demobilized, and relations between opposing forces were gradually mended through the restoration of diplomatic ties. When conflict is intra-state and or both intra-state and international, however, the civil damage is immense: communities are ruptured, social capital is devastated, and the trust and shared experiences that bind the population together have been badly frayed. While ministers and generals may be well placed to bring about the cessation of hostilities, they “cannot bring peace within communities or trust between neighbors.”<sup>74</sup> Civil society groups and women within them, on the other hand, provide a vital link to local communities and may be key to helping reestablish trust and social capital so essential to restoring peoples’ lives and livelihoods.

---

**Women’s and other civil society groups are too often ‘invisible’ to international aid organizations. Yet, these civil society actors have much to teach about context-specific peace-building.**

---

Incidentally, and unfortunately, the marginalization of women’s groups and women as members of civil society or victims groups in peace processes and peace-building is too often abetted by the international community. Women’s and other civil society groups are often ‘invisible’ to international aid organizations. Yet these civil society actors have much to teach about context-specific peace-building.

Women make up the bulk of the frontline human rights and humanitarian response to armed conflict. They are there long before international actors arrive – and they will be there long after they leave. Their work is fundamental in every phase of a conflict. Any externally-driven conflict prevention that does not acknowledge and support this response fails in its mission to serve conflict-affected populations.<sup>75</sup>

Yet there are ways to positively influence the gender composition of peace processes and female political participation. In Rwanda and Nepal, for example, constitutional quotas were imposed on female political participation, though with mixed results. Such increases in participation, Potter argues, are usually the result of pressure from women’s groups backed by the international community, and are “one of the key arguments for how conflict provides opportunities for transforming gender relations, equality and female emancipation.”<sup>76</sup>

In summary, the marginalization of women’s and other civil society groups ensures a disconnect between peace processes, post-conflict processes and reality, which translates into a failure to invest in policies grounded in the needs, rights and priorities of the affected communities. This marginalization also consolidates systems that perpetuate structural violence against women and girls, and in some cases will intensify the security threats faced by women’s groups and activists in the aftermath of conflict.<sup>77</sup>

#### *Areas for further research*

How to ensure representation for women’s and civil society groups working towards peace and justice, and developing a better understanding for how these groups effectively influence peace processes,



remains an important path of inquiry. According to Anderlini, the “challenge is not only to open the political space, but also to create a strong public constituency that gives credibility to their demands.”<sup>78</sup> Developing strategies for addressing this apparent gap and, perhaps even more important, “re-imagining” peace processes is crucial for devising successful peace-building agendas. Furthermore, it would be key to understand how processes can include representatives of women’s and other civil society organizations working for peace and justice during peace negotiations and in the implementation of peace process outcomes.

However, given the apparent historic limits of formal peace processes to address structural issues of injustice, an important line of inquiry will be to investigate how local actors, including women’s groups and civil society groups working on behalf of victims and for peace and justice, act to rebuild communal ties, advocate for the provision of services, and, in effect, build the peace in war-torn communities – with or without the assistance of central governments. Using gender analyses, how has effective

peace-building been done on the local level in ways that shift national outcomes? A better understanding of the capacities and strategies of local groups will be key to promoting an alternative approach to peace that is not simply top-down, but based in the lives of those who have been most subjected to the violence of war. Reimagining peace-building requires a move away from formal, hierarchical processes, to decentralized networked approaches that acknowledge the reality of peace provision by actors in local contexts that have local, regional and national impact. And as discussed earlier in this report, empowering civil groups that have gender equality, peace and justice agendas can carry deep dividends for the provision of peace, in both the short- and long-term.

---

***Empowering civil groups that have gender equality, peace and justice agendas can carry deep dividends for the provision of peace, in both the short- and long-term.***

---

## **GENDER AND TRANSITIONAL JUSTICE PROCESSES**

### *Commissions of Inquiry and Truth Seeking: Women’s and Children’s Participation*<sup>79</sup>

Investigation and documentation are key aspects of peace-building, and are often listed among the top priorities of populations affected by violent conflict. Since 1974, at least 35 countries have established formal commissions of inquiry for the purpose of examining and recording crimes, violations and abuses committed during periods of conflict or under authoritarian regimes.<sup>80</sup> Such commissions have played key roles in the investigation and documentation of harms suffered by individuals and communities.<sup>81</sup> They are often convened in contexts where prosecutorial action is inappropriate or unfeasible because of the magnitude and complexity of the events under scrutiny and the incapacity of national justice systems to respond in a cost- and time-effective manner.<sup>82</sup> Even if legal systems were capable of investigating and prosecuting all reported violations, experience demonstrates that “judicial mechanisms alone are insufficient in the aftermath of massive and systematic violations.”<sup>83</sup> Most often the commissions’ purpose

is to acknowledge the legacy of violations and abuses and memorialize a period of particular suffering for part or all of the population.

Inquiry and full public disclosure of the facts – commonly referred to as truth telling – is highly prioritized by women victims and their families as a form of both remedy and reparation for past violations and abuses.<sup>84</sup> The work of commissions can be of particular importance for women and children victims, who are often singled out for killing, forced recruitment, disappearance, torture, sexual violence, and other grave violations and abuses during conflict, but whose experiences and needs often go unrecognized and unaddressed.<sup>85</sup> The use of transitional justice mechanisms to document those crimes' particular impacts on women and children, as well as their recovery priorities, helps to remedy rights violations and inform and promote equitable, sustainable post-conflict development initiatives.

