

### **Women in Post-Conflict Resolution and Reconstruction in Africa**

Helen Scanlon

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### **Summary and Keywords**

Women's experiences of conflict have been the subject of increased international attention since the end of the Cold War and this has been accompanied by a concomitant growth in attention to the role of women in peace and security initiatives in Africa. Alongside the rise of humanitarian interventions, new trends have emerged in the realms of conflict resolution, accountability, and post-conflict transformation. As a result, post-conflict experiences in Africa in the 21st century have revealed numerous opportunities for the advancement of gender justice. Experiences from countries emerging from conflict on the continent provide some important examples of promoting women's rights through accountability mechanisms, furthering access to government, producing gender-sensitive reform, challenging discriminatory laws, and advancing economic opportunities. However, while women's needs and rights have been increasingly recognized through international and national commitments, women continue to face widespread gender-based violence as well as socioeconomic challenges in the aftermath of conflict. Thus, understanding intersectional experiences of conflict and the role of enduring gender power relations are critical to revisiting how transitions might be transformative.

Keywords: post-conflict resolution, post-conflict reconstruction, transitional justice, peace-building, gender-based human-rights violations, sexual violence in conflict (SVAC), truth seeking, security sector reform

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### **Women and Post-Conflict Reconstruction**

Since the early 1990s, Africa has been the site of post-conflict experimentation, with numerous examples of gains and losses in both conflict resolution and post-conflict reconstruction. Alongside the rise of humanitarian intervention new directions have emerged in the realms of peace-building, accountability, and post-conflict transformation. Revelations of high rates of sexual and gender-based crimes during Rwanda's 1994 genocide and during the subsequent conflicts in Sierra Leone and Liberia has resulted in a concomitant increase in attention on the part of the international community to confronting issues of women, peace, and security. This article will examine how women have influenced, and been affected by, post-conflict resolution and reconstruction processes on the African continent. It will explore a range of perspectives on women's involvement in conflict resolu-

tion, as well as initiatives aimed at supporting women's involvement in post-conflict reconstruction. In particular, it will survey the widespread assumption that, despite the prevalence of egregious gender-based human-rights violations during conflict, women have also made considerable gains during the post-conflict moment. As many have convincingly argued, gender disruptions that occur during conflict can help reshape women's position in society in productive ways. According to Laura Shepherd, "violence in war is gendered but also creates gender."<sup>1</sup> As such, gender power relations can be reconfigured through the creation of new constitutions, the revoking of discriminatory laws, through accountability mechanisms, and through affirmative-action policies.

Despite these numerous developments analysts have increasingly questioned the depth of change for women following post-conflict reconstruction initiatives. This article will thus examine some of the theorizations around the positive and negative consequences of conflict for women in Africa. The often binary understandings of war and peace prevalent during the 1990s, portraying men as innately violent and women as peace-builders, have been progressively queried. Questions have also emerged as to whether gender-based violence during conflicts is indeed "extraordinary." As Vasuki Nesiiah correctly points out: "The focus on events entailing extraordinary violence, rather than the continuities with contexts of ordinary violence, can narrow the remit of accountability processes."<sup>2</sup> It has equally been queried whether it can be argued that a conflict is over when violence against women persists; as Meintjes et al. suggest, "there is no aftermath" for women.<sup>3</sup> Thus, many African scholars such as Desiree Lewis have advised that current conceptualizations of conflict: "lead [. . .] to the suppression of a central human security concern: violence against women on a continuum ranging from rape as a weapon of war to violence in the domestic realm (such as femicide or wife-battering) and abuse in interpersonal relations, including sexual harassment or homophobic violence."<sup>4</sup>

Since the early 21st century it has thus become widely evident that conflict results in an "aftermath" for women, evident in continuities of endemic gender-based violence in countries such as Liberia, the Democratic Republic of Congo (DRC), and South Africa. An essential feature of emerging scholarship on gender and conflict has been questions over whether the visible public representation of women in many post-conflict contexts has been accompanied by transformative agendas. This has resulted in an interrogation over whether new gender-sensitive legislative frameworks necessarily translate into gender-sensitive reconstruction and, more broadly, over the efficacy of "gender-mainstreaming" approaches. This article will therefore discuss the gains and losses made by women during conflict resolution and post-conflict reconstruction processes.

## Defining Post-Conflict Reconstruction

According to Donna Pankhurst, post-conflict reconstruction involves the restoration of economic, political, and social structures that existed prior to the outbreak of violent conflict, or the redesign of these structures to prevent the recurrence of large-scale violence.<sup>5</sup> Samuel Barnes takes the definition further and argues that "post-conflict re-

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construction is aimed at establishing institutions that are superior to those that existed before the violent escalation of the conflict and do not contain the same failures that led to the conflict in the first place.”<sup>6</sup> For the purpose of this analysis, the terms “post-conflict reconstruction” and “peace-building” will be used interchangeably, particularly since engaging with the structural causes of conflict is key for the promotion of women’s rights.<sup>7</sup> As Fionnuala Ní Aoláin et al. so correctly observe: “conflict-ending and transitional processes are already deeply gendered, drawing on existing cultural, legal and political practices that are strongly embedded across societies and cultures.”<sup>8</sup>

Since the beginning of the 21st century it has become generally accepted that women are disproportionately affected by conflict as casualties of violence, as internally displaced persons, and as refugees. Speaking in relation to the DRC, Major General Patrick Cammaert, the Deputy Force Commander of the United Nations Mission to the DRC, noted that “It is now more dangerous to be a woman than to be a soldier in modern wars.”<sup>9</sup> The gendered dimension of climate change is also of increasing concern on the African continent, as it has been shown that the pressure placed on communities due to environmental changes, and the ensuing competition for resources, has increased conflicts in areas such as Africa’s Great Lakes region. Violence against women in conflict has been shown to impact families, impoverish communities, and reinforce other forms of inequality.

The reasons for the widespread violations committed against women are multiple and complex, but stem from the fact that the end of the Cold War was accompanied by the rise of interstate and small-scale conflicts. These conflicts have had an unprecedented impact on civilians due to their increased proximity to the fighting, and the deliberate and direct targeting of civilians. According to the 2017 Report of the United Nations Secretary-General on conflict-related sexual violence the major manifestations of violence and insecurity in Africa are the consequence of relapsing conflicts, such as in South Sudan, riots and mass protests, for example in South Africa, and violent extremist groups, such as in Nigeria.<sup>10</sup> There has also been increased reporting of the sexual exploitation and abuse of women and children by peacekeepers and humanitarian aid workers, who are deployed ostensibly to provide protection to civilians. As Amina Mama and Margo Okazawa Rey have noted, “the very forces deployed to quell unrest and secure conflict areas become participants in the war economy. They are also implicated in abusing and exploiting women in ways that resemble the actions of the forces they are mandated to control.”<sup>11</sup>

While the impact of armed conflict on women has varied across Africa, there are certain common characteristics that define women’s specific experiences, such as direct violations of their physical integrity, for example through sexual violence; reproductive violations; and enforced pregnancy. Forced marriages, sexual slavery, and abduction have been key features of conflict in contexts as diverse as the Central African Republic, the DRC, and South Sudan. As Cynthia Cockburn has suggested: “men and women often die different deaths and are tortured and abused in different ways, both because of physical differences between the sexes and because of the different meanings culturally ascribed to the male and female body.”<sup>12</sup> Jelke Boesten has explored the five functions of sexual violence in conflict as identified by Ruth Seifert: “rape is integral to the repertoire of vio-

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lence in war and similar to torture, is symbolic humiliation of the male enemy, reaffirms military masculinities, destroys enemy culture, and is the outcome of misogyny.”<sup>13</sup> These experiences occur while women continue to be subject to preexisting inequalities and gender-based discrimination that in turn exacerbates their marginalization.

