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Gender, fragility and the politics of statebuilding

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Executive summary

Internationally supported statebuilding processes offer an opportunity to address engrained gender inequalities and develop a state that is accountable to women. However, international statebuilding support has so far been largely gender blind, with the result that such opportunities are often missed.

This report examines how the international community can better integrate gender into its statebuilding support. In particular, it focuses on how international actors can promote the participation of women in the core politics of statebuilding, i.e. the negotiation of the political settlement, democratisation processes, the development of civil society's voice and engagement with informal power. It argues that international actors must develop a more political understanding of gender in fragile contexts, including how gender inequalities relate to broader power interests and patterns of fragility. It recommends that international actors promote women's participation in the most critical moments of statebuilding, combine support for institutional reform with measures to address the structural barriers to access faced by women, and support a broad and independent women's civil society that can engage with statebuilding processes. The report also calls on international actors to take greater risks in engaging with the informal institutions that play such a central role in perpetuating gender inequalities in fragile contexts.

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Fragile states tend to be characterised by high levels of gender inequality. Women are particularly disadvantaged by the poverty and insecurity, the weak institutions and services, and the dominance of informal power found in fragile states. Women's access to the state and influence over political decision-making also tend to be very limited in these contexts. Moreover, the extensive power of customary institutions in many fragile states can be a major obstacle to women's rights.[1]

Statebuilding processes – such as the renegotiation of the social contract, the redistribution of power and resources, and the reform of institutions – can provide an opportunity to address such gender inequalities. However, in order to realise this opportunity, women must be fully involved in the political processes that determine the statebuilding agenda. This report examines how international actors can best promote women's participation in the politics of statebuilding.

From peacebuilding to statebuilding

The international community is formally committed to promoting gender equality in fragile states. The main framework for this commitment is United Nations Security Council Resolution (UNSCR) 1325, which requires "women's equal participation and full involvement in all efforts for the maintenance and promotion of peace and security". UNSCR 1325 has undoubtedly increased international focus on women's inclusion in peacebuilding. Many donor countries and fragile states have developed action plans for its implementation and it has provided an important framework for women's activism in conflict contexts. However, results on the ground have been disappointing. A recent UNIFEM study revealed that women continue to be "conspicuously underrepresented" in peace processes, with little improvement since the adoption of UNSCR 1325 in October 2000 (Castillo Diaz, 2010: 1).

This increased focus on gender in peacebuilding has not carried over to the international statebuilding agenda. Within the statebuilding literature there has been little exploration of how statebuilding affects the gendered allocation of power and resources, or men's and women's differing relationships to the state. Likewise, international agencies have mostly not treated gender as a political issue to be integrated into the central frameworks of statebuilding. Instead, gender tends to be sidelined to work in "social" sectors, addressed through isolated "gender projects", and disconnected from broader efforts to understand and respond to fragility. For example, a recent study suggests that little aid is provided for gender equality in fragile states in areas such as security or governance compared to the allocation of funds for gender-related programming in social sectors (OECD, 2010: 2). In some fragile contexts – such as Iraq and Kosovo – the international community's failure to promote gender equality has resulted in statebuilding processes that reinforce women's exclusion.

This failure has been due both to lack of political will and lack of knowledge on gender within the international statebuilding community. However, it appears that a growing emphasis on promoting "inclusive" statebuilding (as a way of strengthening stability and legitimacy) may be pushing the issue of women's inclusion up the international agenda. For example, the 2011 New Deal for Engagement in Fragile States declares that "The empowerment of women … is at the heart of successful peacebuilding and statebuilding". Moreover, the Organisation for Economic Co-operation and Development is now preparing policy guidance on gender and statebuilding. In order for this increased interest to translate into impact, international actors must explore new ways to integrate gender into their support for the core political processes of statebuilding: political settlement negotiation, democratisation, civil society participation and engagement with informal power.

1 The term "customary institutions" is used to refer to a wide range of non-formal authorities that play a role in political decision-making, the administration of justice and the allocation of economic resources. These can include, for example, chiefdoms, local village councils or religious organisations. While formal institutions are established by laws, regulations and codes, customary institutions are embedded in sociocultural structures, norms and standards.