Various approaches to the particular experiences of women and children have been undertaken. Some commissions, such as Ghana's National Reconciliation Commission and Sierra Leone's TRC, have adopted gender sensitivity as a crosscutting theme, paying particular attention to hiring practices (of both commissioners and staff). Other bodies have created a special gender or women's unit, tasked with such responsibilities as outreach, trainings, gender-focused background research, liaising with women's groups, and creating gender-sensitive hearing and interview protocols.<sup>86</sup> Still others have implemented a combined approach involving both gender mainstreaming as well as a special unit; this third approach is regarded as the most effective, though further inquiry and work in this area remain necessary to ensure appropriate and effective treatment of gender issues within national investigative efforts.

---

***The work of commissions can be of particular importance for women and children victims, who are often singled out for killing, forced recruitment, disappearance, torture, sexual violence, and other grave violations and abuses during conflict, but whose experiences and needs often go unrecognized and unaddressed.***

---

Women victims of the conflict overwhelmingly wanted documentation, investigation and disclosure of the extent and nature of the conflict and serious crimes that they, their families and communities suffered, including making clear which parties were responsible for the crimes and harms and the harms they are still suffering due to those crimes.<sup>87</sup> They wanted this documentation and disclosure to result, in part, in holding accountable those persons responsible for the crimes. Taking account of women and girls' experiences through investigations and documentation of the conflict should not only consider their experience of the conflict, but how they survived it to inform a process of remedy and reparation grounded in their realities, resources and capacities.<sup>88</sup> Such processes should build a shared memory and history of the conflict and its aftermath.

### *Investigative Units and Prosecution: Crimes against Women and Children*

Priorities vary among national efforts to investigate serious crimes, violations and abuses. Some countries prioritize documentation, others prosecution, and many take a hybrid approach.<sup>89</sup> Prosecution of those most responsible for serious crimes and violations can play a key role into efforts to prevent impunity and promote the rule of law, which are critical to sustainable peace. At both international and national levels, there exist specialized law enforcement units mandated specifically to investigate suspected war crimes and other serious violations; such units have contributed significantly to war crimes convictions.<sup>90</sup> Particularly in countries where the justice system may already be overloaded, regular law enforcement will not be best positioned to undertake investigation and prosecution of serious crimes and human rights violations, though their participation and cooperation may be necessary, especially for the protection of witnesses.

Prosecutorial action and other anti-impunity measures are inherently illustrative of a state's justice and equality priorities. Unfortunately, many countries' actions have made clear that crimes against women, children, and other marginalized groups are a lower priority than other offenses, whether in wartime or peaceful periods. In transitional periods, there are often even greater challenges to dealing with gender-based violence and violence against children in countries where such violence is normalized and privatized.<sup>91</sup>

---

***Many countries' actions have made clear that crimes against women, children, and other marginalized groups are a lower priority than other offenses, whether in wartime or peaceful periods.***

---

Prosecutorial frameworks should include the full range of sexual and gender-based crimes committed during conflict. Sexual and gender-based crimes, as well as crimes committed specifically against children, constitute unique challenges as well as opportunities for courts to set new standards for justice and national recovery efforts.<sup>92</sup> Gender-sensitivity training for court authorities and staff, psychological support for victims and witnesses, optional public or private hearings, and secure interview spaces are some of the measures that can support the success of women and children's participation in court proceedings.<sup>93</sup>

### *Remedy and Reparation*

In 2005 the United Nations General Assembly adopted the "Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law" (referred to hereafter as The Basic Principles),<sup>94</sup> which lays out international law regarding the right to remedy and reparation. The Basic Principles represent the most comprehensive and authoritative international guidelines on remedy and reparation. Briefly, remedies for serious violations of international human rights law and international humanitarian law include the victim's right to: (a) equal and effective access to justice; (b) adequate, effective and prompt reparation for harm suffered; and (c) access to relevant information concerning violations and reparation

mechanisms.<sup>95</sup> Other remedies include access to administrative and other bodies, as well as mechanisms, modalities and proceedings conducted in accordance with domestic law.<sup>96</sup>

Reparation is itself a form of remedy and has five components: restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.<sup>97</sup> Reparation can occur in both material and symbolic forms.<sup>98</sup> Symbolic reparation is intended to address psychological factors. To the extent possible, the goal is for the victim to feel that necessary and sufficient action has been taken to amend her suffering.<sup>99</sup> Symbolic reparation can include official acknowledgement and apology; naming of public spaces or buildings; setting aside days of commemoration; creation of memorials dedicated to the victims;<sup>100</sup> proper burial or reburial of the dead and the appropriate rituals as per different cultural groups; locating and identifying the dead, including marking and honoring grave sites; the search for the disappeared; and closing sites of violence or converting them into memorials.<sup>101</sup>

### *Gender-Just Remedy and Reparation*

As presented in the Basic Principles, victims of serious violations of international human rights law and international humanitarian law have a clearly established right to remedy and reparation that must be applied without discrimination of any kind or on any ground, without exception.<sup>102</sup> This requirement of equality has significant implications for ensuring that female victims are treated without discrimination. Yet, tragically, reparation programs around the world have, with few exceptions, failed to systematically incorporate women and girls' specific needs and concerns.<sup>103</sup> The concept of gender-just, gender-equitable and gender-sensitive repair for serious crimes has only, in the last several years, begun to be explored in theory and practice.<sup>104</sup>