However, the reality is that, historically, gender-based crimes were often rendered invisible or dismissed as an unfortunate consequence of conflict. This resulted in widespread impunity for sexual violence and general tolerance of gender-based violence in post-conflict societies. Sheila Meintjes, Anu Pillay, and Meredith Turshen were critical in identifying the political economy of violence against women during conflicts, and the links between the absence of women in decision-making positions and their enduring vulnerability.<sup>14</sup>

Despite the violence endured by women during conflicts, paradoxically post-conflict settings have at times enhanced access to justice and created opportunities for the promotion of women’s rights. This has been seen as a direct result of the disruption of gender power relations during conflict and the consequential growth of opportunities and status among women, who move into positions of local leadership in the economy and society. For some this is simply an example of a “coping economy,” but the movement to alternative roles undoubtedly directly impacts women’s positions in post-conflict societies. Women’s transformation into economic actors has proven to be something beyond a temporary example of the results of women’s activism. For example, Isis-Wicce has revealed that in northern Uganda, Sudan, and Liberia those women who became more economically independent as a result of the conflict were better able to recover in its aftermath.<sup>15</sup>

This “window of opportunity” has been evident in women’s increased participation in peace-building processes, and more broadly, in the creation of new legislation and institutions, and women’s visibility in the public realm. Global and regional efforts including the 2000 United Nations Security Council Resolution (UNSCR) 1325, the 2003 African Union (AU) Protocol on the Rights of Women in Africa, and the 2007 Nairobi Declaration on Women’s and Girls Rights to Remedy and Reparation, have provided frameworks to further improve women’s access to peace and security.<sup>16</sup> This has led to arguments that transitions have the potential to promote broader structural change in ensuring the realization of women’s rights in Africa.

Nonetheless, it is important to recognize that gendered experiences of conflict and repressive rule are intersectional and thus vary by race, ethnicity, class, and sexual identity. While the international community continues to primarily identify women as victims, a growing body of literature has revealed the complex experiences and roles of both men and women during conflict. For example, the multifarious roles of women as combatants, supporters, or defenders of liberation movements and militias in Africa has been the subject of scholarship from a range of disciplines. Amina Mama and others have revealed stories of women’s role as combatants that show their complex involvement in various modes of violence.<sup>17</sup> According to Dyan Mazurana, during the conflict in northern Uganda women took on roles as porters, food producers, and fighters as a “means of empower-

ment, especially for protecting themselves from further abuse of their physical and mental integrity by actors in the armed conflict.”<sup>18</sup> Georgina Holmes explores the role of some women in profiting from the political economy of conflict in Africa.<sup>19</sup> Other studies have shown that women are equally capable of committing atrocities, perhaps best reflected in the International Criminal Tribunal for Rwanda’s (ICTR) prosecution of Pauline Nyiramasuhuko in 2011 for crimes against humanity, including rape. Thus the binary suggestion that men are perpetrators and women are victims of conflict in Africa has increasingly been probed.

## Women, Peace, and Security: International Developments

Historically, the international community has failed to address the specific ways in which women have been affected by conflict. Despite provisions in the 1948 Universal Declaration on Human Rights and the 1949 Geneva Conventions, and their two Protocols,<sup>20</sup> gender-based violence has been seen as an unfortunate byproduct of conflict and not as an issue of peace and security. However, as Aili Tripp has suggested, international awareness of the links between women’s rights and conflicts across sub-Saharan Africa became most pronounced during the 1990s.<sup>21</sup> She argues that international women’s movements visibly coincided with women’s domestic mobilization during this decade. Notably, the Beijing Declaration and Platform for Action of 1995 drew specific attention to the issue of women and armed conflicts, stating that: “While entire communities suffer consequences of armed conflict and terrorism, women and girls are particularly affected because of their status in society and their sex.”<sup>22</sup>

Concurrently, the reality that sexual-based crimes could no longer be ignored in international law became stark following the 100-day Rwandan genocide in 1994, during which more than 800,000 Tutsis and moderate Hutus were killed and an estimated 500,000 women were victims of rape.<sup>23</sup> A 1996 report by the United Nations Special Rapporteur on the situation of human rights in Rwanda noted that “rape was the rule and its absence the exception.”<sup>24</sup> Consequently, the Statute of the ICTR explicitly criminalized specific sexual-based crimes, including rape, as crimes against humanity. In addition, there have been a number of significant developments at the Tribunal, such as the much-feted Akayesu judgment of 1998, the first conviction of rape and sexual violence as acts of genocide and “perhaps the most ground-breaking decision advancing gender jurisprudence worldwide.”<sup>25</sup> This was combined with a broadening of the understanding of what constitutes reproductive violence to include forced pregnancy, enforced sterilization, or enforced abortions as components of war, genocide, or ethnic cleansing. As a result, perceptions of gender and conflict expanded to recognize the multiple and varying types of gender violations.

A significant development at the international level was the passage of the United Nations Security Council (UNSC) Resolution 1325 (2000) on Women, Peace, and Security, which explicitly links sexual violence as a tactic of war with the maintenance of interna-

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tional peace and security. To date there have been seven additional resolutions on women, peace, and security adopted: 1820 (2009), 1888 (2009), 1889 (2010), 1960 (2011), 2106 (2013), 2122 (2013), and 2242 (2015).<sup>26</sup> Resolution 1325 provided the first official acknowledgment of the links between gender and conflict and proposes a legal framework for addressing women's peace and security concerns at local, regional, and international levels. It identifies the impact that armed conflicts, human-rights abuses, and failures in humanitarian law have on women. Resolution 1325 is grounded in the promotion of four pillars: Participation, Prevention, Protection, and Gender Mainstreaming. Underpinning these four pillars is the premise that women's participation is critical to post-conflict state-building and women must be engaged in decision-making over issues such as security, economic recovery, governance, and post-conflict justice. Among other things it identifies the need to create gender parity at all levels of decision-making within UN Security Council-mandated missions. It also reminds governments of their unrealized commitments to achieving gender equality, as set out in other national and international instruments. A further outcome of the UN's commitment to women, peace, and security was the creation of a Special Representative to the Secretary-General on Sexual Violence in Conflict in 2010.