Gender and the political settlement

At the heart of statebuilding lies the political settlement. This is an agreement – mostly between elites – on “the ‘rules of the game’, power distribution and the political processes through which state and society are connected” (OECD, 2011: 11). The inclusion of women’s interests in political settlements is critical if statebuilding is to deliver for women.

Evidence suggests that women are largely excluded from formal negotiations over the political settlement in fragile contexts. Key processes such as negotiating peace agreements and drafting constitutions are mostly controlled by male elites that resist women’s demands for inclusion. Even in contexts where women have played a significant role in bringing about political change – as in South Sudan and Egypt – they have been marginalised from subsequent discussions over the nature of the state.

Despite exclusion from the negotiating table, women frequently influence the formal political settlement from outside. For example, they often campaign for the inclusion of women’s rights during peace negotiations and constitution-drafting processes. Women also use gender equality commitments in formal frameworks to press for a broadening out of the political settlement over time. In Nepal, women used constitutional commitments to equality to campaign for changes in discriminatory citizenship and property laws.

The political settlement is not simply determined by formal frameworks. In fragile states informal “rules of the game” play a crucial role and women typically have very little influence over these rules. Therefore, even where women’s interests are included in the formal political settlement, this may not be matched by a real shift in power relations. For example, in Guatemala, an inclusive peace process resulted in comprehensive rights for women, but these are made meaningless by the continued existence of exclusionary informal power relations.

The statebuilding literature generally presents political settlements as gender neutral. However, there can be a close connection between the distribution of political power and patterns of gender inequality. In such cases, promoting a political settlement that includes women’s interests is particularly challenging. A clear example is Afghanistan, where women’s rights have been caught up in contests between different political forces and their international backers – from the Soviet-backed regime to the Taliban. Kandiyoti (2005: vii) argues that the issue of women’s rights “continues to occupy a highly politicized and sensitive place in the struggles between contending political factions in Afghanistan”.

In practice, international actors mostly have little influence over who shapes the political settlement. However, even where they do have influence, they often fail to promote women’s inclusion. This is partly because of an emphasis on “bringing in” those who can threaten the state, as well as limited awareness of the importance of women’s participation. For example, the UN Mission in Kosovo failed to promote women’s participation in peace processes, resulting in women’s representatives being excluded from negotiations on the Comprehensive Proposal for Kosovo Status Settlement (Qosaj-Mustafa, 2010). However, where the international community does promote women’s participation, this can make a significant difference. For example, high-level participation by women in the internationally supported Kenya National Dialogue and Reconciliation process led to the inclusion of women’s views and interests throughout the process (McGhie & Wamai, 2011).

Existing experience provides some lessons on promoting political settlements that include women. It is clear that women’s participation in top-level negotiations can make a real difference. International actors should therefore explore how best they can incentivise elites to include women in negotiations. This could include making some elements of international support and funding for peace processes and constitutional reform dependent on women’s participation in these processes. It must also include setting an example by appointing senior women to the international teams supporting such processes. International actors should also press for strong references to women’s rights within formal expressions of political settlements (such as peace agreements and constitutions), recognising that these establish the framework for women’s future demands on the state.

Beyond promoting women's formal participation, international actors must analyse the relationship among the political settlement, elite interests, and gender inequalities in order to understand resistance and identify opportunities. They should combine support for formal institutional change with efforts to transform underlying power relations. This can include, for example, support to civil society organisations (CSOs) to highlight and challenge the ways in which informal patronage relationships influence the formal state and undermine democracy and citizens' rights. Some interesting examples of such civil society activity can be found in West Africa, Latin America and South Asia.

Democratisation

Statebuilding in fragile contexts frequently involves internationally supported democratisation processes. Democratisation can provide an opportunity to dramatically increase women's formal political participation, as seen in a wide range of contexts from East Timor to South Africa. However, democratisation is not automatically positive for women. In Egypt, it appears that democratisation processes are pushing women out of public life, as conservative religious forces have been elected to power and are increasingly dominating political and social space.

The international community strongly promotes the adoption of parliamentary quotas for women as part of democratisation. As a consequence, many fragile states have comparatively high levels of female representation in parliament. In countries such as Rwanda, where quotas are part of broader efforts to empower women, such quotas have contributed to a more gender-responsive state. However, in other contexts, such as Pakistan or Uganda, quotas have not translated into substantive political influence for women. Feminist critics increasingly question the international community's assumptions about the impact of quotas (Goetz & Musembi, 2008).