Bret McEvoy's excellent synthesis and analysis of the literature on gender, remedy and reparation suggests key aspects necessary for realizing gender-just reparations.<sup>105</sup> He argues that the mandates of the applicable transitional mechanisms – including truth commissions, reparations design and reparations implementation systems – and their accompanying definitions of victims-survivors, violations, beneficiaries and benefits must explicitly recognize the harms women and girls have suffered and the accompanying need to provide remedy and reparation.<sup>106</sup> To illustrate, Beth Goldblatt's<sup>107</sup> and Fiona Ross'<sup>108</sup> writings on the South African TRC have shown how the lack of the inclusion of provisions to ensure gender justice, as well as the inability of the TRC to create safe spaces for women victims to come forward to discuss crimes committed directly against them, led, in the words of the Commission itself, to a final report that was blind “to the types of abuses predominantly experienced by women.”<sup>109</sup> The Peruvian Truth and Reconciliation Commission (Comisión de la Verdad y Reconciliación) (CVR) also suffered from a lack of overarching and explicit attention to gender in its mandate. While some CVR Commissioners took it upon themselves to include gender perspectives in their investigations, in the end reparations recommendations did not reflect gender awareness of crimes and harms.<sup>110</sup>

Another key component of gender-just reparations includes defining what qualifies as a serious crime, and who will qualify as victims and, thus, beneficiaries. While the Basic Principles presents a broad definition of victim,<sup>111</sup> TRCs and reparation programs have tended towards a more narrow definition, primarily limited to

victims of certain civil and political violations and abuses.<sup>112</sup> A gender-just approach would first recognize the indivisibility of rights and not privilege certain rights over others. It would seek to enable a harms-based approach to vulnerability that properly reflects the real effects of a range of life-altering crimes and violations, paying attention not only to the act of the human rights abuse or violation, but to the larger gendered-spaces in which those acts occurred, such as historical structures and patterns that perpetuate violence against women.<sup>113</sup> Such an approach, as was undertaken by the Peruvian TRC and its subsequent PIR, clarifies the roots and manifestations of such wrongs and thus can better inform ways to repair harm done, eradicate these wrongs, and prevent them in the future.<sup>114</sup> This approach becomes a transformative opportunity that could help establish women and girls, particularly of victims' communities, as equal citizens within a governance system seeking to repair citizen-state relations and enact more democratic modes of operation.

Additionally, gender-just definitions would adopt a harms-based notion of victimization that reflects the well-being of kin and dependents who may be no less affected than the immediate recipient (often referred to as the 'intended recipient') of the rights violation. Ruth Rubio-Marín refers to this as a conceptual shift from understanding 'rights as assets' – which signify the protection of individual interests – to 'rights as relationships', which acknowledge that the interests of those in close relational proximity to the target of the harm will also be profoundly impacted by the violation or abuse.<sup>115</sup> In this vein, Fionnuala Ni Aolain discusses communities of harm to highlight the ways in which individuals are "infinitely connected" to their families, codependents and communities.<sup>116</sup> The conceptual shifts proposed by Rubio-Marín and Aolain expand the definition of victim to better account for how families are constituted and re-constituted due to violence.<sup>117</sup>

---

***Justice is not only an outcome, it is an experience and a process that victims participate in and witness.***

---

As Mazurana et al. contend, justice is not only an outcome, it is an experience and a process that victims participate in and witness.<sup>118</sup> The processes through which reparation unfolds and how victims are treated from beginning to end are of paramount importance and will in large part determine the success of remedy, reparation and the overall transitional justice process. To be well received and accepted, processes for remedy and reparation need to be owned by victims and empower them as survivors. Mazurana et al. write that one of the important contributions of a gender-just approach is the insight gained into the processes of remedy and reparation. These processes include: equality and non-discrimination principles; outreach; registration and documentation; data collection; working with victims of sexual violence; and embracing victims as full participants in reparation programs.

From a gender-perspective, outreach should be understood as an important step towards victims' empowerment. It should be a process of social recognition and acceptance. In this way, outreach is a two-way process that involves engaging with victims and their representatives, and seeks to build trust and confidence among victims. Outreach should be carried out in a way that creates and ensures inclusive, safe, participatory space for victims to come forward. Outreach processes need to be responsive to

women and girl victims' often high levels of illiteracy, poverty, poor access to transportation and deep social fractures (gender, ethnic, language, class or sub-regional differences). Outreach should seek to uphold the dignity of victims.

To be gender-just, registration, legal and documentary procedures and processes should be gender-sensitive. Procedures should be simplified to allow lower thresholds of evidence, understanding that many woman- and child-headed households will not possess paperwork for property or land, and they will have difficulties accessing medical or legal documentation to support their claims of serious crimes. All efforts should be made to spare victims, particularly victims of sexual violence, the pain of cross examination, and to avoid re-victimization by investigators, perpetrators, family members and communities. Finally, to ensure that women and girl victims feel comfortable coming forward, all male and female staff should be trained to ensure gender-sensitive and gender-just approaches in their interactions with victims and their families.

---

***All efforts should be made to spare victims, particularly victims of sexual violence, the pain of cross-examination, and to avoid re-victimization by investigators, perpetrators, family members and communities.***

---

Finally as regards reparation processes, gender-just reparation needs administrative structures that allow the participation of women and girl victims, CSOs and victim-led groups in their design, implementation, monitoring and evaluation at all levels of government and within the relevant governmental departments.<sup>119</sup> Women and girl victims' participation in transitional justice decision-making signals their efforts to position themselves as equal citizens, and in itself has reparatory value.<sup>120</sup>

As McEvoy writes, one of the most fundamental aspects of any reparations program is the extent to which it is coherent.<sup>121</sup> Pablo de Greiff coined the term "coherence" to reflect the relationships between individual reparation and transitional justice measures, and how well they collectively support one another.<sup>122</sup> There are two forms of coherence – internal and external – where internal coherence refers to the relationship between types of benefits within a reparations program, whereas external coherence relates to the connectivity between the reparation program and other transitional justice measures, such as criminal justice, truth-telling and institutional reform.<sup>123</sup> As Lisa LaPlante's work in Peru demonstrates, reparations can be considered just as critical as criminal trials in providing redress, and in the eyes of many victim-survivors, reparations may actually better reflect their notions of justice.<sup>124</sup>

#### *Areas for Further Research*

Gendered analysis of a broad range of transitional justice mechanism has only been recently begun and much work remains in nearly all areas. In particular, gender analyses of memorialization, public apology and acknowledgement, and proper treatment of the dead could contribute significantly to our understanding of these crucial processes. Additionally, comparative research into victims groups effectively representing themselves and setting transitional justice agendas (in any of the areas within

transitional justice) and a gender analysis of their priorities, strategies and outcomes would make a significant contribution to the field.