While increased concern for women, peace, and security issues has been evident on the part of the United Nations, progress remains slow and uneven. Indeed, Resolution 1325 has been interpreted differently according to context, with different nuances and expectations. Criticism of the implementation of 1325 has centered on the emphasis given to responding to sexual violence, rather than its potentially more empowering commitments to participation and prevention. For example, the UN Special Representative on Sexual Violence in Conflict, Pramila Patten, noted in her 2018 report on Sudan that despite the evidence of endemic violence against women in the Darfur region, senior government officials continue to deny the existence of sexual violence.<sup>27</sup> Further, the UN initiatives on women, peace, and security have been critiqued for their liberal feminist "add women and stir" approach, as well as for their limited portrayal of women as victims of male violence. Pamela Scully has argued that 1325 "lays the groundwork for a rather limited view of women as mothers and wives, not as soldiers or individuals legitimately aspiring to a variety of freedoms."<sup>28</sup> Similarly, Dianne Otto notes, the UN Security Council remains "tenaciously state-centered, militaristic, and male dominated." As such, the focus of 1325 on the need for the protection of women in conflict "risks reconstituting the gendered dualisms that underlie militarism and women's inequality."<sup>29</sup>

## Women's Activism

In her thoughtful assessment of post-conflict Africa, Aili Tripp has examined the conditions that have contributed to the promotion of women's rights in Africa and, in particular, how international commitments have been supported by active domestic women's movements, or, in fact, have emerged in response to them.<sup>30</sup> Expressly, Tripp has noted the importance of an active women's movement within civil society. She however qualifies that this movement must be one that is distinct from liberation movements or political

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parties, which is an important point given the losses women have suffered following many postcolonial struggles. This point is supported by Chandra Mohanty, who has noted the importance of “an alternative version of connectivity and solidarity . . . building ethical, cross-border feminist solidarities that confront neoliberal militarization globally.”<sup>31</sup>

Examples of transnational feminism on the continent working in the realm of women, peace, and security include organizations such as the Women and Peacebuilding Network (WIPNET) and the Mano River Women’s Peace Network in West Africa, Isis–Women’s International Cross-Cultural Exchange (Isis-Wicce), and Femmes Africa Solidarité (FAS). The latter, FAS, in particular has had a critical role in placing pressure on the African Union (AU) to take the issue of women in conflict seriously through documenting women’s experiences, training, and advocacy. They were also pivotal in advocating the creation of an AU Envoy on Women, Peace, and Security in 2014, who is tasked with ensuring “that the voices of women and the vulnerable are heard much more clearly in peacebuilding and in conflict resolution.”<sup>32</sup>

Tripp also suggests that the most effective women’s organizations are those that span religious and ethnic divides.<sup>33</sup> An example of this is the Women of Liberia Mass Action for Peace, which included Nobel Peace Laureate Leymah Gbowee.<sup>34</sup> Formed in 2003, the movement was comprised of both Muslim and Christian women from a variety of classes in nonviolent protest, aimed at ending Liberia’s Second Civil War (1999–2003). This movement is widely credited as integral to the finalization of the Accra Comprehensive Peace Agreement later that year; events that have been immortalized, and romanticized, in Abbey Disney’s 2008 documentary *Pray the Devil Back to Hell*.<sup>35</sup> Similarly, in South Africa the Women’s National Coalition brought together more than seventy organizations in 1991 to advocate for women’s inclusion and representation in the negotiated peace agreement. Despite enormous class, race, and ideological differences in the aims of the organizations involved, the movement nonetheless devised a Women’s Charter for Effective Equality that ultimately influenced the gender-sensitive constitution of 1996. While in South Africa mobilization was born of women’s initial exclusion from the negotiations held at Convention for a Democratic South Africa (CODESA), Marie Berry has argued that in Rwanda in 1994, women were responding to “threatening conditions.” These conditions included the demographic imbalance which occurred as a result of the genocide, when initially men were the primary targets. She also notes that the urgent need for food, water, medical care, and shelter resulted in women organizing as a survival strategy.<sup>36</sup> She notes how, bolstered by the support for gender issues following the Beijing Platform for Action, by 1997 over 15,400 new women’s organizations had been created in Rwanda.<sup>37</sup>

Significantly, Resolution 1325 provided the first official endorsement by the Security Council of the inclusion of civil society in peace processes and the implementation of peace agreements. In Sierra Leone and Liberia, the Resolution was effectively utilized as a call for action to raise awareness of the importance of women’s involvement in peace talks, which supports Tripp’s suggestion of the links between the advancement of women’s rights in Africa and activism by women’s movements. For example, the Liberian

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Women's Network worked with the UN mission in Liberia (UNMIL) in 2004 to assist during their Demobilization, Disarmament, and Reintegration (DDR) program.

Interestingly despite their gains, the fact that the Women's National Coalition of South Africa, as well as the Liberian Women's Network, were both movements rather than organizations contributed to their inability to achieve longevity. For example, the Women's National Coalition lost much of its leadership following the April 1994 election in South Africa and ideological differences resulted in the disintegration of its rank and file. Similarly, following the 2003 Peace Agreement in Liberia there was little coherent mobilization by the women's movement. Marie Berry has shown that in Rwanda, women's mobilization during and immediately post-genocide disintegrated due to a "patriarchal backlash."<sup>38</sup> Some of these movements have thus been dismissed as "accidental activism," born of a necessity created by conflict. However, the lack of sustainability can more broadly be attributed to the formalization of politics post-conflict and the allocation of resources to established organizations. Nonetheless, as Dianne Otto notes, "the refusal of many women to respect the divisions of an armed conflict and organize instead across factions and clans . . . sets a hopeful precedent . . . Multiple representations of women that refuse dichotomous classifications would make it impossible to discursively prescribe 'womanly' and 'manly' contributions to peace negotiations and thus challenge the underlying hierarchical assumptions upon which existing ways of doing things depend."<sup>39</sup>

## Women and Peace Agreements

While historically there has been widespread engagement by African women in conflict-resolution initiatives, until the passage of United Nations Security Council Resolution (UNSCR) 1325 they were seldom included in regionally led peace negotiations. However, calls to ensure women's involvement in negotiations increased from the 1990s, given revelations of the high rates of sexual and gender-based crimes during conflicts in Rwanda, Sierra Leone, and Liberia. As Donald Steinberg, former Deputy President of the International Crisis Group, noted in relation to the 1994 Angolan peace agreement, the absence of women during negotiations and the provision of amnesties for atrocities (including rape as a weapon of war) meant "that men with guns forgave other men with guns for crimes committed against women."<sup>40</sup> He also observed that the omission of women "silenced women's voices on the issues of internal displacement, trafficking in women and girls, sexual violence, abuses by security forces, and the rebuilding of maternal health care and girls' education."<sup>41</sup>

There has been some progress in the inclusion of women in peace negotiations on the continent, albeit slow. According to a 2015 UN Women report, since 2000, 27 percent of peace agreements have included references to women, which is seen as a direct impact of UNSCR 1325. In the decade prior to this a mere 11 percent of peace agreements included any reference to women. The report also revealed that in 2015, seven out of ten peace agreements signed included gender-specific provisions. There has also been an increase in women's involvement as mediators. Significantly, Mozambique's Graça Machel played



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a key role as one of the three-member international mediation team set up to assist with resolving the 2008 election crisis in Kenya. Other high-profile women who have played a part in African Union (AU)-led negotiations include former Liberian president Ellen Johnson Sirleaf, former interim president of the Central African Republic Catherine Samba-Panza, and Uganda's former Vice President Dr Specioza Kazibwe. The AU also established the African Network of Women in Conflict Prevention in July 2017 to increase the participation of women in peace negotiations.