There are various reasons why quotas fail to have policy impact. Despite increased numbers in the legislature, women are often not given decision-making roles within the executive or key committees. For example, women constitute 27% of the Afghan parliament, but have very limited representation within cabinet and high-level policymaking bodies. Evidence also suggests that women elected through quota systems often do not champion gender issues. This can be because political parties deliberately select socially conservative female candidates and because new female parliamentarians are unwilling to challenge party leaders. However, in many fragile contexts quotas have only recently been adopted and it may take time for their effects to be felt.

Despite these challenges, quotas are undeniably important in increasing women's political voice and changing perceptions about their public role. This is particularly so given the structural barriers that prevent women from entering political institutions in many fragile states. These barriers often relate to the specific nature of post-conflict politics, where stakes are high and politics is personalised, and characterised by insecurity and patronage. Moreover, in many fragile contexts a long history of exclusion means that women seeking to enter politics are often disadvantaged by their lack of political skills and experience, as well as lack of formal education. Women also tend to have less access to financial resources than men and are therefore less able to fund an electoral campaign. In addition, in many contexts women can face significant social stigma for taking on a public role.

Political violence is common in fragile contexts and women electoral candidates are particular targets. For example, in Sierra Leone, female candidates are harassed by customary institutions, while in Afghanistan they face threats from male candidates and insurgents. Women are also disadvantaged by the clientist politics in many fragile states, as they have limited ability to offer bribes or mobilise patronage networks. Moreover, where customary leaders mobilise votes, their objection to women's political participation is a serious obstacle.

Political parties are a key gatekeeper to women's political participation. In fragile contexts political parties are typically highly personalised around male leaders and do business through informal networks that women cannot access. This is in part because of the deep connection between

formal politics and informal, undemocratic institutions in these contexts, as well as the central role of violence and militarism in political life. As a result, women party members are rarely given leadership roles in such parties and are frequently sidelined in a "women's wing" that has no influence over the policy agenda.

Despite the problematic nature of political parties in fragile states, they receive little international attention. Moreover, any international support usually involves top-down technical assistance based on an ideal of what a political party should be. This typically includes promoting electoral quotas and providing capacity development for women party members, but not addressing the exclusionary power structures and lack of internal democracy that keep women marginalised within parties (Wild & Foresti, 2010: 3-4).

In order to seize fully the opportunities provided by democratisation, international actors must understand the specific gender challenges of politics in fragile contexts. They must also move beyond a limited focus on quotas and adopt a broader range of measures to promote women's political influence. These should involve equipping women to act effectively once in office, supporting coalition building among women politicians, linking women politicians to women's civil society, and promoting women's inclusion in the executive. Critically, the international community must strengthen its engagement with political parties on issues of gender equality and party democracy. Finally, support for reform of political institutions should be combined with addressing the structural barriers to access that women face.

Women's political voice through civil society

International actors often provide significant support to women's CSOs as part of efforts to promote citizens' voice. Ensuring that this support promotes a representative women's voice that can engage with the politics of statebuilding requires an understanding of the nature of women's civil society in fragile states.

Women frequently mobilise in unprecedented ways during conflict to campaign for peace and for the inclusion of their interests in post-conflict political settlements. However, women's activism often decreases substantially following the consolidation of peace. This appears to be both because the motivating factor of conflict has gone and because women's activism becomes formalised into CSOs that compete for donor funds. For example, in Kosovo, women civil society activists, politicians and academics came together to jointly lobby for inclusion in negotiations on Kosovo's status. However, the relationship among these different women stakeholders is now reportedly characterised by mistrust. Moreover, women who have taken on a public role during conflict often find themselves being pushed out of public life once peace comes and traditional political and social structures are reasserted. This has been the experience of women in a range of contexts from Aceh to South Sudan.

Donor support for civil society can create "new democratic spaces" for women to pressure the policy process from outside formal political institutions (Cornwall & Goetz, 2005: 7). For example, in post-conflict contexts such as Sierra Leone, South Sudan and Burundi, donors provided women with resources, training and networking opportunities that led to the development of a range of women's CSOs that can engage with policy debates.