## ENDNOTES

<sup>1</sup> International Committee of the Red Cross (ICRC), *Addressing the Needs of Women Affected by Armed Conflict*, ICRC, Geneva, 2004, p. 7.

<sup>2</sup> Carol Cohn, "Women and Wars: Towards a Conceptual Framework," in Carol Cohn (editor) *Women & Wars*, Polity Press: Cambridge (2013), pp.4-5.

<sup>3</sup> Margaret Urban Walker, "Gender and Violence in Focus" in *The Gender of Reparations: Unsettling Sexual Hierarchies while Redressing Human Rights Violations*, (ed.) Ruth Rubio, Cambridge University Press (2009).

<sup>4</sup> In developing her theory of a continuum of violence, Cynthia Cockburn argues for recognizing the connections among gendered violence within everyday to systems and means of structural violence that underpin inequalities to political violence driven at national and international levels. See Cynthia Cockburn, "The Continuum of Violence. A Gender Perspective on War and Peace," in *Sites of Violence*, (eds.) Jennifer Hyndman and Wenona Giles, University of California Press: Berkeley (2004), pp. 24-44.

<sup>5</sup> Walker, *Gender and Violence in Focus*, p. 29.

<sup>6</sup> Ibid.

<sup>7</sup> Cohn, Carol (2012) *Women and Wars: Towards a Conceptual Framework*. In Cohn, Carol Cohn (ed.) *Women & Wars*. Cambridge: Polity Press, pp. 22.

<sup>8</sup> See Michael Kimmel, "Masculinities and Gun Violence: The Personal Meets the Political," Paper prepared for a session at the UN on "Men, Women and Gun Violence," July 14, 2005 (7 pages); Barker, Gary, "The trouble with young men: Coming of age in social exclusion" (Ch 4, pp 41-58), and "In the headlines: Interpersonal violence and gang involvement" (Ch 5, pp 59-83) in *Dying to Be Men: Youth, Masculinity and Social Exclusion*, New York: Taylor & Francis Inc, 2005; Sommers, Marc, "Fearing Africa's Young Men: Male youth, conflict, urbanization, and the case of Rwanda," in *The Other Half of Gender: Men's Issues in Development*, Washington, DC: The World Bank, 2006, 137-58.

<sup>9</sup> See Nira Yuval-Davis and Gita Saghal, *Refusing holy orders: women and fundamentalism in Britain*, Virago Press (1992); V. Spike Peterson, 'Political Identities/Nationalism as Heterosexism', *International Feminist Journal of Politics*, 1:1 (2007), 34 – 65.

<sup>10</sup> Elisabeth Wood, "Variation in War Time Sexual Violence," *Politics & Society*, Vol. 34 No. 3, September 2006 307-341.

<sup>11</sup> See Sivakumaran, Sandesh (2007) *Sexual Violence Against Men in Armed Conflict*. *The European Journal of International Law* 18 (2): pp. 253-276

<sup>12</sup> Walker, 'Gender and Violence in Focus', p. 38.

<sup>13</sup> See AYINET *Surgery, Medical and Psychosocial Rehabilitation for Victims of War, 2011–2012*.

<sup>14</sup> See also Isis-WICCE, *Women's Experiences of Armed Conflict in Uganda, Gulu District 1986–1999*; Hugo Slim. (2009).

'Movement, Impoverishment, Famine, Disease and Distress.' In *Killing Civilians: Method, Madness and Morality in War*. Columbia University Press.

<sup>15</sup> Ibid.

<sup>16</sup> Caroline Moser. (2001) 'The Gendered Continuum of Violence and Conflict: an Operational Framework', p. 43. In *Victims, Perpetrators or Actors: Gender, Armed Conflict and Political Violence*, ed. C Moser and F Clare. Zed Press.

<sup>17</sup> Walker, 'Gender and Violence in Focus,' p. 41.

<sup>18</sup> See Walker, 'Gender and Violence in Focus.'

<sup>19</sup> For example, see Scott Strauss. 2012. "Wars Do End! Changing Patterns of Political Violence in Africa." *African Affairs*, 111 (443): 179-201.

<sup>20</sup> Martha Thompson. 2006. "Women, Gender, and Conflict: Making the Connections." *Development in Practice*, Vol. 16, No. 3/4 (Jun.): 342-353, 344.