In Marie O'Reilly, Andrea Ó Súilleabháin, and Thania Paffenholz's analysis of forty peace processes, they suggested that processes that include women as witnesses, mediators, or negotiators were 20 percent more likely to last at least two years. They also contend that there is a 35 percent increase in the probability of a peace agreement lasting fifteen years when women are involved.<sup>42</sup> Their analysis revealed that where women's groups were able to exercise a strong influence on the negotiation process there was a higher probability of agreement being reached. They further contend that if women's organizations are influential during negotiation processes, agreements are more likely to be implemented. Tripp also suggests that during recent peace negotiations in Africa women have tended to present a collective approach whereas men tend to begin from a point of division.

Despite the suggested benefits of including women in peace negotiations, UN Women has shown that between 1992 and 2011, women made up a mere 2 percent of chief mediators, 4 percent of witnesses and signatories, and 9 percent of negotiators. It has also revealed that in 2016 the percentage of signed peace agreements containing gender-specific positions declined to 50 percent, as compared to 70 percent in 2014.<sup>43</sup> Further, while women may be involved in tier-two-level negotiations they are generally not represented at tier one, where the critical decisions are made. In addition, it is worth noting that women are often involved in negotiations as representatives of political movements and thus their participation does not ensure they are representing the specific needs of women.

Thus, despite initial advancements in the first flush of 1325, the exclusion of women in formal peace resolution processes has continued. During the peace negotiations in Mali that resulted in the 2015 Bamako Agreement, the international mediation team were "all men above 55 years of age."<sup>44</sup> The lead mediator argued women's participation was not important for cultural reasons, because of fears that it would delay the negotiations, and because of a belief that women's participation should come during the "reconciliation" phase. In South Sudan the Women's Coalition for Peace have demanded the participation of women in South Sudan's faltering peace process since 2013. Their need for mobilization followed the dismissal of the importance of representing women at the talks by lead negotiator and minister of information Michael Makuei. He argued that: "what is important is not the gender representation but what is important is the achievement of the objectives. The objective is irrespective if they are represented or not."<sup>45</sup>

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A 2015 UN Women report on Women, Peace, and Security noted that in Africa, women's organizations were calling for increased attention to what local communities and women actually require for post-conflict reconstruction. Indeed, it was noted that for the majority of African women interviewed, reparations and economic empowerment were the critical elements to achieving peace and security.<sup>46</sup> As a Ugandan activist commented: "Women do not 'eat' peace. Women want programs that integrate peacebuilding initiatives with economic empowerment."<sup>47</sup> As has been detailed elsewhere, some peace agreements have restricted, rather than increased, the participation of women. Further, as the women interviewed by UN Women have shown, for real transformation, peace agreements need to pay attention to issues beyond the representation of women, including how to confront structural violence and gendered inequality. This is why, Fionnuala Ní Aoláin has concluded: "The entrenched gender coding of such processes is predominantly masculine and operates to include or make women visible in highly selective ways."<sup>48</sup>

## The Women and Peace Hypothesis

Much of the literature on women and conflict resolution is replete with stereotypes around women as peacemakers and as central to local peace-building processes. As Megan MacKenzie contends, "one only has to peruse the literature on conflict to find evidence of the gendered assumption that men make war, women make peace."<sup>49</sup> This is perhaps reinforced by examples of women's widespread involvement in informal peace-building processes despite, or because of, their absence in more formal processes. This has led Christine Bell and Catherine O'Rourke to argue that "the difficulties of navigating the boundary between using gender as a category disruptive of traditional military and political assumptions, and 'essentializing' women as bringing a 'different voice,' a different set of priorities, and a form of 'transcendent' identity politics, is particularly acute" in peace processes.<sup>50</sup>

As contended by Karen Brounéus, these stereotypes are explained through either an "essentialist" or "constructivist" framework. Essentialists argue that for biological reasons women are innately more nurturing, passive, and peaceful. Constructivists, on the other hand, maintain that women are more invested in peace-building due to gender roles which place them at the center of mediating disputes. This view suggests that because of religious and cultural conditioning women are able to forgive and reconcile more easily than men. It is also suggested that this expectation that women are more forgiving lies at the heart of numerous peace-building processes.

However, both of these oversimplifications and stereotypes have been challenged by authors such as Karen Brounéus, who cautions that these views "distort our understanding of war and peace" and the role of gender issues. Indeed she argues that post-genocide Rwanda reveals that women hold significantly more negative views toward peace-building than men. It is nonetheless important to recognize that often women themselves subscribe to or employ these stereotypes to gain entry into the public sphere. Elissa Helms has shown in another context women reproducing "donor-speak (and) public statements

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in support of reconciliation or gender equality cannot always be taken at face value or as proof of women's greater inclination to reconciliation."

Indeed, in some contexts women who promote themselves as peace-builders may be doing so because working with men would otherwise be deemed political and in contravention of existing gender norms. Julie Cupples has explored how women utilize stereotypes and the language of victimhood to enable their entry into negotiations.<sup>51</sup> Similarly, Marie Berry has noted that women's mobilization during the Rwandan genocide revealed their "social appropriation of feminine values for the reconceptualization of women as legitimate political actors."<sup>52</sup> However, as Julia Wells argues in the South African context, appeals to motherhood as a method of activism are often constrained because "at some point women's political activism is bound to be perceived as interfering with their prescribed roles as mothers."<sup>53</sup> Thus, the promotion of the concept of motherhood is profoundly ambiguous and spells both progress and regress to the status of women. On the one hand, it can be used to draw women into the public realm, yet on the other, it sets the limits and social norms to which women (and men) are expected to conform.

Further challenges have emerged to the one-dimensional narrative that portrays women as inherently peaceful and victims of conflict. Erin Baines, among others, has shown that women often assume a degree of "tactic agency" during conflict, traversing a status between victimhood and agency.<sup>54</sup> Women are not just passive victims, but are also autonomous actors who can exercise some agency while trying to survive the effects of conflict. As Baines suggests, too often "the 'ideal victim' . . . is a person without agency, and the perpetrator, an individual whose unbounded agency must be disciplined and brought under control," but this victim and perpetrator framework, obscures "a 'grey zone.'"<sup>55</sup>

## Women's Representation in Parliament

It is now widely acknowledged that the fluidity of gender roles during conflicts often creates conditions that allow for the advancement of women's rights in post-conflict settings. One of the most oft-cited gains has been the movement of women into politics. Seventy-six percent of post-conflict countries have instituted quotas for women representation in government, as opposed to 58 percent in non-conflict settings.<sup>56</sup> Since 2008 Rwanda has been the poster child for post-conflict societies, having realized the highest political representation of women in the world. In 2018, 64 percent of its MPs were women. South Africa and Namibia also feature in the top ten countries globally for their representation of women. This led the World Bank to, problematically, suggest in 2014 that "when more women are elected to office, policy-making increasingly reflects the priorities of families and women. In Rwanda and South Africa, an increase in the number of female lawmakers led to progressive legislation on land inheritance and reproductive rights."<sup>57</sup>

The increase in the number of women in post-conflict parliaments appears to be associated with three concurrent factors. First, is the presence of a strong women's movement and civil-society campaigning for the inclusion of women, as occurred in South Africa through the activism of the Women's National Coalition. Second is the existence of politi-

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cal will at the national and regional level to support women's increased representation. Third is the adoption of gender quotas by the state and/or political parties. Quotas come in a variety of forms including, most commonly, legislative candidate quotas that ensure a minimum number of women in parliament or, in the South African case, quotas instituted by political parties.