Women can often take on civil society leadership roles without facing the obstructions found within formal politics. This is partly because civil society is a newer space with fewer links to traditional power relations. Civil society activism can therefore provide an important route for women to build a political profile and enter formal politics without having to work their way up through political parties. For example, in the Philippines, women's civil society alliances have provided a stepping stone for women to become elected to political office.

A major challenge for international actors is that mainstream women's CSOs in fragile states are often elite dominated and unrepresentative. In many cases, more rooted, local-level women's organisations also exist. However, these tend

to be less visible and attractive to international funders because of their lack of connections and limited institutional capacity. This situation can result in international support strengthening elite women's voices at the expense of other women's perspectives.

Issues of representativeness are particularly complicated when women's civil society is divided along the identity or ideological cleavages that affect broader political society. This creates challenges for international actors in negotiating diverse women's agendas. For example, women's CSOs in Sudan include those with a secular pro-democracy agenda, those with an Islamic pro-democracy agenda, and those with a conservative Islamic agenda. However, donors have largely failed to recognise the plurality of the women's movement and its relationship to wider ideological positions and have operated as if there were one unified women's voice (Domingo et al., 2011: 38).

International funding for civil society is vital to enable women to mobilise and influence statebuilding processes. However, the way in which donors provide funding can skew women's priorities, as informal women's networks become formal non-governmental organisations that respond to donor agendas. International actors' reluctance to provide core funding to women's CSOs makes it difficult for them to build their organisational capacity or political agenda. Instead they are encouraged to develop projects that respond to donor priorities rather than constituents' interests. Moreover, donors' preference for channelling funding through English-speaking women's CSOs based in the country's capital city enables these groups to dominate the women's civil society agenda.

International efforts to promote women's voice in statebuilding can be strengthened by greater engagement with the complexity of women's civil society. This involves listening to a range of women's perspectives and supporting both elite and grassroots women's CSOs, including by providing core funding. Support is also required to strengthen alliances across different types of women stakeholders and to link women's organisations into statebuilding processes. Recognising that civil society can provide an alternative route for women to enter formal politics, more emphasis is required on developing leadership skills – and particularly political capacities – among young non-elite women activists.

Informal power and customary institutions

The statebuilding literature acknowledges the importance of informal power in shaping political and social dynamics in fragile states. However, international actors rarely engage with the informal structures that are so central to both statebuilding processes and gender relations. While this is unsurprising, given the difficulty of such engagement, the result is to overlook the role of informal power in limiting women's political participation in statebuilding. Women's ability to influence statebuilding processes is particularly restricted by two different types of non-formal power. These are the power of informal networks within formal institutions and the power of customary institutions.

Formal political institutions in fragile states tend to be dominated by informal power relations. This disadvantages women in multiple ways. Firstly, women in political institutions are frequently excluded from the male patronage networks that control decision-making. This prevents women from converting presence into influence. Secondly, women making claims on formal institutions are particularly disadvantaged when formal rules do not apply and patronage relations or informal payments are required to gain access or receive services. Thirdly, informality poses a challenge for women's movements in contexts – such as Egypt and Jordan – where "policy influence heavily relies on informal relationships rather than strictly formal citizen-state engagements" (Tadros, 2011: iii). Inevitably, these informal relationships are dominated by male elites.

International statebuilding support must engage with the ways in which informality shapes formal institutions and the gendered impact of this. In particular, support for institutional reform should go beyond formal structures and address power practices within state institutions. This must include enabling women

to challenge the informality they encounter in political, judicial and administrative institutions. For example, international actors can support women parliamentarians, civil servants or lawyers to form professional associations that can speak out about practices of informality and exclusion. Similarly, international actors can help strengthen mechanisms for women to raise such concerns through established institutions such as ombudsmen, human rights commissions or anti-corruption commissions. In addition, international actors should apply a gender lens to their broader work on corruption, patronage and accountability in fragile contexts, recognising that these governance challenges have specific implications for women.

Customary institutions tend to be very powerful in fragile contexts and have particularly extensive control over women's lives. These institutions often play a central role in maintaining societal gender norms and have authority over issues of importance to women, such as personal status laws and access to community resources. Evidence suggests that many – although not all – customary institutions discriminate against women. Moreover, some customary authorities view women's empowerment as a direct threat to their power base. However, it must be recognised that customary authorities can sometimes deliver outcomes that benefit women, such as rapid and accessible dispute resolution.