- <sup>21</sup> Mark Duffield. 1994. *War and Hunger: Rethinking International Responses to Complex Emergencies*. London: Zed Books; Mark Duffield. 2001. *Global Governance and the New Wars: The Merging of Development and Security*. London: Zed Books.; Dyan Mazurana. 2005. "Gender and the Causes and Consequences of Armed Conflict." In *Gender, Conflict, and Peacekeeping*, edited by Dyan Mazurana, Angela Raven-Roberts, and Jane Parpart. Oxford & Boulder: Rowman & Littlefield.
- <sup>22</sup> Angela Raven-Roberts. 2013. "Women and the Political Economy of War." In *Women and Wars: Contested Histories Uncertain Futures*, edited by Carol Cohn, 36-53. Cambridge: Polity Press.
- <sup>23</sup> *Ibid.*, 42.
- <sup>24</sup> *Ibid.*
- <sup>25</sup> *Ibid.*, 46.
- <sup>26</sup> Mazurana 2005.
- <sup>27</sup> Thompson 2006, 343.
- <sup>28</sup> For example, see International Committee of the Red Cross (ICRC). 2001. *Women Facing War*. ICRC: Geneva; United Nations. 2002. *Women, Peace and Security*. Study submitted by the Secretary-General pursuant to Security Council Resolution 1325. New York: United Nations.
- <sup>29</sup> Bethany Lacina and Nils Petter Gleditsch. 2005. "Monitoring Trends in Global Combat: A New Dataset of Battle Deaths." *European Journal of Population* 21 (2/3): 145-66.
- <sup>30</sup> Thomas Plumber and Eric Neumayer. 2006. "The Unequal Burden of War: The Effect of Armed Conflict on the Gender Gap in Life Expectancy." *International Organization* 60 (3): 723-754.
- <sup>31</sup> UN General Assembly. 1998. *Rome Statute of the International Criminal Court (last amended 2010)*, 17 July; Assembly of States Parties to the Rome Statute of the International Criminal Court. 2000. *Elements of Crimes of the International Criminal Court*, ICC-ASP/1/3 at 108, U.N. Doc. PCNICC/2000/1/Add.2; Barbara C. Bedont. 2000. "En-gendering Justice: An Assessment of the Statute of the International Criminal Court from a Gender Perspective." In *Human Rights and Development Yearbook*, edited by Hugo Stroke and Arne Tostensen. Utrecht: Netherlands Institute of Human Rights: 138-162.
- <sup>32</sup> Elisabeth Wood. 2006. "Variation in Sexual Violence during War." *Politics & Society*, Vol. 34 No. 3, September: 307-341; Dara Kay Cohen, Amelia Hoover Green, and Elisabeth Jean Wood. 2013. *Wartime Sexual Violence: Misconceptions, Implications, and Ways Forward*. Special Report 323, February. Washington, DC: United States Institute for Peace.
- <sup>33</sup> Dara Kay Cohen and Ragnhild Nordås. 2012. "Sexual Violence in African Armed Conflicts: Introducing the SVAC-Africa Dataset, 1989–2009." Unpublished working paper.
- <sup>34</sup> Cohen et al. 2013.
- <sup>35</sup> Sandesh Sivakumaran. 2007. "Sexual Violence Against Men in Armed Conflict." *The European Journal of International Law* Vol. 18 No. 2: 253-276.
- <sup>36</sup> Raven-Roberts 2013, 37.
- <sup>37</sup> *Ibid.*, 52.
- <sup>38</sup> Cynthia Enloe. 2000. *Maneuvers: the International Politics of Militarizing Women's Lives*. Berkeley: University of California Press, 3.
- <sup>39</sup> Enloe 2000; Cynthia Enloe. 1993. *The Morning After: Sexual Politics at the End of the Cold War*. Berkeley: University of California Press; Cynthia Enloe. 1989. *Bananas, Beaches, and Bases: Making Feminist Sense of International Politics*. Berkeley: University of California Press; Cynthia Enloe. 1983. *Does Khaki Become You?* Pluto Press.
- <sup>40</sup> Dyan Mazurana. 2013. "Women, Girls and Non State Armed Groups." In *Women and Wars: Contested Histories Uncertain Futures*, edited by Carol Cohn. Cambridge: Polity Press: 146-168.
- <sup>41</sup> *Ibid.*
- <sup>42</sup> Enloe 2000.
- <sup>43</sup> Dyan Mazurana, Susan McKay, Khristopher Carlson, and Janel Kasper. 2002. "Girls in Fighting Forces and Groups: Their Recruitment, Participation, Demobilization, and Reintegration." *Peace & Conflict* 8, 2; Dyan Mazurana and Susan McKay. 2001. "Child Soldiers: What About the Girls?" *The Bulletin of the Atomic Scientist*, September/October.
- <sup>44</sup> Ilja Luciak, 2001. *After the Revolution: Gender and Democracy in El Salvador, Nicaragua and Guatemala*. Baltimore: Johns Hopkins University Press.
- <sup>45</sup> Duffield 1994, 2001.
- <sup>46</sup> Mazurana et al. 2002.
- <sup>47</sup> Mazurana 2012.
- <sup>48</sup> Dyan Mazurana and Linda Cole. 2012. "Women and Girls and Disarmament, Demobilization and Reintegration." In *Women and Wars: Contested Histories Uncertain Futures*, edited by Carol Cohn. Cambridge: Polity Press.
- <sup>49</sup> World Peace Foundation. 2012. "New Wars, New Peace: Security Perspectives," October 29 – 30. Accessed online at: <http://fletcher.tufts.edu/World-Peace-Foundation/Activities/~//media/Fletcher/Microsites/World%20Peace%20Foundation/New%20Wars%20New%20PeaceSecurity%20Perspectives.pdf>