Women's increased access to power and decision-making in post-conflict settings has led to at least three claims of positive impact. First, it is argued that a significant number of women in public office results in a concomitant increase in legislative and constitutional provisions that promote women's rights. Mary Caprioli and Mark Boyer have even suggested that just a 5 percent increase in women's parliamentary representation results in a country becoming five times less likely to use violence when faced with an international crisis. Second, it has been suggested that quotas for women parliamentarians have contributed to women's issues becoming more visible. Third, it is argued that women's entry into the public realm contributes to a broader acceptance of women in positions of authority and thus promotes them as role models for the next generation. Tripp has argued that women's representation in politics in Africa has also resulted in women moving into leadership in business, civil society, academia, and other institutions.<sup>58</sup>

However, key questions have been raised over whether quotas for women have actually reinforced glass ceilings and created limits rather than opportunities for women. For example, Denise Walsh has suggested in the South African context that "the quota (has) allowed African National Congress leaders to handpick women who would toe the party line, allowing leaders to centralize their power while reinforcing the perception that the ANC (is) committed to women's equality. Consequently, the ability of female MPs to advance women's rights was undermined by an increasingly dominant executive that became emboldened to ignore women's rights while 'hiding' behind the quota."<sup>59</sup>

More broadly, questions have been raised over the descriptive as opposed to the substantive representation of women. As such, Shireen Hassim notes that "inclusionary" strategies simply challenge women's exclusion from the political arena and focus on state-led strategies to ensure women's inclusion.<sup>60</sup> These inclusionary approaches are underpinned by a liberal feminist assumption that through law reform and women's representation, women's issues and concerns automatically become part of the political agenda. However, it has become increasingly clear that the representation of women in the political sphere does not necessarily correspond with woman achieving the ability to exercise their rights. As has been convincingly demonstrated in South Africa and Rwanda, women's representation in parliament is just one aspect of empowerment. Changes to the legal landscape often fail to impact the most vulnerable women who continue to have limited access to, and knowledge of, their rights. Indeed gender-sensitive changes to the law may in reality serve to alleviate the pressure for more substantive and transformative changes in society. As Berry has shown in the Rwandan context, the representation of women does not always translate into gender-sensitive legislation. For example in 2009 the women-

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dominated legislature passed legislation reducing maternity leave from twelve to six weeks.<sup>61</sup>

As such, a more nuanced picture is emerging, dispelling some of the myths that have developed over the role of women in politics in post-conflict transformation. For example, it was initially argued that women's high parliamentary representation in Rwanda was the result of a gender imbalance in the population following the 1994 genocide. However, as Tripp and others have demonstrated, the high parliamentary representation of women in Rwanda cannot be simplistically explained as a result of the skewed sex ratio, but instead was the direct result of political expediency employed by the ruling party. It has been suggested that in reality it was a pragmatic approach by that party to deflect attention from its leadership style and to secure donor funding which led to women's legal gains in Rwanda and Uganda. Further, as revealed in South Africa, women entering parliament can also serve to neutralize and deplete women active in civil society. As Audre Lorde contends, "the master's tools will never demolish the master's house."<sup>62</sup>

In the South African context numerous challenges have emerged for women in parliament, despite their high level of representation. Amanda Gouws has distinguished five obstacles that have hindered the impact of women parliamentarians. First, in the same vein as Walsh, she notes the lack of support for women from within the ruling party's structures. Second, she identifies how opportunities for issues to be framed in a gendered way diminished after the 1990s. Third, she notes the growing gap between women leaders closely aligned to party politics and the majority of women in society. Fourth, she argues that the creation of a dysfunctional gender machinery has created the illusion that women's issues are being taken seriously. And finally, she observes an overall lack of support from the women's movement for women parliamentarians.<sup>63</sup> This distance between women in government and women in society in post-conflict societies is certainly not unique to South Africa.

Further, post-conflict transformation is not always accompanied by increased representation of women. For example, while Liberia has been internationally heralded for electing the first African woman head of state in 2006, women constituted a mere 12 percent of parliamentarians under Ellen Johnson Sirleaf's leadership. Indeed, Amina Mama has noted a phenomenon of "femocracy" in a number of African states whereby women such as Johnson Sirleaf deliberately gatekeep and ensure only the promotion of an elite band of women.<sup>64</sup> This appears to be supported by the Ibrahim Index of African Governance, which revealed that women's participation and economic empowerment decreased in Liberia between 2007 and 2017.<sup>65</sup> Liberian activist Korto Williams has called Sirleaf's rule an "enormous missed opportunity" to prioritize women's rights and equality. She has stated that "the missed opportunities are only reinforced by the emerging backlash against even the limited gains and heightened visibility" of women in public spaces."<sup>66</sup>

Similarly, in Sierra Leone the Truth and Reconciliation Commission that operated between 2002 and 2004 sought to explain the high levels of gender-based violence during the conflict. In doing so it revealed that such violence was rooted in a society that was

plagued by endemic levels of gender discrimination. By provoking discussion of the continuum of violence in the country, three “Gender Acts” (The Registration of Customary Marriage and Divorce, the Devolution of Estates/Intestate Succession Act, and the Domestic Violence Act) were passed in 2007. The enactment of these laws was widely acclaimed as a clear indication of women’s newfound status in the post-conflict setting. However, the absence of parliamentary quotas in Sierra Leone has led to minimal involvement in politics from women, with only fifteen women elected to parliament in the 2018 elections, making up just 12 percent of parliamentarians.<sup>67</sup> This has resulted in little political will to see the successful realization of the Gender Acts. In the Democratic Republic of Congo (DRC), women have also failed to secure political inclusion. In this situation, this failure has been linked to the ongoing conflict and continued high rates of gender-based violence in the eastern DRC. Thus, as Hassim has concluded in the South African context, the “inclusion of women in formal political institutions of state and party has tended to displace the transformatory goals of structural and social change.”<sup>68</sup>

## Accountability and Transitional Justice

The manner in which a country emerging from conflict or repressive rule interacts with its history can create the foundation upon which its future is built.<sup>69</sup> An effective “reckoning” with the harms of the past is a critical tool for the promotion of post-conflict transformation. Since the early 1990s, different models of transitional justice (TJ) have developed throughout Africa to try to address the mass human-rights abuses that have occurred during conflicts. Indeed, Africa has become the global laboratory for experimentation in mechanisms to promote peace-building and post-conflict reconstruction. These mechanisms, both judicial and nonjudicial, have increasingly tried to address the extensive gender-based human-rights violations that have been widespread on the African continent.