Customary institutions can play a key role in mediating women's engagement with the state and participation in the politics of statebuilding. Customary leaders often represent community interests in dialogue with formal state actors. Given the patriarchal nature of most customary institutions, this can result in women's interests being inadequately represented and their needs remaining unmet. Customary institutions can also directly block women's access to state institutions. For example, in Liberia and Sierra Leone, some customary authorities prevent women from claiming their rights through formal courts, while in Afghanistan and Pakistan religious authorities sometimes prevent women from accessing education or health services. The international statebuilding literature suggests that support for hybrid orders that combine formal and customary structures can enhance stability and state legitimacy in fragile contexts. However, such an approach can also formalise and entrench the exclusion of women. While it is important that international actors engage more with customary authorities, this engagement must acknowledge the gender implications of customary power, promote women's rights and interrogate claims about "tradition". One such example is an initiative funded by the U.S. Agency for International Development (USAID), which is working with traditional leaders in Kenya to establish new customary land rights for women (Chopra, 2007).

There are often complex linkages between formal and customary power in fragile settings. Customary structures frequently dominate formal politics and in some fragile contexts customary institutions can determine who gets elected, in whose interests the law operates and how state resources are allocated. Such interdependency between formal and customary institutions can result in the customary exclusion of women being carried into the formal sphere and in discriminatory customary institutions being strengthened through state support. International actors should therefore be cautious when dealing with any statebuilding processes that reinforce this customary-formal interdependence. For example, in Pakistan's Federally Administered Tribal Areas the central state's use of tribal leaders as an intermediary to maintain control over the population serves to reinforce customary power structures that are highly discriminatory towards women.

Lessons for international actors

It is clear that statebuilding can provide an opportunity to address deep-rooted gender inequalities in fragile states. However, such change is often fiercely opposed by political and traditional elites, whose interests it can threaten. Evidence suggests that international actors are not taking full advantage of opportunities to promote women's participation in political decision-making about the direction of statebuilding and the nature of the state. The international statebuilding community needs to understand gender as a political issue. This involves asking how gender

inequalities relate to the political settlement, how arguments about "tradition" represent particular power interests, and how gender inequalities relate to aspects of fragility such as violence, poverty and corruption. Developing this understanding requires the adoption of a political-economy approach to gender analysis, as well as greater integration of gender into existing political, conflict, security and economic analyses.[2]

It is vital that international actors champion women's interests with the most powerful actors and at the most critical moments in the statebuilding process, rather than making gender an "add on" after political deals are done. This includes promoting women's participation in negotiations around the political settlement. The international community must also broaden and deepen its support for women's political participation. This requires addressing the multiple barriers women face when they attempt to access and exercise influence within political institutions, as well as engaging more robustly with political parties.

Economic, social and cultural barriers are a major obstacle to women's political participation and influence in fragile contexts. These include barriers related to poverty, human capability and social attitudes, as well as to the political culture in fragile states. International actors should therefore combine support for institutional reform with a focus on strengthening women's socioeconomic position and political capacities. A holistic approach to women's rights can highlight the ways in which women's lack of economic and social rights limits their access to civil and political rights in fragile contexts.

Support for women's voice is critical if women are to influence the statebuilding agenda. Such support should foster broad coalitions across civil society, politics and public institutions. It should also support these coalitions to develop their own policy agenda, to become effective political actors and to engage with political change processes. This requires that international actors provide sustained support and capacity development to a wide range of civil society partners, including grassroots women's organisations. Given the weakness of women's civil society in fragile settings, international actors must tread carefully to avoid dictating its agenda.

Perhaps the greatest challenge for the international statebuilding agenda is how to address the informality of power in fragile contexts. The promotion of inclusive statebuilding – and particularly women's inclusion – requires international actors to engage in this sensitive area. As a starting point, the international statebuilding community should enhance its understanding of how informal and customary power shapes both statebuilding processes and gender inequalities in different fragile contexts. Ultimately, international actors must take more risks in working with informal structures, as well as provide greater support for the attempts of women's political and civil society to engage with them.

2 A gendered political-economy analysis would focus on how power and resources are distributed and contested and the differing implications of this for women and men. Such an analysis is particularly useful in moving beyond a focus on formal structures and technical solutions to address the underlying interests, incentives and institutions that shape gender inequalities and that can act to block or enable the achievement of gender-equality goals.

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