- <sup>50</sup> Gene Sharp, ed. 2005. *Waging Nonviolent Struggle: 20th Century Practice and 21st Century Potential*. Boston: Porter Sargent, 41, 547.
- <sup>51</sup> Maria J. Stephan and Erica. 2008. "Why Civil Resistance Works: The Strategic Logic of Nonviolent Conflict." *International Security*, Vol. 33, No. 1 (Summer): 7-44, 8.
- <sup>52</sup> *Ibid.*, 9.
- <sup>53</sup> Jan Pettman. 1996. *Worlding Women: A Feminist International Politics*. London: Routledge, 99-100.
- <sup>54</sup> Valerie M Hudson, Bonnie Ballif-Spanvill, Mary Caprioli, Chad F Emmet. 2012. *Sex & World Peace*. New York: Columbia University Press.
- <sup>55</sup> Erik Melander. 2005. "Political gender equality and state human rights abuse." *Journal of Peace Research* 42(2): 149-166, cited in Victor Asal, Richard Legault, Ora Szekely, and Jonathan Wilkenfeld, "Gender ideologies and forms of contentious mobilization in the Middle East," *Journal of Peace Research* (2013 50: 305): 305-318.
- <sup>56</sup> Maria Holt. 2003. "Palestinian women, violence, and the peace process." *Development in Practice* 13 (2&3): 223-38, 110.
- <sup>57</sup> Asal et al. 2013.
- <sup>58</sup> Pam McAllister, ed. 1982. *Reweaving the Web of Life: Feminism and Nonviolence*. Philadelphia, PA: New Society, cited in Mason 2005.
- <sup>59</sup> Mason 2005, 746.
- <sup>60</sup> *Ibid.*, 747.
- <sup>61</sup> Holt 2003.
- <sup>62</sup> Carolyn Nordstrom. 2004. *Shadow Wars: Violence, Power and International Profiteering in the Twenty-first Century*. University of California Press: Berkeley.
- <sup>63</sup> *Ibid.*, 179.
- <sup>64</sup> Duffield 2001.
- <sup>65</sup> *Ibid.*, 141.
- <sup>66</sup> From a speech delivered to the UN Security Council, May 7, 2002, cited in Sanam Nagham Anderlini. 2007. *Women Building Peace: What They Do, Why It Matters*. Boulder, CO: Lynne Reiner.
- <sup>67</sup> Jane Barry. 2005. *Rising Up in Response*. Boulder, CO: Urgent Action Fund, 3.
- <sup>68</sup> Antonia Potter. 2008. "Gender sensitivity: nicety or necessity in peace-process management?" Center for Humanitarian Dialogue, Oslo Forum.
- <sup>69</sup> See Anderlini 2007; Barry 2005; Potter 2008; UNIFEM. 2010. *Women's Participation in Peace Negotiations: Connections between Presence and Influence*, August. Accessed online at <http://www.unwomen.org/wp-content/uploads/2012/10/03A-Women-Peace-Neg.pdf>.
- <sup>70</sup> UNIFEM. 2010. *Women's Participation in Peace Negotiations: Connections between Presence and Influence*, August, 1. Accessed online at <http://www.unwomen.org/wp-content/uploads/2012/10/03A-Women-Peace-Neg.pdf>
- <sup>71</sup> *Ibid.*, 10.
- <sup>72</sup> Anderlini 2007, 62.
- <sup>73</sup> *Ibid.*, 58-59.
- <sup>74</sup> *Ibid.*, 60.
- <sup>75</sup> Potter 2008, 9.
- <sup>76</sup> *Ibid.*, 62.
- <sup>77</sup> *Ibid.*, 9.
- <sup>78</sup> Anderlini 2007, 63.
- <sup>79</sup> Rachel Gordon contributed substantially to writing up the material on truth commission and investigation units and prosecution.
- <sup>80</sup> Algeria (2003), Argentina (1983), Bolivia (1982), Brazil (1979), Burundi (1995), Chad (1991), Chile (1990 and 2003), Cote d'Ivoire (2000), Democratic Republic of Congo (2003), Ecuador (1996, 2007), El Salvador (1992), Ethiopia (1993), Germany (1992), Ghana (2002), Grenada (2001), Guatemala (1997), Haiti (1995), Honduras (1993), Indonesia (2004), Liberia (2005), Morocco (2004), Nepal (1990), Nigeria (1999), Panama (2001), Paraguay (2003), Peru (1986 and 2001), Sierra Leone (2002), South Africa (1995), South Korea (2000), Sri Lanka (1994), Timor-Leste (2002), Uganda (1974, 1986), Uruguay (1985, 2000), Federal Republic of Yugoslavia (2001), Zimbabwe (1983).
- <sup>81</sup> Some of the names under which these commissions have been organized include: "commissions on the disappeared" (Uganda, Sri Lanka, Nepal, Argentina), "truth and justice commissions" (Ecuador, Paraguay, Haiti), "truth and reconciliation commission" (Chile, Democratic Republic of Congo, Granada, Indonesia, Liberia, Peru, Sierra Leone, South Africa, Timor-Leste, Yugoslavia), "historical clarification commission" (Guatemala), "human rights violation investigation commission" (Nigeria), and others.
- <sup>82</sup> Annual Report of the United Nations High Commissioner for Human Rights and Reports of the Office of the High Commissioner and the Secretary-General: Analytical Study on human rights and transitional justice. Human Rights Council, 12<sup>th</sup> Session. A/HRC/12/18 6 August 2009.



<sup>84</sup> Ruth Rubio-Marín, ed. 2006. *What Happened to the Women? Gender and Reparations for Human Rights Violations*. New York: Social Science Research Council; Ruth Rubio, ed. 2009. *The Gender of Reparations: Unsettling Gender Hierarchies while Addressing Human Rights Violations*. Cambridge: Cambridge University Press; United Nations Office of the High Commissioner for Human Rights (UN OHCHR) and Ugandan Human Rights Commission (UHRC). 2011. *The Dust Has Not Yet Settled: Victims' Views on Remedy and Reparation in the Greater North, Uganda*. Available online at <http://www.ohchr.org/Documents/Press/WebStories/DustHasNotYetSettled.pdf>.