Building on the jurisprudence developed at the International Criminal Tribunal for Rwanda (ICTR), the 1998 Rome Statute establishing the International Criminal Court (ICC) expanded the definition of crimes against humanity and war crimes to address a wide range of gender-based violations. The Rome Statute explicitly recognizes rape, sexual slavery including trafficking of women, enforced prostitution, forced pregnancy, enforced sterilization, and other forms of grave sexual violence as war crimes and crimes against humanity in international and non-international armed conflicts.<sup>70</sup> The Statute extends the definition of persecution to include acknowledgment of gender and develops the definition of “genocide” to include acts of “rape, sexual violence or inhuman or degrading treatment.” As such, rape in international and non-international armed conflicts is now recognized as a crime in any country, and which can therefore be tried in courts of any country, even those not party to the conflict.

Significantly, in 2009 the Special Court for Sierra Leone (SCSL) convicted three former leaders of the Revolutionary United Front (RUF) for “forced marriage” as a crime against humanity. The SCSL was seminal in categorizing forced marriage, as distinct from other forms of sexual violence such as sexual slavery. The prosecution argued that the nature

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and length of the association resulted in unique psychological harm to victims.<sup>71</sup> Kiran Grewal asserts that many scholars stress the importance of international law in deterrence, confronting impunity for gender-based crimes, and promoting women's rights. She cites Shana Eaton, who suggests, with reference to the rulings of the SCSL, that: "through capturing the attention of academics, journalists, diplomats, and politicians, [such rulings] may still have a significant effect on the development of international human-rights law generally and women's rights specifically."<sup>72</sup> This was bolstered in 2013 by a further UNSC women, peace, and security's resolution 2106 which argued "the need for the exclusion of sexual violence crimes from amnesty provisions . . . in conflict resolution programmes."

Nonetheless, various challenges have faced the successful pursuit of accountability for gender-based violations on the African continent. These include the historic invisibility of crimes due to denial, societal acceptance of gender-based violence, and the silences created by stigma. Indeed, since the creation of the ICC, far from decreasing, incidents of violence against women in armed conflicts continues unabated. In Africa, internal and/or cross-border conflicts, and mass displacement in the Democratic Republic of Congo, Somalia, Chad, the Central African Republic, and South Sudan, have given rise to the systematic abuse of women. And while the 2016 conviction of Jean-Pierre Bemba Gombo was heralded for prosecuting rape as a war crime, in June 2018 he was acquitted by the ICC's appeal chamber of his 2016 conviction, which dealt a major blow to the prosecution of sexual violence in conflict.

### Truth Seeking

Since the creation of the ICC there has been a concomitant visibility of gender-based crimes in other transitional justice processes including truth commissions, reparation programs, and security sector reform. Early processes such as South Africa's Truth and Reconciliation Commission have been widely critiqued for their failure to confront the way apartheid crimes impacted women in unique ways. However, as Vasuki Nesiah has detailed, subsequent truth commissions such as those in Sierra Leone, Liberia, and Kenya consulted women's organizations, sought to identify patterns of gender-based human-rights violations, and all included some form of quota to ensure women's participation.<sup>73</sup> Furthermore, in all of these processes gender sensitivity was employed in the training of statement takers and in devising reparation programs.

Of particular significance was the fact that the Sierra Leonean, Liberian, and Kenyan Truth and Reconciliation Commissions (TRCs) identified patterns of sexual violence that predated the conflicts, and, as a result, identified the need for reforms to promote changes in gender relations. With each commission has come new innovations and greater commitment to supporting the involvement of women. For example, during the proceedings of the Liberian truth commission, UNIFEM (the precursor of UN Women) organized alternative forums where women who were unwilling or unable to be part of the formal process could share their experiences. Kenya's Truth, Justice, and Reconciliation

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Commission facilitated thirty-nine separate hearings exclusively for women and provided women with transport and childcare when necessary.

In theory, truth-seeking processes have the potential to powerfully address the structural causes of gender inequality. As noted earlier in the case of Sierra Leone, the TRC investigated the root causes of violence against women in the conflict and used this information to recommend changes to discriminatory laws. Thus, promoting gender-inclusive TJ measures can potentially bring women into peace-building processes and facilitate post-conflict stabilization.

Nonetheless, the gains identified above have been mirrored with ongoing challenges. For example, in Mali a mere 16 percent of the commissioners of the TRC created in 2016 were women. It is also important to note that in both Liberia and Kenya the Commission's reports recognize their failure to capture testimonies of sexual violence.<sup>74</sup> Further, while there have been clear developments in the sensitivity to violence against women in TRC reports on the continent, there continues to be a limited engagement on the part of truth commissions with the full spectrum of gender-based violations. Despite repeated critiques, the emphasis has tended to remain on women rather than on the gendered nature of human-rights violations. This has resulted in sexual violence against women being focused on as the primary gender-based crime, which in turn tends to reinforce ideas of women's victimhood. Nesiah thus contends "women may have a range of different kinds of justice claims emerging from conflict but it is sexual violence claims that transitional justice processes are most responsive to."<sup>75</sup> This entrenches essentialist view of masculinities and sexual violence, and a narrative where only men are perpetrators and women are victims.

It should be added, that despite limitations in the processes, close readings of TRC testimonies as well as silences in contexts as diverse as Ghana and Kenya subvert ideas of women as victims of conflict and reveal women's considerable agency in various modes of activism and resistance. As Ntabiseng Motsemme so eloquently notes in the South African context, "introducing more nuanced interpretations of silence adds to growing attempts to elaborate on . . . women's subjectivities and forms of agency . . . [W]hen we reject dominant western oppositional hierarchies of silence and speech, and instead adopt frameworks where words, silence, dreams, gestures, tears all exist interdependently and within the same interpretive field, we find that the mute always speak."<sup>76</sup>

### Local Justice

Since the beginning of the 21st century, local and informal African justice mechanisms have increasingly been adapted to promote "local" transitional justice due to the recognition that the reach of criminal justice and truth-seeking processes have not been wide enough. Local justice has also been employed when governments prove unwilling or unable to implement accountability mechanisms. The former prosecutor of the SCSL, David Crane, noted that "our perspectives are off kilter . . . we consider our justice as the only justice . . . we don't create mechanisms by which we can consider the cultural and cus-



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tomary approaches to justice within the region.”<sup>77</sup> In general, local justice mechanisms are recognized as being quicker to implement, “culturally embedded,” and more accessible physically to the local population. The support for local justice also stems from the fact that it is a lot cheaper to employ, which is critical given the high costs associated with international criminal justice mechanisms. For example, the Fambul Tok (Family Talk) initiative, launched in Sierra Leone in 2007, has been seen as critical in facilitating community reconciliation in the aftermath of the conflict. By 2012, 2700 people had testified before 60,000 members of their communities in 155 ceremonies at a cost of \$250 per ceremony.<sup>78</sup> The relevance of this program is particularly stark when compared to the SCSL, which cost \$300 million in the prosecution of just fourteen perpetrators.<sup>79</sup> The cost per conviction at the ICTR has been estimated at \$39 million.<sup>80</sup>

The TJ framework discussed by the African Union (AU) identifies the value of using indigenous mechanisms to facilitate justice and transformation.<sup>81</sup> This is often justified by the examples of northern Uganda, where the system of Mato Oput was employed by the Acholi people to assist with the reintegration of former Lord’s Resistance Army combatants in the aftermath of the stalled Juba peace agreement. In Rwanda, the use of *gacacas* to address the 1994 genocide is also often cited as a successful example of a large-scale attempt to implement local justice. Of the estimated 120,000 perpetrators arrested in 1994, only 10,000 had been tried in the formal courts by 2006.<sup>82</sup> The *gacaca* courts were therefore established in 2002 as a means of speeding up the process of adjudication of those responsible for genocidal violence.<sup>83</sup>