<sup>85</sup> Ibid.

<sup>86</sup> International Center for Transitional Justice (ICTJ). 2006. *Truth Commissions and Gender: Principles, Policies, Procedures*. New York: ICTJ.

<sup>87</sup> Similar findings are reported in UN OHCHR and UHRC 2011.

<sup>88</sup> Rosalind Shaw, Lars Waldorf, with Pierre Hazanand. 2010. *Localising Transitional Justice: Interventions and Priorities after Mass Violence*. Stanford: Stanford University Press.

<sup>89</sup> United Nations Office of the High Commissioner for Human Rights (UN OHCHR). 2009. Annual Report of the United Nations Office of the High Commissioner for Human Rights and Reports of the Office of the High Commissioner and the Secretary-General: Analytical Study on human rights and transitional justice. Human Rights Council, 12<sup>th</sup> Session. A/HRC/12/18 6 August.

<sup>90</sup> Jurgen Schurr. 2010. *Strategies for the Effective Investigation and Prosecution of Serious International Crimes: The Practice of Specialised War Crimes Units*. REDRESS/FIDH. December.

<sup>91</sup> Khristopher Carlson and Dyan Mazurana. 2010. "Accountability and Reconciliation in Northern Uganda." In *Children and Transitional Justice: Truth-Telling, Accountability and Reconciliation*, edited by Sharanjeet Parmar, Mindy Jane Roseman, Saudamini Siegrist, and Theo Sowa. Cambridge: Harvard University Press; Dyan Mazurana and Khristopher Carlson. 2009. "Reparations as a Means for Recognizing and Addressing Crimes and Grave Rights Violations Committed Against Children during Situations of Armed Conflict and Under Authoritarian Regimes." In *The Gender of Reparations: Unsettling Gender Hierarchies while Addressing Human Rights Violations*, edited by Ruth Rubio. Cambridge: Cambridge University Press.

<sup>92</sup> UNIFEM. 2010. *Gender and Transitional Justice Programming: a review of Peru, Sierra Leone and Rwanda*.

<sup>93</sup> Binaifer Nowrojee. 2005. "Making the Invisible War Crime Visible: Post-Conflict Justice for Sierra Leone's Rape Victims." *Harvard Human Rights Journal* 18: 85-105.

<sup>94</sup> A/RES/60/147.

<sup>95</sup> A/RES/60/147, Principle 11.

<sup>96</sup> A/RES/60/147, Principle 12.

<sup>97</sup> **Restitution** should seek as much as possible to restore victims to the state they were in prior to the violations. It includes, as appropriate, restoration of liberty; enjoyment of human rights, identity, family life and citizenship; return to one's place of residence; restoration of employment; and return of property (A/RES/60/147, Article 9, para. 19). **Compensation** should be given for any economically-assessable damage in a manner that is appropriate and proportional to the violations, which can include physical, mental, material, opportunistic and moral harms and costs incurred in pursuit of addressing the resulting harms (A/RES/60/147, Article 9, para. 20). **Rehabilitation** encompasses medical and psychological care and access to legal and social services (A/RES/60/147, Article 9, para. 21). **Satisfaction** is broadly understood to include, where applicable, measures that help cease violations; verification and full public disclosure of the facts (while ensuring disclosure does not harm victims or witnesses); search and identification of those disappeared, abducted, and killed; proper reburial; official declarations, apologies and sanctions against those liable for the violations; and tributes to the victims, including victims of conflict-related sexual violence (A/RES/60/147, Article 9, para. 22). **Guarantees of non-repetition** include civilian control of armed security forces; application of international standards of due process; independence of the judiciary; upholding of protections for protected persons under international law; human rights and humanitarian law training for relevant sectors and adherence to these laws and a gender-just interpretation of these laws within codes of conduct; and reform of laws – including through an approach that promotes women's rights and equality – that contribute to violations of international humanitarian and human rights law (A/RES/60/147, Article 9, para. 23).

<sup>98</sup> Material forms of reparation may consist of "service packages, including medical, educational and housing assistance, as well as compensation in terms of cash, vouchers, pensions or other material benefits that have a monetary value. Rebuilding schools, health clinics, hospitals, roads and markets can also be a form of material reparation" (UN OHCHR and UHRC 2011, xviii).

<sup>99</sup> Brandon Hamber and Ingrid Palmary. 2009. "Gender, Memorialization, and Symbolic Reparation." In *The Gender of Reparations: Unsettling Sexual Hierarchies while Redressing Human Rights Violations*, edited by Ruth Rubio. Cambridge: Cambridge University Press.

<sup>100</sup> Ruth Rubio-Marín. 2006. "Gender of Reparation." In *The Handbook of Reparations*, edited by Pablo de Greiff. Oxford: Oxford University Press, 453.

<sup>101</sup> Naomi Roht-Arriaza. 2004. "Reparations Decisions and Dilemmas." *Hastings International and Comparative Law Review* 27, no.

2.

<sup>102</sup> A/RES/60/147. Article 25.