However, gendered critiques have been leveled against local processes. For example, Tim Allen has argued that they “can perpetuate undesirable gender hierarchies.” Or as Adam Branch suggests “they can end up extending forms of unaccountable, patriarchal power.”<sup>84</sup> A number of studies have thus indicated that local justice mechanisms may neglect gender inequities, and may even serve to reinforce them. Erin Baines, referring to the Ugandan context, has cautioned against the use of practices that may buttress gendered inequalities and argues, “not all cultural norms or practices should be revived.”<sup>85</sup> Since local processes such as *gacacas* traditionally excluded women’s involvement, this has raised questions as to whether the integrity of these processes is compromised if quotas are implemented. Nonetheless, Adam Branch has emphasized the fluidity of local justice practices and argues that the recent employment of local justice has seen the “fixing” of what is “traditional,” particularly by the donors who fund transitional justice.<sup>86</sup> A further issue raised over the use of local justice is the reality that sexual and gender-based crimes universally carry significant social stigma, which may create obstacles to women revealing their experiences.

### Security Sector Reform

Security sector reform (SSR) is an integral facet of TJ initiatives and post-conflict state-building more broadly. This is because the police, military, and other security agencies, as well as nonstate security actors such as armed rebel groups, have often been the most serious perpetrators of human-rights violations on the continent. Security sectors are often

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sites of violent masculinities “that deepen[. . .] the differentiation of men and women, masculinity and femininity, preparing men to fight and women to support them in doing so.”<sup>87</sup> According to the UN, in the Democratic Republic of Congo (DRC) government security forces, including the armed forces (FARDC), the national police, and members of the national intelligence agency, were responsible for 32 percent of conflict-related sexual violence in 2016.<sup>88</sup> Further, in many contexts such as Zimbabwe, it has been clear that until the security forces are reformed, attempts at truth seeking or other accountability mechanisms will be fruitless.

Security sector reform generally involves the vetting of those responsible for committing atrocities, the creation of checks and balances to prevent further abuses, and the promotion of a human-rights culture within the security sector. It thus intends to restore the security sector’s legitimacy as well as rebuild civic trust in the police and army. United Nations Security Council Resolution (UNSCR) 1325 explicitly notes the importance of mainstreaming gender in SSR. However, as Carol Cohn and others have argued, the resolution fails to confront the intrinsic militaristic nature of the security sector through its exclusion of the “too political dimensions of masculinities, militarism, and arms control.” It also neglects to “address the politics of how women are threatened and disempowered in the first place.”<sup>89</sup>

One of the key strategies adopted in SSR initiatives in post-conflict settings in Africa has been increasing the representation of women in the police and the military. This is premised on the ideal, suggested by the UN and others, that increasing the number of women “can transform an institutional male-dominated culture and promote respect for human rights within security organs.”<sup>90</sup> As such, post-apartheid South Africa actively recruited women and has one of the highest percentages of women in the armed forces globally, as Lindy Heinecken and Cheryl Hendricks have detailed. Thirty-four percent of the South African National Defense Force ranks are women and, perhaps most significantly, women are also engaged in combat operations. As Heinecken notes, women were eligible for all ranks and positions in the newly formed South African National Defense Force (SANDF) through a liberal equal rights initiative following the adoption of South Africa’s 1996 Constitution. This was later followed by a second “gender-mainstreaming” drive based on the premise that women have a unique role to play in SSR.<sup>91</sup> However, she observes that the increased numbers of women in these roles has not countered perceptions within the military that too much has been done to accommodate women, nor prevailing ideas that their increased numbers has undermined military effectiveness.<sup>92</sup>

Lindy Heinecken also notes how essentialist views of women’s propensity for peace-building are evident in attempts to increase women’s role in peacekeeping missions on the continent. For example, of those sent on UN peacekeeping missions by Zimbabwe and Namibia in 2014, 29 percent were women. She notes that, despite the lack of any empirical evidence, it is widely suggested that women peacekeepers are able to “improve community relations, reduce the incidence of sexual-based gender violence, build the capacity

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of local women, improve community security, and counter traditional views that discriminate and marginalize women.”<sup>93</sup>

These initiatives have been combined with a growth in gender-focused human-rights training. As Awino Okech has noted, in the wake of the 2007–2008 post-electoral violence (PEV) in Kenya, women’s organizations advocated for “the provision of gender and human rights training in the security . . . to improve police response to broad, gender-based violence concerns.”<sup>94</sup> Significantly, in 2013, eight survivors of sexual violence, with the support of three Kenyan civil-society organizations, launched a landmark lawsuit against the Kenyan government for the failure of its police to protect victims or investigate and prosecute the crimes committed against them during the PEV.<sup>95</sup> The case is seminal as an attempt to hold a government accountable for the security sector’s failure to prevent sexual violence committed during a conflict.

Heinecken has noted that “as women’s worth is acknowledged [in SSR], this can be used to challenge patriarchal views linked to military culture and hegemonic masculinity.”<sup>96</sup> However, she concedes that this is yet to be realized. Amina Mama and Margo Okazawa Rey have more forcefully argued that security-based policy discourses and practices have tended to reinforce the marginalization of women on the continent. Questions have also arisen over the adoption of militarized masculinities by women within the security sector. For example, in South Africa it was the female former national police commissioner Riah Phiyega who gave the order to use live ammunition on unarmed striking miners at the Lonmin platinum mine in Marikana in August 2012, which resulted in thirty-four deaths. This has led to suggestions by Mama and Okazawa Rey that “calls to include women in the security sector can only be as transformative as the definition of security itself.” As such they argue that definitions of security “must extend beyond security institutions into much deeper economic and political democratization processes,” since “this will create an opening to move beyond reform to the possibility of identifying and addressing the systemic roots of the problems women face in militarised contexts.”<sup>97</sup>

## Discussion of the Literature

Women’s experiences of conflict have been the subject of increased international attention since the Rwandan genocide and this has been accompanied by a concomitant growth in attention to the role of women in peace and security initiatives in Africa. As a result, post-conflict experiences in Africa in the 21st century have revealed numerous opportunities for the advancement of gender justice, and as Fionnuala Ní Aoláin and others have noted, the prospects “for massive transformation are, in theory, open-ended.”<sup>98</sup> Experiences from countries emerging from conflict on the continent provide some important examples of the promotion of women’s rights through accountability mechanisms, furthering access to government, producing gender-sensitive reform, challenging discriminatory laws, and advancing economic opportunities. However, as Romi Sigworth and Nahla Valji have observed: “sexual and gender-based violence . . . do not begin with conflict or political instability and end with a transition to peace or democracy.”<sup>99</sup> Numerous