- <sup>103</sup> See Rubio-Marín. 2006. “Gender of Reparation”; Ruth Rubio-Marín, ed. 2006. *What Happened to the Women? Gender and Reparations for Human Rights Violations*. New York: Social Science Research Council; Rubio-Marín and de Greiff 2007.
- <sup>104</sup> Women’s and girls’ distinct ways of experiencing serious violence is well documented. For example, see United Nations. 2002. *Women, Peace and Security: Study of the United Nations Secretary-General as Pursuant Security Council Resolution 1325*. New York: United Nations; United Nations. 2002. *Report of the Secretary-General on Women, Peace and Security to the United Nations Security Council* (UN document S/2002/1154). Important contributions towards developing gender-just remedy and reparation include: Lisa Laplante. 2007. “On the Indivisibility of Rights: Truth Commission, Reparations and the Right to Development.” *Yale Human Rights and Development Law Journal* 10: 141–76; Dyan Mazurana and Khristopher Carlson. 2010. “Children and Reparation: Past Lessons and New Directions.” In *Unicef Innocenti Research Centre Expert Paper Series on Children and Transitional Justice*. Florence: Unicef Innocenti Research Centre. Available at [http://www.unicef-irc.org/knowledge\\_pages/resource\\_pages/children\\_and\\_transitional\\_justice/working\\_paper\\_series.html](http://www.unicef-irc.org/knowledge_pages/resource_pages/children_and_transitional_justice/working_paper_series.html); Rubio-Marín. 2009. *The Gender of Reparations*; Rubio-Marín. 2006. *What Happened to the Women?*; Rubio-Marín and de Greiff. 2007. “Women and Reparations”; Margaret Urban Walker. 2006. “Gender and Violence in Focus: A Background for Gender Justice in Reparations.” In *What Happened to the Women? Gender and Reparations for Human Rights Violations*, edited by Ruth Rubio-Marín. New York: Social Science Research Council.
- <sup>105</sup> Bretton McEvoy. 2013. *Gender Just Reparation: Key Elements and Approaches*, Masters of Arts in Law and Diplomacy, Fletcher School, Tufts University, Medford MA. McEvoy’s writings are drawn on to inform this section.
- <sup>106</sup> Note that it is likely within pre-established mechanisms that mandates and language for subsequent bodies are defined. For instance, it may be within the peace agreement or a presidential decree that the mandate for a truth commission is established, or within a truth commission that recommendations for a reparations program are outlined. Therefore, impact upon mandate construction likely requires pressure prior to the creation of the implementing systems.
- <sup>107</sup> Beth Goldblatt. 2006. “Evaluating the Gender Content of Reparations: Lessons from South Africa.” In *What Happened to the Women? Gender and Reparations for Human Rights Violations*, edited by Ruth Rubio-Marín. New York: Social Science Research Council, 77.
- <sup>108</sup> Fiona Ross. 2010. “An Acknowledged Failure: Women, Voice, Violence and the South African Truth and Reconciliation Commission.” In *Localizing Transitional Justice: Interventions and Priorities After Mass Violence*, edited by Rosalind Shaw and Lars Waldorf, 69-91. Stanford: Stanford University Press.
- <sup>109</sup> *Truth and Reconciliation Commission of South Africa Report*, vol. 4, chap. 10, sec. 144, 316; see also Hayner 2001, 89.
- <sup>110</sup> Julie Guillerot. 2006. “Linking Gender and Reparations in Peru: A Failed Opportunity.” In *What Happened to the Women? Gender and Reparations for Human Rights Violations*, edited by Ruth Rubio. New York: Social Science Research Council, 166-7.
- <sup>111</sup> The *Basic Principles* defines victims as ‘persons who have individually or collectively suffered harm including physical or mental injury, emotional suffering, economic loss, or substantial impairment of their fundamental rights, through acts or omissions that constitute serious violations of international human rights and violations of humanitarian law. Where appropriate and in accordance with domestic law, the term “victim” also includes the immediate family or dependents of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimisation.’ A/RES/60/147, Article 5, para. 9. Note that a person is a victim regardless of whether the perpetrator is identified, apprehended, prosecuted, or convicted, and regardless of the familial relationship between the perpetrator and the victim.
- <sup>112</sup> Dyan Mazurana and Khristopher Carlson. “Reparations as a Means for Recognizing and Addressing Crimes and Grave Rights Violations Committed Against Children during Situations of Armed Conflict and Under Authoritarian Regimes”; Mazurana and Carlson 2010.
- <sup>113</sup> Nesiiah, 24.
- <sup>114</sup> Laplante 2007.
- <sup>115</sup> Rubio-Marín 2009, 216-7.
- <sup>116</sup> Fionnuala Ni Aolain, 40.
- <sup>117</sup> McEvoy 2013.
- <sup>118</sup> Dyan Mazurana, Teddy Atim, Ariane Brunet and Helen Kezie-Nwoha. 2013. “Making Gender Just Remedy and Reparation Possible: Upholding the Rights of Women and Girls in Northern Uganda.” Feinstein International Center and Isis WICCE. Available at <http://reliefweb.int/sites/reliefweb.int/files/resources/Gender-Just-Remedy-and-Reparation-final-June-2013.pdf>
- <sup>119</sup> The Women’s Taskforce for a gender-responsive Peace Recovery and Development Plan (PRDP) for northern Uganda managed by Isis-WICCE is an example of how CSOs can participate effectively in the reparation process. The Women’s Task Force monitors and advocates for women’s needs in the PRDP.
- <sup>120</sup> *Nairobi Declaration*, 2b.
- <sup>121</sup> McEvoy 2013.
- <sup>122</sup> Coherence is one of the seven categories comprising de Greiff’s taxonomy of reparations efforts, along with scope, completeness, comprehensiveness, complexity, finality and munificence. De Greiff, Handbook, 6-13.
- <sup>123</sup> De Greiff 2006, 10-11.



<sup>124</sup> LaPlante and Theidon 2007, 248.

World Peace Foundation  
at The Fletcher School

Tufts University  
169 Holland Street, Suite 209  
Somerville, Massachusetts 02144 USA  
ph +1.617.627.2255  
fx +1.617-627-3178  
[www.worldpeacefoundation.org](http://www.worldpeacefoundation.org)