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initiatives on the continent have been laden with liberal feminist assumptions that through law reform and women's representation, women's issues and concerns will automatically become part of the political agenda. For the most part, local and regional initiatives have tended to embody "gender equality by design" rather than addressing violations in the context of preexisting gender inequalities. This is perhaps linked to the preoccupation of the international community with sexual violence in conflict, which has often resulted in the obfuscation of a continuum of violence and its domestication post-conflict. As Tina Sideris has observed: "differentiating between rape in war and peace carries the danger of prioritizing sexual assaults so that rape that is used as a tactic of ethnic cleansing evokes moral outrage, yet forced sex in the privacy of family life is accepted."<sup>100</sup>

In 2003 Sheila Meintjes, Anu Pillay, and Meredith Turshen concluded that "in the aftermath it becomes incumbent upon all of us to develop conscious strategies that help women build on their activities and find ways of incorporating new gender relations in democratic societies."<sup>101</sup> Nonetheless, while women's needs and rights have been increasingly recognized through international and national commitments, women continue to face widespread socioeconomic challenges in the aftermath of conflict in Africa. These include limited access to healthcare, education, and other social facilities that are often destroyed during conflicts, that or are denied under authoritarian rule.<sup>102</sup> Most critically, impunity for widespread gender-based violations committed during conflict and periods of repressive rule often results in a "normalization" of violence against women. Thus, Cynthia Cockburn has observed that "patriarchal gender power-relations . . . turn out to have as much resilience as do women when it comes to surviving war." While the inclusion and participation of women in post-conflict processes is necessary, it is important to move beyond reductive approaches that rely on the tactic: "add women and stir." As Fionuala Ní Aoláin and Eilish Rooney have concluded, "to achieve transition without assessing women's diverse experiences of conflict and/or the prior regime and without integrating the specific needs of women into the frame of transformation is to impoverish and weaken our capacity to meaningfully reform societies in transition."<sup>103</sup>

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(1.) Laura Shepherd cited in Amanda Gouws, "Women and Power in Post-Conflict Africa by Aili Tripp," *International Feminist Journal of Politics* 19, no. 1 (2017): 124.

(2.) Vasuki Nesiah, *Transitional Justice Practice: Looking Back, Moving Forward Scoping Study* (Impunity Watch, May 2016), p. 29.

(3.) Sheila Meintjes, Anu Pillay, and Meredith Turshen, *The Aftermath: Women in Post-Conflict in Post-Conflict Transformation* (London: Zed Books, 2001), p. 5.

(4.) See Desiree Lewis, "The Multiple Dimensions of Human Security through the Lens of African Feminist Intellectual Activism," *Africa Peace and Conflict Journal* 6, no. 1 (2013), p. 16.

(5.) D. Pankhurst, "The 'Sex War' and Other Wars: Towards a Feminist Approach to Peacebuilding," *Development in Practice* (2003), p. 12.

(6.) Samuel Barnes, "The Contribution of Democracy to Rebuilding Post-Conflict Societies," *American Journal of International Law* (2001), p. 14.

(7.) Despite the fact that "peace-building" has yet to be included in the English dictionary, there is a wealth of literature on it. See for example Johan Galtung, *Peace by Peaceful Means* (Oslo: International Peace Research Institute/London: Sage Publications, 1996); and Geoff Harris, "Ministries of Peacebuilding in Sub-Saharan Africa: Rationale, Functions and Establishment," *African Security Review* 20, no. 1 (2011): 122-133.

(8.) Fionnuala Ní Aoláin, Dina Haynes, and Naomi Cahn, *On the Frontline: Gender, War and the Post-Conflict Process* (Oxford, U.K.: Oxford University Press, 2011), p. 7.

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(9.) See, for example, OCHCR, *Rape: Weapon of War*.

(10.) UN Security Council, 2017. *Report of the Secretary-General on Conflict-Related Sexual Violence S/2017/249*, April 15.

(11.) Amina Mama and Margo Okazawa-Rey, "Militarism, Conflict and Women's Activism in the Global Era: Challenges and Prospects for Women in Three West African Contexts," *Feminist Review* 101 (2012): 100.

(12.) Cynthia Cockburn, "Gender, Armed Conflict and Political Violence." Background Paper, The World Bank, June 10-11, 1999.

(13.) Jelke Boesten, *Sexual Violence During War and Peace: Gender, Power, and Post-Conflict Justice in Peru* (Basingstoke, U.K.: Palgrave Macmillan, 2014)

(14.) Sheila Meintjes, Pillay, and Turshen, *The Aftermath*.

(15.) Radhika Coomaraswamy et al., *Preventing Conflict, Transforming Justice, Securing the Peace: a Global Study on the Implementation of United Nations Security Council Resolution 1325* (New York: UN Women, 2015)

(16.) In 2003 the AU adopted the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), a legally binding multilateral supplement to the African Charter on Human and Peoples' Rights. Through the Protocol's 32 articles, the AU had defined an explicit framework for the social, cultural, economic, political, and legal rights of women on the continent. These include women's right to peace, as well as women's right to protection against all forms of violence in armed conflict. The charter specifies that perpetrators should be brought to justice before a competent criminal court. In 2014 the African Commission on Human and Peoples' Rights adopted a resolution on the situation of women in armed conflict.

(17.) Mama and Okazawa-Rey, "Militarism, Conflict and Women's Activism," p. 116.

(18.) See Susan McKay and Dyan Mazurana, *Where Are the Girls? Girls in Fighting Forces in Northern Uganda, Sierra Leone and Mozambique: Their Lives During and After the War* (Montreal: International Centre for Human Rights and Democratic Development, 2004) cited in "Reconceptualising Women's Role in Peacebuilding," *Africa Peace and Conflict Journal* 6, no. 1 (2013): 76.

(19.) See for example Georgina Holmes, *Women and War in Rwanda: Gender, Media and the Representation of Genocide* (London and New York: I. B. Tauris, 2014)

(20.) The 1948 Universal Declaration on Human Rights specifies that "all human beings are born free and equal in dignity and rights" and that rights and freedoms should not be limited by a person's gender. The 1949 Geneva Conventions and their two Protocols condemn rape and other forms of sexual violence as serious violations of humanitarian law in both international and civil conflicts. The Conventions prohibit "outrages upon personal dignity, in particular humiliating and degrading treatment, rape and enforced prostitution

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(21.) See Aili Tripp, *Women and Power in Post-Conflict Africa* (Cambridge, U.K.: Cambridge University Press, 2015).

(22.) Beijing Declaration and Platform, Fourth World Conference on Women (September 1995).

(23.) See Human Rights Watch, *Shattered Lives: Sexual Violence during the Rwandan Genocide and its Aftermath* (London, 1996).

(24.) Report of the Special Rapporteur on the situation of Human Rights in Rwanda, E/CN.4/1996/68, 29 January 1996, paras. 16–24, in *The United Nations and Rwanda 1993–1996*, Department of Public Information, United Nations (New York, 1996), Document 167.

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(27.) UN Office of the SRSG on Sexual Violence in Conflict, February 27, 2018.

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(29.) Dianne Otto, "'A Sign of Weakness': Disrupting Gender Certainties in the Implementation of Security Council Resolution 1325," *Michigan Journal of Gender and Law* 113 (2006–2007): 11.

(30.) Tripp, *Women and Power*.

(31.) Chandra Mohanty, "Imperial Democracies, Militarised Zones, Feminist Engagements," *Economic and Political Weekly* 13 (2011): 83.

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**Helen Scanlon**

University of Cape Town - Political Studies